



MASSACHUSETTS WATER RESOURCES AUTHORITY

Charlestown Navy Yard
100 First Avenue, Building 39
Boston, MA 02129

Frederick A. Laskey
Executive Director

BOARD OF DIRECTORS' MEETING

Telephone: (617) 242-6000
Fax: (617) 788-4899
TTY: (617) 788-4971

Chair: K. Theoharides
Vice-Chair: J. Carroll
Secretary: A. Pappastergion
Board Members:

C. Cook
P. Flanagan
J. Foti
B. Peña
H. Vitale
J. Walsh
P. Walsh
J. Wolowicz

To be Held on Wednesday, December 15, 2021

Time: 1:00pm

To be Held Virtually

Pursuant to An Act Relative to Extending Certain COVID-19
Measures Adopted During the State of Emergency.

WebEx Meeting Link

<https://mwra.webex.com/mwra/onstage/g.php?MTID=e68977089dbbb56712403ce897be3761e>

Event Number: 2349 101 7956

Event Password: 121521

REVISED AGENDA (1)

I. APPROVAL OF MINUTES

II. REPORT OF THE CHAIR

III. REPORT OF THE EXECUTIVE DIRECTOR

IV. EXECUTIVE SESSION

i. Approval of October 20, 2021 Executive Session Minutes

A. Litigation

1. U.S. v. M.D.C., et al., USDC No. 85-0489-RGS
Litigation Strategy/Motion

B. Security

1. Wachusett Watershed Railroad Update

C. Collective Bargaining

1. Collective Bargaining Update

V. ADMINISTRATION, FINANCE & AUDIT

A. Information

1. Delegated Authority Report – October and November 2021
2. FY2022 Financial Update and Summary as of December 2021

V. ADMINISTRATION, FINANCE & AUDIT (Continued)

B. Contract Awards

1. Maximo Software Maintenance and Support: IBM Corporation, State Contract ITS55
2. Dental Insurance: Delta Dental of Massachusetts, Contract A631

C. Contract Amendments/Change Orders

1. Security Guard Services for Various MWRA Facilities: Universal Protection Service LLC, d/b/a Allied Universal Security Services, Contract EXE-041, Amendment 1

VI. WASTEWATER POLICY & OVERSIGHT

A. Information

1. Cottage Farm CSO Facility Improvements and PCB Remediation
2. Prison Point CSO Facility Improvements Barletta Heavy Division, Inc. Contract 7462

B. Contract Awards

1. Clinton Treatment Plant Influent Screw Pump Replacement, Phase 1: IPC Lydon, Contract 7704

C. Contract Amendments/Change Orders

1. Gravity Thickener Upgrade, Deer Island Treatment Plant: Walsh Construction Company II, LLC, Contract 7428, Change Order 17

VII. WATER POLICY & OVERSIGHT

A. Information

1. Update on Lead and Copper Rule Compliance

B. Approvals

1. Memorandum of Agreement with the City of Waltham: Section 101 Extension Water Main Project
2. Renewal of Ten-Tear Water Supply Continuation Agreements for the City of Marlborough and the Dedham-Westwood Water District

C. Contract Awards

1. Wachusett Dam Bastion Improvements: MAS Building and Bridge, Inc., Contract 7697

WATER POLICY & OVERSIGHT

C. Contract Awards (Continued)

2. Northern Extra High Pressure Zone Improvements, Pre-purchase of Water Main Materials: Everett J. Prescott, Inc., Contract WRA-5044

D. Contract Amendments/Change Orders

1. Quabbin Aqueduct Shaft 2 Repairs: Unified Contracting, Inc., Contract 7198, Change Order 1

VIII. PERSONNEL & COMPENSATION

A. Approvals

1. PCR Amendments – December 2021
2. Appointment of Program Manager, Monitoring, TRAC
3. Appointment of Manager, Operations Support
4. Appointment of Senior Program Manager, Operations Engineering
5. Appointment of Senior Program Manager, Master Planning
6. Appointment of Senior Staff Counsel
7. Appointment of MBE/WBE Program Manager
8. Appointment of Business Applications Manager, MIS

B. Contract Amendments/Change Orders

1. Extension of Employment Contract Copy and Supply Clerk, Administration

IX. CORRESPONDENCE TO THE BOARD

X. OTHER BUSINESS

XI. ADJOURNMENT

MASSACHUSETTS WATER RESOURCES AUTHORITY

Meeting of the Board of Directors

October 20, 2021

A meeting of the Massachusetts Water Resources Authority (“MWRA”) Board of Directors was held on October 20, 2021. 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 via remote participation. Present remotely from the Board, in addition to the Chair, were Ms. Wolowicz and Messrs. Cook, Foti, Pappastergion, Peña Vitale, and J. Walsh. Messrs. Carroll, Flanagan 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; Andrea Murphy, Director, Human Resources; Claude Cormier, Director, Internal Audit; Michael Cole, Budget Director; Matthew Horan, Deputy Director, Finance/Treasurer; Betsy Reilley, Director, Environmental Quality; Daniel Codiga, Project Manager, ENQUAL; Matthew Dam, Director, TRAC; Brian Kubaska, Assistant Director, Engineering; David Duest, Director, Deer Island Treatment Plant; Richard Adams, Manager, Engineering Services, Deer Island; Lisa Hamilton, Assistant Director of Engineering; Valerie Moran, Director, Waterworks; Doug Rice, Director, Procurement; John Colbert, Chief Engineer; Ethan Wenger, Director, SCADA; 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 1:01pm. MWRA General Counsel Francisco Murphy took roll call of Board Members in attendance. The Chair announced that with the exception of Executive Session, the meeting was open to the public virtually, via a link posted on MWRA’s website (www.mwra.com). She also announced that the meeting would be recorded, and that the agenda and meeting materials were available on MWRA’s website.

All motions were individually made and presented for discussion and deliberation. MWRA 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 SEPTEMBER 15, 2021 MINUTES

A motion was duly made and seconded to approve the minutes of the Board of Directors’ meeting of September 15, 2021. Chair Theoharides called for any questions, discussion or objections. Hearing none, the Chair referred the motion to an omnibus roll call vote. (ref. I)

REPORT OF THE CHAIR

Chair Theoharides reported that all regions in Massachusetts were out of a drought, and that groundwater had recovered. She added that conversations with MWRA staff continue around recent drought at the Ipswich River Watershed. Next, the Chair encouraged Board Members and MWRA staff to join the EEA in observing “Imagine a Day without Water,” a national campaign to educate the public about the importance of water and wastewater systems. Finally, Chair Theoharides noted that the Baker-Polito administration has continued to pursue federal funds to support water infrastructure. (ref. II)

REPORT OF THE EXECUTIVE DIRECTOR

Mr. Laskey thanked EEA Secretary Theoharides, Undersecretary Card and DCR Commissioner Montgomery for their support of increased DCR Watershed staffing, noting that ten new positions will be posted. He then presented an update on MWRA’s progress in complying with the Baker-Polito administration’s COVID-19 vaccination mandate. Mr. Laskey reported that 98.8% of MWRA’s 1,114 employees had attested to receiving the vaccination or an exemption. He noted that the exemptions that were granted were mostly for religious reasons. He added that staff investigated religions exemption letters issued by one church and confirmed their veracity. Mr. Laskey then thanked MWRA staff for complying with the vaccine mandate. Next, he reported that the summer and fall’s heavy rains and high temperatures had contributed to higher than normal total coliform detections in some MWRA communities. He added that MWRA staff were encouraging member communities to flush their systems. Finally, Mr. Laskey noted that MWRA system expansion continues to be a topic of discussion. (ref. III)

PERSONNEL AND COMPENSATION

Approvals

October PCR Amendments

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

MWRA Human Resources Director Andrea Murphy briefly summarized the fifteen proposed PCR amendments, which included two title changes to two vacant positions in the Administration Division, MIS Department; one title and grade change to one vacant position in the Operations Division, Engineering and Construction Department; one title change to one filled position in the Operations Division, TRAC Department; two grade changes to two vacant positions in the Operations Division, Deer Island Thermal Unit; and, nine grade changes to nine filled positions in the Operations Division, Deer Island Thermal Unit.

Mr. Foti asked why the number of proposed PCR amendments was higher than usual. Ms. Murphy explained that most of the amendments were intended to competitively retain and recruit Deer Island Thermal Power Plant staff.

Chair Theoharides asked if there were further questions, discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. IV A.1)

Appointment of Senior Program Manager, Community Support

A motion was duly made and seconded to approve the appointment of Mr. Jon Szarek to the position of Senior Program Manager, Community Support (Unit 9, Grade 30) in the Planning and Sustainability Department at an annual salary of \$119,503.32 commencing on a date to be determined by the Executive Director.

MWRA Human Resources Director Andrea Murphy summarized the proposed candidate's work history, experience, education and qualifications.

Mr. Laskey noted that the proposed candidate would be succeeding Mr. Carl Leone, who had recently retired.

(Mr. Jack Walsh joined the meeting during the discussion.)

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

Appointment of the Director, Metropolitan Operations

A motion was duly made and seconded to approve the appointment of Mr. Michael J. McCarthy to the position of Director, Metropolitan Operations (Non-Union, Grade 15), in the Operations Division, at the annual salary of \$154,400, commencing on a date to be determined by the Executive Director.

MWRA Human Resources Director Andrea Murphy summarized the proposed candidate's work history, experience, education and qualifications.

There was brief discussion about MWRA's internal and external job posting process.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. IV A.3)

Appointment of Manager, Occupational Health & Safety

A motion was duly made and seconded that the Board approve the appointment of Mr. Thomas Kirwin to the position of Manager, Occupational Health & Safety (Non-Union, Grade 14) in the Administration Division, at an annual salary of \$138,000 commencing on a date to be determined by the Executive Director.

MWRA Human Resources Director Andrea Murphy summarized the proposed candidate's work history, experience, education and qualifications.

Chair Theoharides asked if there was any discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. IV A.4)

Appointment of Technical Operations Manager

A motion was duly made and seconded to approve the appointment of Mr. David Ruiz to the position of Technical Operations Manager, (Non-Union, Grade 14), at an annual salary of \$135,000.00 commencing on a date to be determined by the Executive Director.

MWRA Human Resources Director Andrea Murphy summarized the proposed candidate's work history, experience, education and qualifications.

Chair Theoharides asked if there was any discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. IV A.5)

ADMINISTRATION, FINANCE AND AUDITInformationInternal Audit Department Activities Report – FY2021

MWRA Internal Audit Director Claude Cormier verbally presented highlights of the work completed by MWRA's Internal Audit staff in Fiscal Year 2021 (FY21). He briefly described the purpose of the report and noted that staff had identified over \$2.3 million in savings in FY21. Next, he described the goals of Internal Audit, including the assessment of internal controls; the review of contracts and related documentation; and, the review of MWRA policies, procedures and operational management methods. Next, Mr. Cormier added that his personal objective is to shorten the cycle time needed to close recommendations and implement corrective action.

Committee Chair Vitale invited questions or comments from Board Members. Hearing none, he proceeded to the next agenda item. (ref. V A.1)

Delegated Authority Report – September 2021

Committee Chair Vitale invited questions or comments from Board Members.

Mr. Jack Walsh asked for clarification on the purpose of the Marlborough Emergency Pump Station Connection project line item. MWRA Chief Operating Officer David Coppes explained that MWRA is designing and installing a connection and valve chamber to support a redundant means of water supply to the pump station, which is owned by the City of Marlborough.

Hearing no further questions or comments, Mr. Vitale proceeded to the next agenda item. (ref. V A.2)

FY22 Financial Update and Summary through September 2021

MWRA Director of Finance Thomas Durkin summarized financial results and variance highlights for Fiscal Year 2022 (FY22) through September 2021. He reported a positive variance of \$10 million, due to lower direct expenses (-\$5.9 million), indirect expenses (-\$0.3 million), and capital financing (-\$2.9 million). He also reported -19.7% in Capital Improvement spending. Next, Mr. Durkin described the potential impacts of nationwide supply-chain difficulties on MWRA procurements. Mr. Durkin then explained that inflation could affect MWRA's budgets in the future, citing the rising cost of chemicals as an example. There was brief discussion about a

typographical error in the meeting materials. Mr. Durkin affirmed that the error would be updated for the record. There was also general discussion about MWRA's repair and maintenance budget variance.

Mr. Foti asked why MWRA's overtime expenses were approximately 13% over budget, and whether MWRA should consider increasing its overtime budget. Mr. Durkin and Mr. Coppes explained that most of MWRA's FY22 overtime to date was used for coverage during periods of historically high rain, severe thunderstorms and a hurricane, which are expected to subside in the coming months. Mr. Laskey added that COVID-19 staffing challenges also contributed to increased overtime use. MWRA Budget Director Michael Cole noted that MWRA's overtime budget increases by 3% annually.

Mr. Pappastergion noted that MWRA's wages and salaries were 10% under budget, in alignment with overtime overages, and agreed that the current overtime budget was sufficient.

Committee Chair Vitale invited further questions or comments from Board Members. Hearing none, he proceeded to the next agenda item. (ref. V A.3)

Approvals

Approval of the Eighty-Fourth Supplemental Resolution

A motion was duly made and seconded to adopt the Eighty-Fourth Supplemental Resolution authorizing the issuance of up to \$775,000,000 of Massachusetts Water Resources Authority Taxable and Tax-Exempt General Revenue Bonds and General Revenue Refunding Bonds and the supporting Issuance Resolution.

Mr. Durkin reported that the current interest rate environment and the particular structure of certain bonds in MWRA's portfolio made it advantageous to execute a refunding. MWRA Deputy Director, Finance/Treasurer Matthew Horan verbally summarized the proposed \$775,000,000 bond authorization issuance of approximately \$700 million in refunding bonds and \$75 million in new money bonds. He explained that the refunding bonds would be issued as federally taxable, unless Congress enacted changes to the tax code that restored tax-exempt advanced advance refundings. He added that a restoration would improve the savings under this transaction. Finally, Mr. Horan noted that the new money bonds would be used to permanently finance outstanding tax-exempt commercial paper.

There was general discussion about the terms and benefits of the proposed bond issuance. There was also discussion about MWRA's methodology for determining how much tax exempt commercial paper to have outstanding at a given time.

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

Contract Awards

Automated Vehicle Locator Tracking System: GPS Insight, LLC, Bid WRA-5027, State Contract VEH106

A motion was duly made and seconded to approve the award of a purchase order contract to provide Automated Vehicle Location services to the lowest responsive bidder under Bid WRA-5027, GPS Insight, LLC, and to authorize the Executive Director to execute said purchase order contract in an amount not to exceed \$362,007 for a contract term of 36 months from the Notice to Proceed.

MWRA Deputy Chief Operating Officer Carolyn Fiore verbally summarized the proposed three-year purchase order contract for automated vehicle locator services for tracking MWRA vehicles. Next, she described the bid process, noting that some bidders' proposed schedules were impacted by a microchip shortage. Ms. Fiore added that the proposed contract with GPS Insight offered improvements over the product MWRA currently used. Finally, Ms. Fiore thanked Board Member Foti and Mass DOT staff for their assistance with this procurement.

There was brief discussion about the uses of vehicle tracking systems as a secondary tool in discipline matters in accordance with union agreements, as well as a means of determining staff locations and estimated arrival times during emergency response operations.

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

WASTEWATER POLICY AND OVERSIGHT

Information

2020 Deer Island Outfall Monitoring Overview

MWRA Director of Environmental Quality (ENQUAL) Betsy Reilley presented a summary of Deer Island Outfall monitoring results for 2020. The presentation included an overview of MWRA's ambient monitoring program and outfall monitoring highlights, including COVID-19 protocols; total effluent nitrogen load; dissolved oxygen levels; hypoxia in Cape Cod Bay; and, nuisance algae. Ms. Reilley also shared a video of aquatic conditions and underwater life at the Outfall diffuser.

(Ms. Wolowicz left the meeting during the presentation.)

Mr. Walsh inquired about fin erosion in flounder. Ms. Reilley and MWRA Project Manager, ENQUAL Daniel Codiga indicated that staff would forward fin erosion results to Mr. Walsh.

Chair Theoharides asked if staff had identified trends in the seasonal variation of dissolved oxygen results. Mr. Codiga responded that staff had observed a long-term, regional trend of decreasing oxygen levels, and that it might be attributed to regional warming trend.

There was general discussion about dissolved oxygen levels near the outfall and ways that MWRA's outfall monitoring observations could potentially be used to study local and regional warming trends and their impacts.

Committee Vice Chair Jack Walsh asked if there was any further discussion, or objections. Hearing none, he proceeded to the next agenda item. (ref. VI A.1)

MWRA Industrial Waste Report #37: Industrial Pretreatment Program Annual Report to EPA for FY21

MWRA Director of Toxic Reduction and Control (TRAC) Matthew Dam provided Board Members with an overview of MWRA's Industrial Pretreatment Program Annual Report for FY21 in advance of required submittal to the US EPA and MA DEP on October 31, 2021. He described the purpose of the report, which summarizes the program's activities and accomplishments during the fiscal year. Mr. Dam noted that Per- and Polyfluoroalkyl Substances (PFAS) became a major concern in FY21, and that regulations are evolving. Finally, Mr. Dam reported that MWRA staff plan to implement a program to better understand the sources of PFAS in wastewater, and that staff will focus on identifying sources of PFAS from discharges that require permits to the MWRA system.

Committee Vice Chair Jack Walsh asked if there was any further discussion, or objections. Hearing none, he proceeded to the next agenda item. (ref. VI A.2)

Contract Amendments/Change Orders

Prison Point CSO Facility Improvements, Design, Construction Administration and Resident Engineering Services: Arcadis U.S., Inc., Contract 7359, Amendment 5

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Amendment 5 to Contract 7359, Prison Point CSO Facility Improvements Design, Construction Administration and Resident Engineering Services, with Arcadis U.S., Inc. to increase the contract amount by \$28,464 from \$4,549,359 to \$4,577,823, with no increase to the contract term.

MWRA Assistant Director of Engineering Brian Kubaska summarized the reasons for the proposed amendment, including out of scope pre-bid and pre-award services.

Mr. Pena inquired about re-delegation. There was brief discussion about MWRA's Delegated Authority policy for design and construction efforts. Mr. Laskey noted that MWRA is preparing revised Delegated Authority policy recommendations with a goal of streamlining future Board meetings.

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

Deer Island Treatment Plant – Combined Heat and Power Study: Black & Veatch Corporation Contract 6963A, 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 6963A, Deer Island Treatment Plant – Combined Heat and Power Study, with Black & Veatch Corporation to increase the contract term by three months, from October 7, 2021 to January 7, 2022, with no increase in contract price.

MWRA Deer Island Treatment Plant Director David Duest summarized the reasons for the proposed amendment to increase the contract term by three months, with no increase in cost. He explained that this study is important for evaluating long-term green energy production from the Deer Island Treatment Plant. Mr. Duest added that proposed contract term extension allowed for expanded review of the consultant's report by the U.S. Department of Energy's Better Plans Program. Finally, he noted that staff will present the final report to Board members at a later date.

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

Deer Island Treatment Plant Clarifier Rehabilitation, Phase II Design/Engineering Services During Construction: CDM Smith Inc., Contract 7394, 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 7394, Deer Island Treatment Clarifier Rehabilitation, Phase II, with CDM Smith Inc. to increase the contract amount by \$113,581, from \$2,375,349 to \$2,488,930 and to increase the contract term by 62 months, from October 20, 2021 to December 20, 2026.

Mr. Duest summarized the reasons for the proposed \$113,581 amendment, including wage rate increases and additional design level effort due to the project's complexity. He added that the proposed time extension was also needed for COVID-19 related consultant delays and bid-related delays. Mr. Duest explained that MWRA had not received qualified bidders within range of the engineer's estimate, and, after seeking advice from the Attorney General's office, MWRA's consultant was revising bid documents.

Mr. Foti asked about scheduling and delays. There was discussion about the bidding process difficulties and the project schedule.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. VI B.3)

WATER POLICY AND OVERSIGHT

Information

Metropolitan Water Tunnel Program Update

MWRA Director of Tunnel Redundancy Kathleen Murtagh presented an update on the Metropolitan Water Tunnel Program that included the status of geotechnical field investigation; the Massachusetts Environmental Policy Act Office (MEPA) review process; the evaluation of alternative tunnel shaft sites and tunnel alignments; and, community outreach.

Chair Theoharides noted that regulations would be changing to conform to climate law and environmental justice policy. Committee Chair Peña and Mr. J. Walsh inquired about fault lines, and Mr. J. Walsh asked about preliminary project costs. There was also general discussion about fault lines and the program budget. Ms. Murtagh discussed the work in locating and identifying

fault lines, and the challenges fault lines can create. She also discussed the preliminary budget figures as of 2021.

Committee Chair Peña asked if there was any further discussion, or objections. Hearing none, he proceeded to the next agenda item. (ref. VII A.1)

Approvals

Memorandum of Agreement between MWRA and the Town of Lexington Northern Extra High Pressure Zone Improvements, CP1 - Section 63 Extension Contract 6522

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to execute a Memorandum of Agreement with the Town of Lexington, substantially in the form as presented and filed with the records of the meeting, related to reimbursement to MWRA for construction costs associated with the installation of the Town of Lexington's local water main and appurtenances.

MWRA Assistant Director of Engineering Lisa Hamilton presented an overview of the Northern Extra High Pressure Zone Improvements project, which will include redundancy and support the admission of the Town of Burlington to the MWRA water system. Next, she described the proposed Memorandum of Agreement (MOA) with the Town of Lexington, where MWRA's Contract 6522, Construction Package 1 (CP-1) work will take place. Ms. Hamilton explained that the proposed MOA with Lexington contains the provision that MWRA would include the replacement of the Town's 16-inch local water main piping in the upcoming CP-1. She added that the Town would reimburse MWRA for its share of construction costs.

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

Contract Awards

Three-Year Purchase Order Contract for the Supply and Delivery of Soda Ash to the John J. Carroll Water Treatment Plant: Tata Chemicals Soda Ash Partners, Bid WRA-5003

A motion was duly made and seconded to approve the award of Purchase Order Contract WRA-5003 for the supply and delivery of soda ash to the John J. Carroll Water Treatment Plant to the lowest responsive bidder, Tata Chemicals Soda Ash Partners, and authorize the Executive Director, on behalf of the Authority, to execute said purchase order contract in an amount not to exceed \$10,162,800 for a period of three years, from January 1, 2022 through December 31, 2024.

MWRA Director of Waterworks Valerie Moran described the proposed three-year contract to supply and deliver soda ash, which is used at the Carroll Water Treatment Plant for corrosion control.

There was discussion about the proposed contract's terms, cost and duration, fluctuations in chemical costs, and MWRA's contractual safeguards against supply chain issues. (Mr. Cook temporarily left the meeting during the discussion.)

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

Rehabilitation of Sections 23, 24 and 47 Water Mains – Boston and Newton: Albanese D&S, Inc., Contract 6392

A motion was duly made and seconded to approve the award of Contract 6392, Rehabilitation of Sections 23, 24 and 47 Water Mains, Boston and Newton, 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 \$26,843,000 with a contract term of 912 calendar days from the Notice to Proceed.

MWRA Chief Engineer John Colbert gave a presentation that included an overview of the project to replace or rehabilitate five miles of embedded MWRA water mains in the Southern Extra High Pressure Zone in Newton and Boston and the bidding process. He noted that the project includes 2,400 feet of pipeline in the City of Newton, the cost of which will be reimbursed under a previously approved MOA with the City.

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

Contract Amendments/Change Orders

Rehabilitation of Sections 23, 24 and 47 Water Mains – Design, Engineering Services During Construction, and Resident Engineering/Inspection Services Green International Affiliates, Inc. Contract 6385, 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 6385, Rehabilitation of Sections 23, 24 and 47 Water Mains - Design, Engineering Services During Construction, and Resident Engineering/Inspection Services with Green International Affiliates, Inc., increasing the contract amount by \$245,401, from \$3,506,868 to \$3,752,269 and extending the contract term by 36 months, from August 1, 2022 to August 1, 2025.

Mr. Colbert summarized the reasons for the proposed amendment, including a three-year pause in the project due to the relocation of Columbia Gas lines; project administration costs associated with additional work to finalize plans and bid the contract; and, the escalation of labor rates.

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

(Mr. Cook returned to the meeting.)

John J. Carroll Water Treatment Plant SCADA System Improvements Design, Engineering Services During Construction and Resident Engineering Services: Arcadis U.S., Inc., Contract 7581, Amendment 2

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Amendment 2 to Contract 7581, John J. Carroll Water Treatment Plant SCADA System Improvements Design, Engineering Services During Construction and Resident Engineering Services, with Arcadis U.S., Inc., to increase the contract amount by \$1,095,716.97 from \$4,727,028.07 to \$5,822,745.04 and extend the contract term by 687 calendar days, from November 15, 2023 to October 2, 2025.

Mr. Colbert provided an overview of the project. He explained staff's efforts to ensure the continued protection of sensitive security information at the Carroll Treatment Plant. Mr. Colbert then described the complexity of the project's logistics, including the coordination of work while simultaneously allowing for uninterrupted water treatment plant operations.

Ms. Moran gave a presentation that summarized the reasons for the proposed amendment, including complications during the procurement of a design consultant; enhancements to the project approach; difficulties soliciting competitive bids; and COVID-19 related supply chain issues.

Mr. Walsh asked about the scope of the SCADA work. There was discussion about the purpose of SCADA systems, SCADA system manufacturers, the scope and complexity of MWRA's project, and the widespread shortage of SCADA system professionals. Mr. Vitale commented on the SCADA system at the Union Park facility.

Mr. Foti requested an individual roll call vote on this agenda item. Mr. Peña seconded the motion.

Chair Theoharides called for a roll call vote on the motion made and seconded to take an individual roll call vote on agenda item V D.2. A roll call vote was taken in which the member were recorded as follows:

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

Voted: to take an individual roll call vote on agenda item V D.2.

Chair Theoharides asked if there were any further questions or discussion.

Mr. Foti stated that his opposition to the approval of the amendment was not a reflection on Arcadis U.S., Inc.

Chair Theoharides encouraged MWRA staff to streamline the contract amendment and change order process. She also recommended that staff compile information on contract overages and changes to provide the Board with some perspective in evaluating proposals. Mr. Laskey affirmed that staff will provide the requested analyses at future Board meetings.

Hearing no further discussion or objections, Chair Theoharides called for an individual roll call vote on the motion duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Amendment 2 to Contract 7581, John J. Carroll Water Treatment Plant SCADA System Improvements Design, Engineering Services During Construction and Resident Engineering Services, with Arcadis U.S., Inc., to increase the contract amount by \$1,095,716.97 from \$4,727,028.07 to \$5,822,745.04 and extend the contract term by 687 calendar days, from November 15, 2023 to October 2, 2025.

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

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

Voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 2 to Contract 7581, John J. Carroll Water Treatment Plant SCADA System Improvements Design, Engineering Services During Construction and Resident Engineering Services, with Arcadis U.S., Inc., to increase the contract amount by \$1,095,716.97 from \$4,727,028.07 to \$5,822,745.04 and extend the contract term by 687 calendar days, from November 15, 2023 to October 2, 2025. (ref. V D.2)

OMNIBUS ROLL CALL VOTE

Chair Theoharides called for an omnibus roll call vote on the motions made and seconded, with the exception of agenda item V D.2, for which an individual roll call vote was conducted.

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		
Foti		
Pappastergion		
Peña		
Vitale		

Yes No Abstain
J. Walsh

Voted: to approve the minutes of the Board of Directors' meeting of September 15, 2021 (ref. I);

Further, voted: to approve amendments to the Position Control Register (PCR) as presented and filed with the records of the meeting. (ref. IV A.1);

Further, voted: approve the appointment of Mr. Jon Szarek to the position of Senior Program Manager, Community Support (Unit 9, Grade 30) in the Planning and Sustainability Department at an annual salary of \$119,503.32 commencing on a date to be determined by the Executive Director. (ref IV A.2);

Further, voted: to approve the appointment of Mr. Michael J. McCarthy to the position of Director, Metropolitan Operations (Non-Union, Grade 15), in the Operations Division, at the annual salary of \$154,400, commencing on a date to be determined by the Executive Director. (ref. IV A.3);

Further, voted: that the Board approve the appointment of Mr. Thomas Kirwan to the position of Manager, Occupational Health and Safety (Non-Union, Grade 14) in the Administration Division, at an annual salary of \$138,000 commencing on a date to be determined by the Executive Director. (ref. IV A.4);

Further, voted: to approve the appointment of Mr. David Ruiz to the position of Technical Operations Manager, (Non-Union, Grade 14), at an annual salary of \$135,000 commencing on a date to be determined by the Executive Director. (ref. IV A.5);

Further, voted: to adopt the Eighty-Fourth Supplemental Resolution authorizing the issuance of up to \$775,000,000 of Massachusetts Water Resources Authority Taxable and Tax-Exempt General Revenue Bonds and General Revenue Refunding Bonds and the supporting Issuance Resolution. (ref. V B.1);

Further, voted: to approve the award of a purchase order contract to provide Automated Vehicle Location services to the lowest responsive bidder under Bid WRA-5027, GPS Insight, LLC, and to authorize the Executive Director to execute said purchase order contract in an amount not to exceed \$362,007 for a contract term of 36 months from the Notice to Proceed. (ref. V C.1);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 5 to Contract 7359, Prison Point CSO Facility Improvements Design, Construction Administration and Resident Engineering Services, with Arcadis U.S., Inc. to increase the contract amount by \$28,464 from \$4,549,359 to \$4,577,823, with no increase to the contract term. (ref. VI B.1);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 3 to Contract 6963A, Deer Island Treatment Plant – Combined Heat and Power Study, with Black & Veatch Corporation to increase the contract term by three months, from October 7, 2021 to January 7, 2022, with no increase in contract price. (ref. VI B.2);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 3 to Contract 7394, Deer Island Treatment Clarifier Rehabilitation, Phase II , with CDM Smith Inc. to increase the contract amount by \$113,581, from \$2,375,349 to \$2,488,930 and to increase the contract term by 62 months, from October 20, 2021 to December 20, 2026. (ref. VI B.3);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to execute a Memorandum of Agreement with the Town of Lexington, substantially in the form as presented and filed with the records of the meeting, related to reimbursement to MWRA for construction costs associated with the installation of the Town of Lexington's local water main and appurtenances. (ref. VII B.1);

Further, voted: to approve the award of Purchase Order Contract WRA-5003 for the supply and delivery of soda ash to the John J. Carroll Water Treatment Plant to the lowest responsive bidder, Tata Chemicals Soda Ash Partners, and authorize the Executive Director, on behalf of the Authority, to execute said purchase order contract in an amount not to exceed \$10,162,800 for a period of three years, from January 1, 2022 through December 31, 2024. (ref. VII C.1);

Further, voted: to approve the award of Contract 6392, Rehabilitation of Sections 23, 24 and 47 Water Mains, Boston and Newton, 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 \$26,843,000 with a contract term of 912 calendar days from the Notice to Proceed. (ref. VII C.2);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 1 to Contract 6385, Rehabilitation of Sections 23, 24 and 47 Water Mains - Design, Engineering Services During Construction, and Resident Engineering/Inspection Services with Green International Affiliates, Inc., increasing the contract amount by \$245,401, from \$3,506,868 to \$3,752,269 and extending the contract term by 36 months, from August 1, 2022 to August 1, 2025. (ref. VII D.1)

(Mr. Pappastergion left the meeting after the Omnibus Roll Call Vote.)

OTHER BUSINESS

There was no Other Business.

EXECUTIVE SESSION

REAL ESTATE AND SECURITY

Chair Theoharides requested that the Board move into Executive Session. A motion was duly made and seconded to enter Executive Session.

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		
Foti		
Peña		
Vitale		
J. Walsh		

Voted: to enter Executive Session.

The Board moved to Executive Session to discuss real estate and security since discussing such in Open Session could have a detrimental effect upon the negotiating position and security of the Authority. The Board did not return to Open Session, and adjourned the meeting from Executive Session.

*** EXECUTIVE SESSION ***


The meeting entered Executive Session at 3:07pm and adjourned at 3:12pm.

Approved: December 15, 2021

Attest:


Andrew M. Pappastergion, Secretary

STAFF SUMMARY

TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director 
DATE: December 15, 2021
SUBJECT: Delegated Authority Report – October and November 2021

COMMITTEE: Administration, Finance & Audit

INFORMATION
 VOTE


Michele S. Gillen
Director, Administration

Jacqueline Collins, Admin. Coordinator
Barbara Aylward, Administrator A & F
Preparer/Title


Douglas J. Rice
Director of Procurement

RECOMMENDATION:

For information only. Attached is a listing of actions taken by the Executive Director under delegated authority for the period October 1 – November 30, 2021.

This report is broken down into three sections:

- Awards of Construction, non-professional and professional services contracts and change orders and amendments in excess of \$25,000, including credit change orders and amendments in excess of \$25,000;
- Awards of purchase orders in excess of \$25,000; and
- Amendments to the Position Control Register.

BACKGROUND:

The Board of Directors' Management Policies and Procedures, as amended by the Board's vote on February 21, 2018, delegate authority to the Executive Director to approve the following:

Construction Contract Awards:

Up to \$1 million if the award is to the lowest bidder.

Change Orders:

Up to 25% of the original contract amount or \$250,000, whichever is less, where the change increases the contract amount, and for a term not exceeding an aggregate of six months; and for any amount and for any term, where the change decreases the contract amount. The delegations for cost increases and time can be restored by Board vote.

Professional Service Contract Awards:

Up to \$100,000 and one year with a firm; or up to \$50,000 and one year with an individual.

Non-Professional Service Contract Awards:

Up to \$250,000 if a competitive procurement process has been conducted, or up to \$100,000 if a procurement process other than a competitive process has been conducted.

Purchase or Lease of Equipment, Materials or Supplies:

Up to \$1 million if the award is to the lowest bidder.

Amendments:

Up to 25% of the original contract amount or \$250,000, whichever is less, and for a term not exceeding an aggregate of six months.

Amendments to the Position Control Register:

Amendments which result only in a change in cost center.

BUDGET/FISCAL IMPACT:

Recommendations for delegated authority approval include information on the budget/fiscal impact related to the action. For items funded through the capital budget, dollars are measured against the approved capital budget. If the dollars are in excess of the amount authorized in the budget, the amount will be covered within the five-year CIP spending cap. For items funded through the Current Expense Budget, variances are reported monthly and year-end projections are prepared at least twice per year. Staff review all variances and projections so that appropriate measures may be taken to ensure that overall spending is within the MWRA budget.

CONSTRUCTION/PROFESSIONAL SERVICES DELEGATED AUTHORITY ITEMS OCTOBER 1 - 31, 2021

NO.	DATE OF AWARD	TITLE AND EXPLANATION	CONTRACT	AMEND/CO	COMPANY	FINANCIAL IMPACT
C-1.	10/04/21	FIRE ALARM SYSTEM SERVICE - METRO BOSTON FINAL BALANCING CHANGE ORDER TO DECREASE THE FOLLOWING BID ITEMS TO REFLECT ACTUAL QUANTITIES USED: ON-SITE TESTING OF FIRE ALARM SYSTEMS, ON-SITE NON-EMERGENCY REPAIR SERVICE, NON-EMERGENCY AND EMERGENCY REPAIR SERVICE ON FIRE ALARM SYSTEMS PERFORMED BY MANUFACTURER'S AUTHORIZED SERVICE REPRESENTATIVES, ON-SITE EMERGENCY REPAIR SERVICE ON FIRE ALARM SYSTEM, REPLACEMENT PARTS AND RENTAL EQUIPMENT.	OP-380	2	SULLIVAN & MC LAUGHLIN COMPANIES, INC.	(\$105,458.62)
C-2.	10/04/21	INSTRUMENTATION SYSTEM SERVICES FINAL BALANCING CHANGE ORDER TO DECREASE THE FOLLOWING BID ITEMS TO REFLECT ACTUAL QUANTITIES USED: NON-EMERGENCY AND EMERGENCY ON-CALL SERVICES, SCHEDULED PROCESS INSTRUMENTATION SYSTEMS SERVICE, REPLACEMENT PARTS AND RENTAL EQUIPMENT, ON-CALL DIAGNOSTIC AND REMEDIATION SERVICES.	OP-371	2	APOLLO SAFETY, INC.	(\$85,610.21)
C-3.	10/04/21	INSTALLATION OF ENERGY-EFFICIENT LED INTERIOR LIGHTING AT THE NUT ISLAND HEADWORKS AWARD OF ENERGY EFFICIENT CONTRACT TO NGRID PREQUALIFIED VENDOR FOR INSTALLATION OF ENERGY-EFFICIENT LED INTERIOR LIGHTING AT THE NUT ISLAND HEADWORKS FOR A TERM OF 150 CALENDAR DAYS. REBATE TOTALING \$16,550 WILL BE RECEIVED FROM NGRID UPON PROJECT COMPLETION.	OP-438	AWARD	HORIZON SOLUTIONS, LLC	\$95,396.00
C-4.	10/18/21	COMMONWEALTH AVENUE PUMPING STATION IMPROVEMENTS MODIFY EXISTING MOTOR CONTROL CENTER, FURNISH AND INSTALL HVAC CONTROL WIRING; REMOVE AND DISPOSE OF DUCT SMOKE DETECTORS, ELECTRICAL WIRING AND REPROGRAM THE FIRE ALARM CONTROL PANEL.	7524	12	WES CONSTRUCTION CORP.	\$65,750.84
C-5.	10/28/21	SOUTHERN EXTRA HIGH PIPELINE - SECTION 111 DEDHAM SOUTH FINAL BALANCING CHANGE ORDER TO DECREASE THE FOLLOWING BID ITEMS TO REFLECT ACTUAL QUANTITIES USED: DELETE THE REQUIREMENT TO EXCAVATE AND DISPOSE OF UNSUITABLE MATERIAL, EXCAVATE ROCK, EXCAVATE AND DISPOSE OF GROUP 1A UNLINED LANDFILL, EXCAVATE AND DISPOSE 1B LINED LANDFILL CONTAMINATED SOILS, EXCAVATE AND DISPOSE OF GROUP IIB ASPHALT BATCH RECYCLING CONTAMINATED SOILS, INSTALLATION OF AIR RELEASE PIPING ASSEMBLY, INSTALLATION OF AIR RELEASE MANHOLE AND TURN THE MATERIALS, PAINT AIR VENT PIPING ASSEMBLY, INSTALLATION OF MWRA BLOW OFF PIPING ASSEMBLY, BLOW OFF MANHOLE, REPLACE EXISTING NON-COPPER WATER SERVICES FROM MAIN TO CURB STOP, REPLACE EXISTING COPPER WATER SERVICES WITHIN MWRA TRENCH, REPLACE WATER SERVICE CONNECTIONS TO NEW DEDHAM WESTWOOD WATER DISTRICT MAIN, REPLACE EXISTING SEWER LATERALS FROM MAIN TO PROPERTY LINE, INSTALL CURED-IN-PLACE LINING, POLICE DETAIL SERVICES, DEDHAM FIRE DEPARTMENT SERVICES, TEMPORARY RELOCATION OF OVERHEAD UTILITIES, MBTA SERVICES, DIESEL FUEL, GASOLINE, LIQUID ASPHALT AND PORTLAND CEMENT, ADDITIONAL SURFACE DEFORMATION MONITORING AND REIMBURSEMENT FOR COVID GUIDELINES AND PROCEDURES.	7505	9	RJV CONSTRUCTION CORP.	(\$590,578.09)
C-6.	10/28/21	CONTINUOUS EMISSIONS OF MONITORING SYSTEM SERVICES DEER ISLAND TREATMENT PLANT AWARD OF A CONTRACT TO THE LOWEST RESPONSIVE BIDDER FOR THE CONTINUOUS EMISSIONS MONITORING SYSTEM SERVICES FOR A TERM OF 730 CALENDAR DAYS.	5604	AWARD	CK ENVIRONMENTAL, INC.	\$138,000.00
C-7.	10/28/21	ROOF REPLACEMENT AT WATER PUMPING STATIONS AWARD OF A CONTRACT TO THE LOWEST RESPONSIVE BIDDER FOR THE ROOF REPLACEMENT AT BELMONT, LEXINGTON STREET AND SPRING STREET WATER PUMPING STATIONS FOR A TERM OF 365 CALENDAR DAYS.	7626	AWARD	MDM ENGINEERING COMPANY, INC.	\$668,000.00

CONSTRUCTION/PROFESSIONAL SERVICES DELEGATED AUTHORITY ITEMS NOVEMBER 1 - 30, 2021

NO.	DATE OF AWARD	TITLE AND EXPLANATION	CONTRACT	AMEND/CO	COMPANY	FINANCIAL IMPACT
C-1.	11/05/21	REHABILITATION OF WASM 3 SECTIONS W11/W12/W16/51 (MEDFORD, SOMERVILLE AND ARLINGTON) MODIFY THE SUPPORT OF EXCAVATION AT BOSTON AVENUE; REMOVE AND REPLACE EXISTING MANHOLE AND PIPE FLANGE OPENING.	6544	4	ALBANESE D&S, INC.	\$88,020.62
C-2.	11/18/21	PUMP STATION DUCT CLEANING AND REPAIRS - QUINCY, HINGHAM, HOUGHS NECK AND SQUANTUM PUMP STATIONS FINAL BALANCING CHANGE ORDER TO DECREASE THE FOLLOWING ITEMS TO REFLECT ACTUAL QUANTITIES USED: COVID-19 ALLOWANCE, FIRE WATCH ALLOWANCE.	OP-413	1	COOLING & HEATING SPECIALISTS, INC.	(\$64,366.67)
C-3.	11/18/21	OVERHEAD DOOR MAINTENANCE SERVICES, VARIOUS MWRA FACILITIES FINAL BALANCING CHANGE ORDER TO DECREASE THE FOLLOWING ITEMS TO REFLECT ACTUAL QUANTITIES USED: NON-EMERGENCY AND EMERGENCY ON-CALL SERVICES, REPLACEMENTS PARTS.	OP-389	1	SAFEWAY OVERHEAD CRANE DOOR SERVICE, INC.	(\$32,803.96)
C-4.	11/18/21	FUEL STORAGE AND DAY TANK SYSTEM REPLACEMENTS AT THE GILLIS AND LEXINGTON STREET PUMPING STATIONS AND HAYES PUMP STATION EXTEND CONTRACT TERM BY 60 CALENDAR DAYS FROM OCTOBER 23, 2021 TO DECEMBER 22, 2021.	7554	2	NRC EAST ENVIRONMENTAL SERVICES, INC.	\$50,000.00
C-5.	11/30/21	ELEVATOR MAINTENANCE SERVICES AT VARIOUS AUTHORITY FACILITIES AWARD OF A CONTRACT TO THE LOWEST RESPONSIVE BIDDER FOR ELEVATOR MAINTENANCE SERVICES AT VARIOUS AUTHORITY FACILITIES FOR A TERM OF 1,095 CALENDAR DAYS.	OP-433	AWARD	UNITED ELEVATOR COMPANY, INC.	\$338,580.00


PURCHASING DELEGATED AUTHORITY ITEMS October 1 - 31

NO.	DATE OF AWARD	TITLE AND EXPLANATION	CONTRACT	AMENDMENT	COMPANY	FINANCIAL IMPACT
P-1.	10/07/21	REAL ESTATE CONSULTING SERVICES Award of a critical need purchase order to provide Real Estate Consulting Services associated with the sale of the Chelsea Facility.			Waterside 303 Corp. dba Hunneman	\$60,000.00
P-2	10/22/21	APPLICATION DEVELOPER CONSULTANT Award of a purchase order under state contract ITS77 to the lowest responsive bidder to provide an Application Developer Consultant.	WRA-5006Q		LanceSoft, Inc.	\$76,500.00
P-3	10/27/21	MAINTENANCE AND SUPPORT OF SAP BUSINESSOBJECTS' BUSINESS INTELLIGENCE SUITE Award of a one-year purchase order to the lowest responsive bidder for Maintenance and Support for SAP BusinessObjects' Business Intelligence Suite for the time period December 30, 2021 through December 29, 2022.	WRA-5031Q		Carahsoft Technology Corporation	\$45,213.89
P-4	10/27/21	MAINTENANCE AND SUPPORT FOR THE PRETREATMENT INFORMATION MANAGEMENT SYSTEM Award of a one-year purchase order for maintenance and support for the Pretreatment Information Management System for the time period of November 1, 2021 through October 31, 2022.			Inflection Point Solutions, LLC	\$115,000.00
P-5	10/29/21	PURCHASE OF SIXTY HEWLETT PACKARD ELITEDESK DESKTOPS COMPUTERS-SCADA Award of a purchase order under State Contract ITC73 to the lowest responsive bidder for sixty Hewlett Packard EliteDesk Desktop Computers-SCADA.	WRA-5015Q		Firstworld USA, Inc.	\$64,867.80
P-6	10/29/21	CONSULTING SERVICES TO MIGRATE WATER QUALITY REPORTING SYSTEM CUSTOMIZATIONS TO THE UPGRADED AQUARIUS SYSTEM Award of a purchase order under State Contract ITS77 to the lowest responsive bidder for Consulting Services to Migrate Water Quality Reporting System Customizations to the Upgraded Aquarius System.	WRA-5024Q		ACRO Service Corporation	\$85,557.95
P-7	10/29/21	PURCHASE OF ONE NEW CHEVROLET K3500 PICKUP TRUCK WITH SERVICE BODY Award of a purchase order to the lowest responsive bidder for one new Chevrolet K3500 Pickup Truck with Service Body to be assigned to Western Operations Valve Maintenance Unit in Southborough.	WRA-5019		Mag Retail Holdings - FFD, LLC	\$133,690.35

PURCHASING DELEGATED AUTHORITY ITEMS November 1 - 30

NO.	DATE OF AWARD	TITLE AND EXPLANATION	CONTRACT	AMENDMENT	COMPANY	FINANCIAL IMPACT
P-1	11/05/21	PURCHASE OF THREE NEW LAWN MOWERS Award of a purchase order to the lowest responsive bidder for three new Lawn Mowers for Metro Field Operations Building and Grounds staff.	WRA-5029Q		C&J Equipment, Inc.	\$38,004.00
P-2	11/05/21	SUPPLY AND DELIVERY OF EMULSION POLYMER Award of a two-year sole source purchase order contract for the supply and delivery of Emulsion Polymer for the Phosphorus Reduction Facility at the Clinton Wastewater Treatment Plant.			Aries Chemical, Inc.	\$94,220.50
P-3	11/09/21	PURCHASE OF FOUR ROTORK VALVE ACTUATORS Award of a sole source purchase order for four Rotork Valve Actuators for the Newton Street Pumping Station.			Atlantic Fluid Technology, Inc.	\$41,960.00
P-4	11/09/21	WATER TANK INSPECTIONS Award of purchase order contract to the lowest responsive bidder for water tank inspections at critical locations throughout the Western and Metropolitan water distribution systems.	WRA-5020		CorrTech, Inc.	\$60,294.00
P-5	11/15/21	TEMPORARY FLOW MONITORING AND DATA COLLECTION Award of a one-year purchase order to the lowest responsive bidder for temporary flow monitoring and data collection.	WRA-5032		EST Associates. Inc.	\$157,100.00
P-6	11/18/21	SNOW REMOVAL SERVICES Award of a purchase order to the lowest responsive bidder for snow removal services at the Clinton Wastewater Treatment Plant.	WRA-5048Q		Parsons Lanscaping Inc.	\$46,225.00
P-7	11/18/21	PURCHASE OF THREE HEWLETT PACKARD DL360 SERVERS, ONE MSA 2060 STORAGE DEVICE, AND FIVE YEARS OF SUPPORT Award of a purchase order under State Contract ITC73 to the lowest responsive bidder for three Hewlett Packard DL360 Servers, One MSA 2060, Storage Device, and five years of support.	WRA-5037Q		Hub Technical Services, LLC	\$79,924.75
P-8	11/18/21	SUPPLY AND DELIVERY OF SODIUM BISULFITE Award of a purchase order for the supply and delivery of sodium bisulfite to the John J. Carroll Water Treatment Plant and the Clinton Wastewater Treatment Plant.	WRA-4979		Holland Company Inc.	\$139,370.00
P-9	11/23/21	PURCHASE OF COMPONENTS TO UPGRADE ONE ALLEN BRADLEY VARIABLE FREQUENCY DRIVE Award of a sole source purchase order for components to upgrade one Allen Bradley variable frequency drive at Spring Street Pumping Station.			NorthEast Electrical Distributors, Inc.	\$25,073.41
P-10	11/23/21	INSTALLATION OF CABLING AND 66 ACCESS POINTS Award of a purchase order under State Contract ITS74ProjServ to the lowest responsive bidder to install cabling and 66 access points at the Deer Island Administration, Reception and Training Buildings.	WRA-5030Q		Worldcom Exchange, Inc.	\$58,642.00
P-11	11/23/2021	SUPPLY AND DELIVERY OF SODIUM BISULFITE Award of a one-year purchase order to the lowest bidder for the supply and delivery of sodium bisulfite on an as-need basis to Cottage Farm, Prison Point, Union Park, and Somerville Marginal.	WRA-5036		Univar Solutions USA, Inc.	\$237,256.00


STAFF SUMMARY

TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director 
DATE: December 15, 2021
SUBJECT: FY22 Financial Update and Summary through November 2021

COMMITTEE: Administration, Finance & Audit

INFORMATION
 VOTE

Michael J. Cole, Budget Director
James J. Coyne, Budget Manager
Preparer/Title

Thomas J. Durkin 
Director, Finance

RECOMMENDATION:

For information only. This staff summary provides the financial results and variance highlights for Fiscal Year 2022 through November 2021, comparing actual spending to the budget.

DISCUSSION:

The total Year-to-Date variance for the FY22 CEB is \$15.1 million, due to lower direct expenses of \$8.7 million, indirect expenses of \$0.4 million, debt service costs of \$4.7 million, and higher revenue of \$1.3 million.

FY22 Current Expense Budget

The CEB expense variances through November 2021 by major budget category were:

- Lower Direct Expenses of \$8.7 million or 8.4% under budget. Spending was lower for Wages and Salaries, Maintenance, Professional Services, Worker’s Compensation, Fringe Benefits, Chemicals, Other Materials, Training & Meetings, and Other Services. Spending was higher than budget for Utilities and Overtime.
- Lower Indirect Expenses of \$0.4 million or 1.7% under budget due primarily to lower Watershed Reimbursements and Insurance Payments/Claims. Spending was higher for HEEC expenses.
- Debt Service expenses were \$4.7 million or 2.5% under budget driven by lower than budgeted variable interest expense.
- Revenue was \$1.3 million or 0.4% over budget driven by Other Revenue of \$0.8 million, and Other User Charges of \$0.5 million.

**FY22 Budget and FY22 Actual Variance by Expenditure Category
(in millions)**

	FY22 Budget YTD	FY22 Actual YTD	\$ Variance	% Variance
Direct Expenses	\$103.5	\$94.8	-\$8.7	-8.4%
Indirect Expenses	\$23.3	\$22.9	-\$0.4	-1.7%
Capital Financing	\$189.4	\$184.7	-\$4.7	-2.5%
Total	\$316.2	\$302.4	-\$13.8	-4.4%

Totals may not add due to rounding

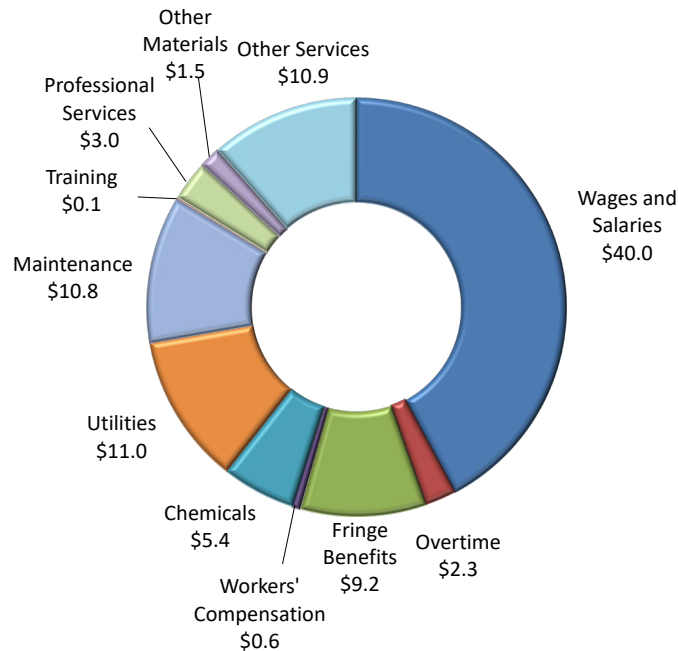
Total Revenues of \$347.0 million were \$1.3 million or 0.4% over budget due to higher Other Revenue and Other User Charges, offset slightly by lower Investment Income.

Please refer to Attachment 1 for a more detailed comparison by line item of the budget variances for FY22.

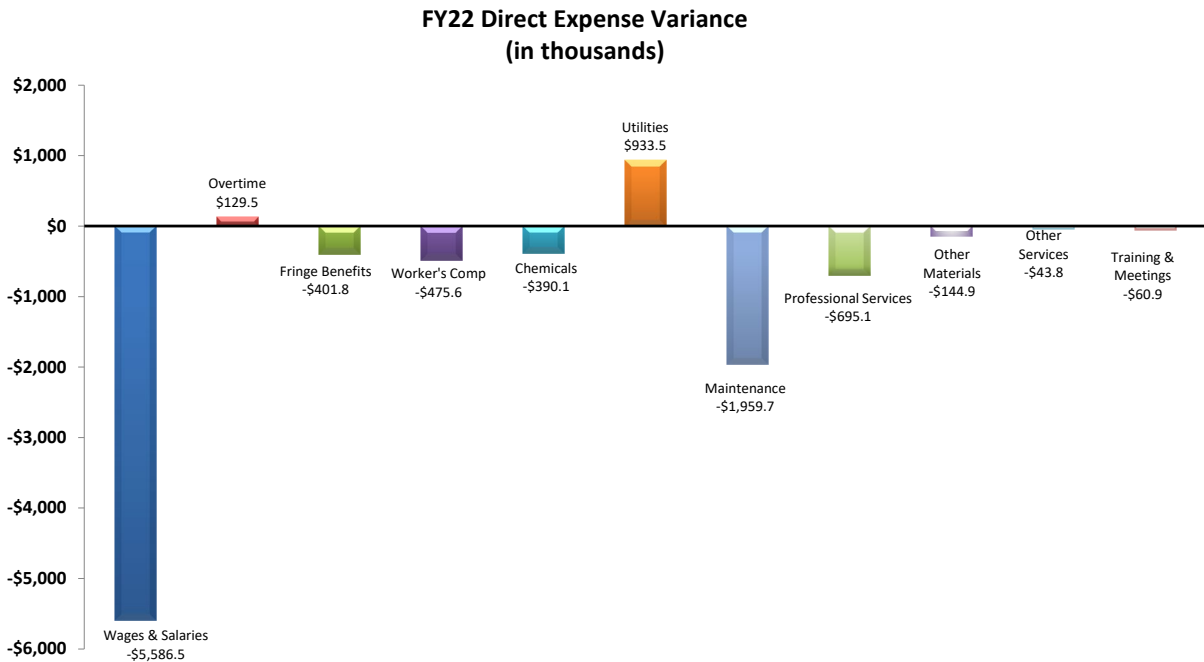
Direct Expenses

FY22 direct expenses through November totaled \$94.8 million, which was \$8.7 million or 8.4% less than budgeted.

**FY22 Direct Expenses
(in millions)**



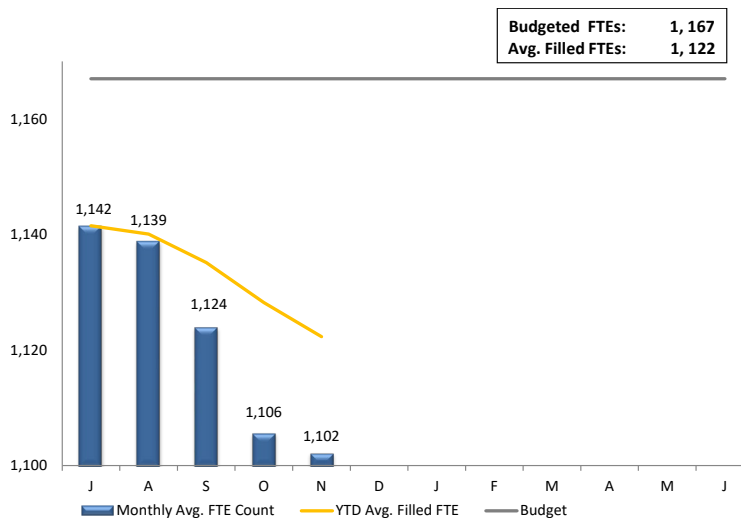
Lower than budgeted spending for Wages and Salaries, Maintenance, Professional Services, Worker’s Compensation, Fringe Benefits, Chemicals, Other Materials, Training and Meetings, and Other Services. These were partially offset by higher than budgeted spending in Utilities and Overtime.



Wages and Salaries

Wages and Salaries are under budget by \$5.6 million or 12.3%. Through November, there were 45 fewer average FTEs (1,122 versus 1,167 budget) or 3.8% and lower average salaries for new hires versus retirees. The timing of backfilling vacant positions also contributed to Regular Pay being under budget.

FY22 MWRA Full Time Equivalent (FTE) Position Trend



Maintenance

Maintenance was less than budget by \$2.0 million or 15.4%, largely driven by the timing of projects. Maintenance Services were under budget by \$1.3 million driven by Plant and Machinery Services of (\$968,000) primarily due to timing of Deer Island scrubber work and less than expected boiler work, Building and Grounds Services of (\$257,000) due to timing of service contracts, and Computer Services of (\$83,000) due to HP and Cisco Smartnet renewal contracts were less than budgeted. These were partially offset by Computer Software licenses (\$81,000) due to unbudgeted software purchases including of Commvault, VMware, and MHC tax modules. Maintenance Materials are under budget by \$0.7 million, driven by Plant and Machine Materials of (\$362,000) due to timing and includes strainers and lathe purchases at Deer Island, Special Equipment Materials of (\$175,000) and Pipe Materials of (\$79,000) both also due to timing.

Professional Services

Professional Services were lower than budget by \$0.7 million or 19.0%. The overall underspending is due to lower spending in Computer Systems Consultant (\$389,000) in MIS primarily due to a reduction in scope for Managed Security Service Provider Year 5 monitoring extension; Engineering (\$254,000) primarily in Field Operations; and Legal Services (\$103,000) in Law and Administration.

Worker's Compensation

Worker's Compensation expenses were lower than budget by \$0.5 million or 43.7%. The lower expenses were primarily due to favorable variances in compensation payments (\$277,000), medical payments (\$160,000), and administrative expenses (\$38,000). Due to uncertainties of when spending will happen, the budget is spread evenly throughout the year.

Fringe Benefits

Fringe Benefit spending was lower than budget by \$0.4 million or 4.2%. This is primarily driven by lower Health Insurance costs (\$295,000) due to fewer than budgeted participants in health insurance plans, increased contribution by new hires vs. lower contribution rates of staff retiring, and the shift from family to individual plans which are less expensive. Medicare and Unemployment Insurance were under budget by (\$46,000) and (\$21,000), respectively.

Chemicals

Chemicals were lower than budget by \$0.4 million or 6.7%. Lower than budget spending on Hydrogen Peroxide (\$295,000) driven by Deer Island based on usage as excessive rainfall helped lower H₂S levels, Activated Carbon (\$109,000) driven by Deer Island due to timing of replacements, Polymer (\$64,000) driven by Deer Island due to less usage for centrifuge operations, Carbon Dioxide (\$55,000) driven by Water Operations due to lower dosing combined with lower flows, and Soda Ash (\$38,000) driven by Water Operations due to lower average flows at the Carroll Plant. This is offset by higher than budget spending on Liquid Oxygen (\$74,000) due to higher dosing at Carroll, Sodium Bisulfite (\$71,000) driven by Wastewater Operations and Deer Island due to higher use at wastewater facilities due to higher flows/rain, and Sodium Hypochlorite (\$66,000) due to increased disinfection usage. Deer Island flows are 43.2% higher than the budget

and Carroll preliminary flows are 4.9% lower than the budget through November. It is important to note that Chemical variances are also based on deliveries, which in general reflect the usage patterns. However, the timing of deliveries is an important factor.

Other Materials

Other Materials were lower than budget by \$0.1 million or 8.6%, driven by less than budgeted spending for Computer Software (\$81,000) in Operations due to timing for Carroll SCADA, and Vehicle Expense (\$56,000) primarily due to a delay in obtaining parts, Vehicle Purchases/Replacements (\$43,000) and Office Supplies (\$41,000) are both due to timing. This underspending was partially offset by higher spending for Computer Hardware (\$94,000) in MIS due to additional hardware purchased for teleworking.

Training and Meetings

Training and Meetings expenses were lower than budget by \$61,000 or 34.4% driven by reduced spending during the pandemic, as well as the timing of spending.

Other Services

Other Services were lower than budget by \$44,000 or 0.4%. Lower than budgeted spending for Other Services (\$73,000) primarily due to timing of service contracts, Health/Safety (\$29,000), Space/Lease Rentals (\$22,000), and Telecommunication costs (\$15,000). These are partially offset by higher than budgeted spending for Grit & Screening Removal (\$64,000) due to higher quantities and Memberships/Dues/Subscriptions (\$42,000) primarily in Operations.

Utilities

Utilities were greater than budget by \$0.9 million or 9.2%. Overspending in Electricity (\$1.3 million) primarily at Deer Island (\$0.8 million) driven by power demand charges being more than budgeted based on flows, new pricing for Eversource, and real time market prices for the non-block purchases under the Direct Energy contract. Underspending on Diesel Fuel (\$0.3 million) is driven by Deer Island due to timing of deliveries.

Overtime

Overtime expenses were greater than budget by \$0.1 million or 6.0%. Higher spending mainly at Deer Island (\$149,000) and Clinton (\$34,000) for storm and shift coverage. Year-to-date rainfall was a major contributor for the increased overtime.

Indirect Expenses

Indirect Expenses totaled \$22.9 million, which is \$0.4 million or 1.7% lower than budget. The variance is driven by lower Watershed Reimbursements and Lower Insurance Payments/Claims, partially offset by higher HEEC O&M charges.

Based on FY22 operating activity only, the Watershed Division is \$571,000 or 9.3% under budget. Lower spending on Wages and Salaries, Fringe Benefits, Professional Services, Maintenance, and Equipment. When factoring in the FY21 balance forward (\$69,000) which was paid during Q1 of FY22, Watershed Reimbursement is \$503,000 or 8.2% below budget through November 2021.

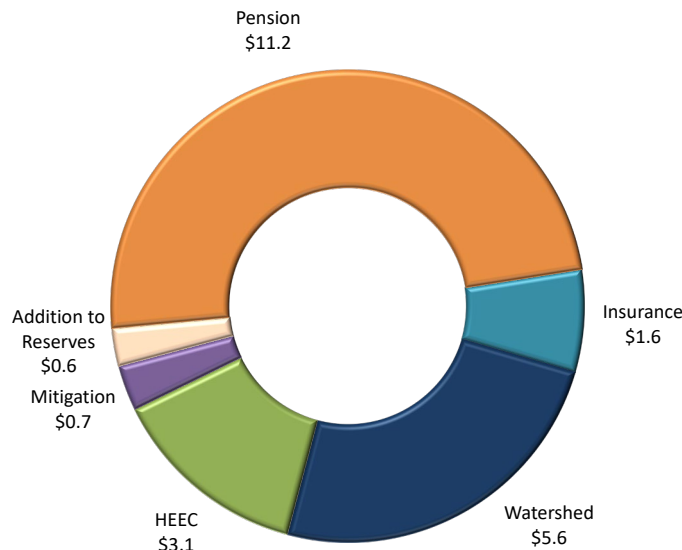
FY22 Watershed Variance

\$ in millions	YTD Budget	YTD Actual	YTD \$ Variance	YTD % Variance
Operating Expenses	6.6	6.1	-0.5	-8.2%
Operating Revenues - Offset	0.5	0.5	0.0	5.6%
FY22 Operating Totals	6.1	5.6	-0.6	-9.3%
DCR Balance Forward (FY21 4th quarter accrual true-up)	0.0	0.1	0.1	
FY22 Adjusted Operating Totals	6.1	5.6	-0.5	-8.2%
PILOT	0.0	0.0	0.0	0.0%
Total Watershed Reimbursement	6.1	5.6	-0.5	-8.2%

Totals may not add due to rounding

MWRA reimburses the Commonwealth of Massachusetts Department of Conservation and Recreation’s Division of Water Supply Protection Office of Watershed Management for expenses. The reimbursements are presented for payment quarterly in arrears. Accruals are being made monthly based on estimated expenses provided by DCR and trued-up quarterly based on the quarterly invoice. MWRA’s budget is based on the annual Fiscal Year Work Plan approved by the Massachusetts Water Supply Protection Trust. The FTE count at the end of November was 131 (and 132.4 on a year-to-date basis) vs. a budget of 150.

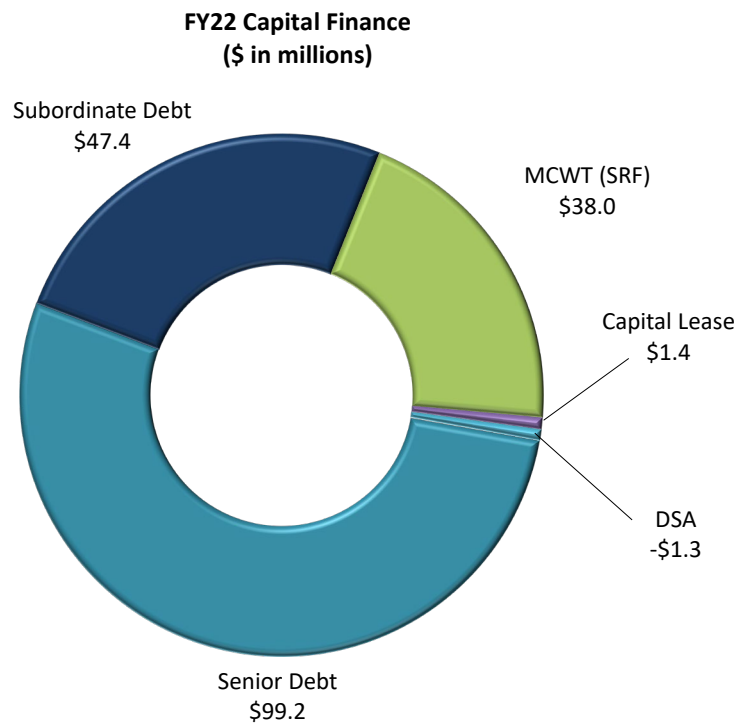
**FY22 Indirect Expenses
(in millions)**



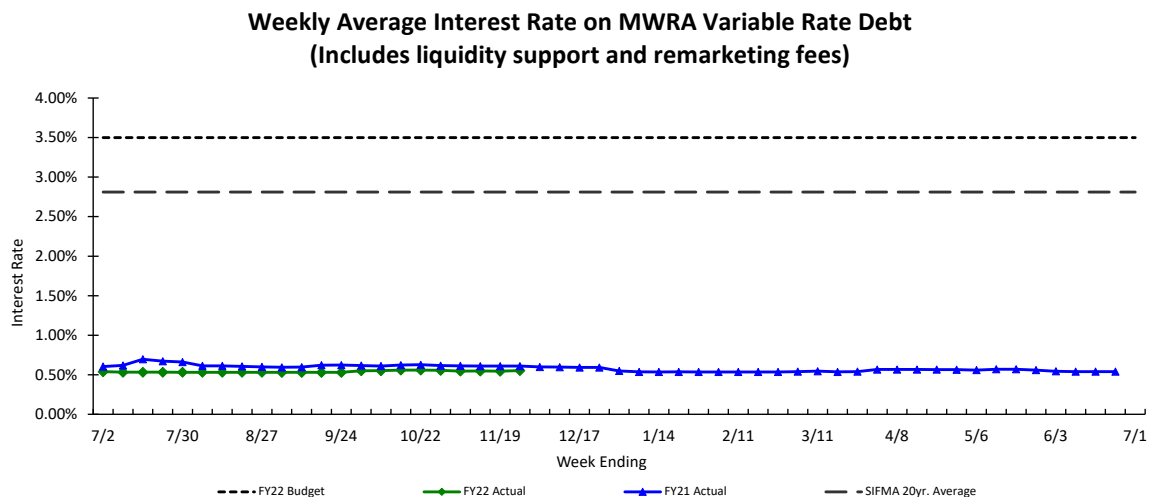
Capital Financing

Capital Financing expenses include the principal and interest payments for fixed senior debt, the variable subordinate debt, the Massachusetts Clean Water Trust (SRF) obligation, the commercial paper program for the local water pipeline projects, current revenue for capital, Optional Debt Prepayment, and the Chelsea Facility lease payment.

Capital Financing expenses for FY22 through November totaled \$184.7 million, which is \$4.7 million or 2.5% less than budget. This favorable variance is the result of lower than budgeted variable interest rates.



The graph below reflects the FY22 actual variable rate trend by week against the FY22 Budget.



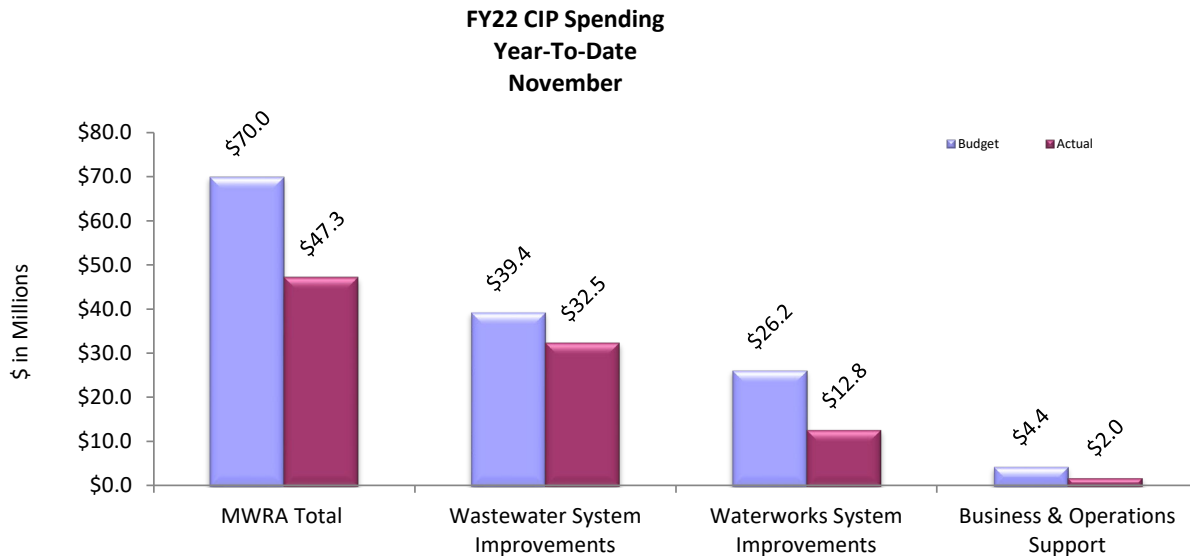
Revenue and Income

Revenues of \$347.0 million were \$1.3 million or 0.4% over budget. Other Revenue was \$0.8 million or 19.8% over budget due to Miscellaneous Revenue of \$467,000 primarily due to reimbursement from the Commonwealth of Massachusetts for Biobot costs associated with FY21, income from the disposal of equipment of \$458,000, and Energy Rebates of \$197,000. These were partially offset by lower revenue for Permit Fees of \$377,000. In addition, Other User Charges were over budget by \$530,000 or 12.7% primarily for unplanned water use by the Town of Burlington. Investment Income was \$28,000 or 1.7% under budget due to lower than budgeted interest rates (0.51% vs. 0.56%).

FY22 Capital Improvement Program

Capital expenditures in Fiscal Year 2022 through November total \$47.3 million, \$22.7 million or 32.5% under budget.

After accounting for programs which are not directly under MWRA's control, most notably the Inflow and Infiltration (I/I) grant/loan program, the Local Water System Assistance loan program, and the community-managed CSO projects, capital spending totaled \$38.8 million, \$10.0 million or 20.5% under budget.



Overall, CIP spending reflects the underspending in Wastewater Improvements (\$6.8 million), Waterworks (\$13.4 million) and Business and Operations Support (\$2.5 million). Major variances in Wastewater are primarily due to timing of community grants and loans for the I/I Local Financial Assistance Program, updated schedule for the Prison Point Rehabilitation contract, slower than anticipated meter installation and acceptances for the Wastewater Metering Installation contract, timing of work for the Winthrop Terminal Facility VFD Replacement and Gravity Thickener contracts, and completion of some design and inspection tasks later than anticipated for the Ward Street and Columbus Park Headworks Upgrades Design/ESDC. This was partially offset by planned FY21 work completed in FY22 for the Nut Island Odor Control and HVAC Improvements and Chelsea Creek Headworks Upgrades.

Waterworks variances are primarily due to timing of community loan distributions for the Water Loan Program, updated schedule for NIH Section 89 and 29 Replacement, FY22 planned work completed in FY21 and summer shutdown for the WASM 3 CP-1 construction, and reduction in scope for Sections 50 and 57 Water Pipeline. This was partially offset by an earlier than anticipated land purchase for the Metropolitan Tunnel Redundancy Administration, Legal, Public Outreach contract, contractor progress for WASM/Spot Pond Supply Mains Pressure Reducing Valves Construction, and timing of work for the Tunnel Program Support Services.

**FY22 Budget and FY22 Actual Variance by Program
(in millions)**

\$ in Millions	Budget	Actuals	\$ Var.	% Var.
Wastewater System Improvements				
Interception & Pumping	18.6	16.0	(2.6)	-14.2%
Treatment	6.2	3.6	(2.6)	-42.4%
Residuals	0.0	0.0	0.0	0.0%
CSO	1.9	3.1	1.2	59.8%
Other	12.6	9.9	(2.7)	-21.6%
Total Wastewater System Improvements	\$39.4	\$32.5	(\$6.8)	-17.4%
Waterworks System Improvements				
Drinking Water Quality Improvements	0.7	1.1	0.4	62.1%
Transmission	10.9	13.3	2.4	22.1%
Distribution & Pumping	6.4	1.9	(4.6)	-71.1%
Other	8.3	(3.4)	(11.7)	-141.4%
Total Waterworks System Improvements	\$26.2	\$12.8	(\$13.4)	-51.2%
Business & Operations Support	\$4.4	\$2.0	(\$2.5)	-55.6%
Total MWRA	\$70.0	\$47.3	(\$22.7)	-32.5%

Totals may not add due to rounding

FY22 Spending by Program:

The main reasons for the project spending variances are:

Other Waterworks: Net underspending of \$11.7 million

- \$11.3 million for Local Financial Assistance due to timing of community loan distributions.
- \$0.2 million for Water System Hydraulic Model due to slower than anticipated start-up.

Water Distribution and Pumping: Net underspending of \$4.6 million

- \$3.2 million for Section 89 and 29 Replacement Construction and REI and \$0.5 million for CP-3 CP3-Sections 23, 24, 47 Final Design/CA/RI due to updated schedules.
- \$0.5 million for Sections 50 and 57 Water Rehabilitation - Design/ESDC due to contract scope reduction.
- This underspending was partially offset by overspending of \$0.2 million for NEH Improvements Design-ESDC due to timing of consultant work.

Other Wastewater: Net underspending of \$2.7 million

- \$2.7 million for Community I/I due to timing of community distributions of grants and loans.

Wastewater Treatment: Net underspending of \$2.6 million

- \$1.3 million for Winthrop Terminal Facility VFD and Motors Replacements, \$0.8 million for Gravity Thickener Rehabilitation, and \$0.3 million for Miscellaneous VFD Replacements due to timing of work.
- \$0.2 million for Motor Control Center and Switchgear Replacement - Design/ESDC/REI due to updated construction schedule.

- \$0.1 million for Clarifier Rehab Phase 2 Design due to pending time extension.

Interception & Pumping: Net underspending of \$2.6 million

- \$1.4 million for Prison Point Design CA/RI and Construction due to updated construction schedule.
- \$0.8 million for Wastewater Meter System Equipment Replacement due to slower than anticipated meter confirmations and acceptances.
- \$1.4 million for Ward Street and Columbus Park Headworks - Design/CA due to completion of some design and inspection tasks later than anticipated.
- \$0.8 million for Interceptor Renewal No. 3, Dorchester Interceptor Sewer – Construction due to timing of contractor work. Contract is substantially complete.
- \$0.2 million for Fuel Oil Tank Replacement - Phase 1 Construction due to fabrication of tank top slabs at Gillis Pumping Station taking longer than anticipated.
- \$0.1 million for Wastewater Meter System Planning/Study/Design due to construction administration work behind due to construction delay.
- \$0.1 million for Hayes Pump Station Rehab – Design due to additional time needed to inspect the pumps.
- This underspending was partially offset by overspending of \$1.3 million for Chelsea Creek Headworks Upgrades - Construction and REI, and \$1.1 million for Nut Island Odor Control and HVAC Improvements Phase 2 – Construction due to work scheduled for FY21 performed in FY22.

Business and Operations Support: Net underspending of \$2.5 million

- \$1.3 million for As-Needed Technical Assistance and Resident Engineering and Inspection Services due to lower than projected task order work, \$0.6 million for Vehicle Purchases due to timing of purchases, and \$0.2 million for Edge Switches and \$0.2 million for MAXIMO Interface Enhancements due to timing of work.

Waterworks Transmission: Net overspending of \$2.4 million

- \$1.9 million for Metropolitan Tunnel Redundancy Administration, Legal and Public Outreach due to earlier than anticipated land purchase.
- \$1.0 million for WASM/Spot Pond Supply Mains Pressure Reducing Valves Improvements due to timing of contractor work.
- \$0.3 million for Wachusett Dam Bridge Crane Removal for FY21 planned work completed in FY22.
- This overspending was partially offset by underspending of \$0.2 million for WASM 3 CP-1 for FY22 planned work completed in FY21 and summer shutdown, \$0.2 million for Watershed Land due to timing of land purchases, and \$0.2 million for WASM 3 Design due to timing of consultant work.

Combined Sewer Overflow: Net overspending of \$1.2 million

- \$0.7 million for East Boston CSO Control - BOS014 due to work completed earlier than anticipated.
- \$0.6 million for Dorchester Inflow Removal Construction due to timing of payment.

Drinking Water Quality Improvements: Net overspending of \$0.4 million

- \$0.2 million for CP-7 Existing Facilities Modifications - Cosgrove Boat Storage due to contractor progress and \$0.1 million for As-Needed Technical Assistance due to greater than projected task order work.

Construction Fund Balance

The construction fund balance was \$183.3 million as of the end of November. Commercial Paper/Revolving Loan available capacity was \$222 million.

ATTACHMENTS:

Attachment 1 – Variance Summary November 2021

Attachment 2 – Current Expense Variance Explanations

Attachment 3 – Capital Improvement Program Variance Explanations

ATTACHMENT 1

FY22 Actuals vs. FY22 Budget

	Nov 2021 Year-to-Date				
	Period 5 YTD Budget	Period 5 YTD Actual	Period 5 YTD Variance	%	FY22 Approved
<u>EXPENSES</u>					
WAGES AND SALARIES	\$ 45,588,537	\$ 40,002,051	\$ (5,586,486)	-12.3%	\$ 116,680,341
OVERTIME	2,164,160	2,293,637	129,477	6.0%	5,156,681
FRINGE BENEFITS	9,557,170	9,155,414	(401,756)	-4.2%	23,253,137
WORKERS' COMPENSATION	1,089,233	613,667	(475,566)	-43.7%	2,614,159
CHEMICALS	5,800,232	5,410,083	(390,149)	-6.7%	12,202,286
ENERGY AND UTILITIES	10,102,609	11,036,133	933,524	9.2%	24,749,865
MAINTENANCE	12,739,274	10,779,544	(1,959,730)	-15.4%	32,442,382
TRAINING AND MEETINGS	176,787	115,915	(60,872)	-34.4%	473,994
PROFESSIONAL SERVICES	3,650,344	2,955,216	(695,128)	-19.0%	8,773,258
OTHER MATERIALS	1,691,286	1,546,381	(144,905)	-8.6%	8,334,774
OTHER SERVICES	10,945,547	10,901,756	(43,791)	-0.4%	25,129,234
TOTAL DIRECT EXPENSES	\$ 103,505,179	\$ 94,809,797	\$ (8,695,381)	-8.4%	\$ 259,810,111
INSURANCE	\$ 1,668,446	\$ 1,600,934	\$ (67,512)	-4.0%	\$ 3,943,600
WATERSHED/PILOT	6,134,472	5,631,920	(502,552)	-8.2%	26,731,490
HEEC PAYMENT	2,958,134	3,124,905	166,771	5.6%	6,991,953
MITIGATION	716,422	716,421	(1)	0.0%	1,693,360
ADDITIONS TO RESERVES	597,658	597,658	-	0.0%	1,412,647
RETIREMENT FUND	11,205,000	11,205,000	-	0.0%	11,205,000
POST EMPLOYEE BENEFITS	-	-	-	---	4,673,624
TOTAL INDIRECT EXPENSES	\$ 23,280,132	\$ 22,876,838	\$ (403,294)	-1.7%	\$ 56,651,674
STATE REVOLVING FUND	\$ 37,977,287	\$ 37,977,287	\$ -	0.0%	\$ 95,673,399
SENIOR DEBT	99,236,027	99,236,027	-	0.0%	244,957,128
DEBT SERVICE ASSISTANCE	(1,287,870)	(1,287,870)	-	0.0%	(1,287,870)
CURRENT REVENUE/CAPITAL	-	-	-	---	17,200,000
SUBORDINATE MWRA DEBT	52,105,076	52,105,076	-	0.0%	125,046,218
LOCAL WATER PIPELINE CP	-	-	-	---	6,120,127
CAPITAL LEASE	1,361,064	1,361,064	-	0.0%	3,217,060
VARIABLE DEBT	-	(4,660,591)	(4,660,591)	---	-
DEFEASANCE ACCOUNT	-	-	-	---	-
DEBT PREPAYMENT	-	-	-	---	5,609,355
TOTAL CAPITAL FINANCE EXPENSE	\$ 189,391,584	\$ 184,730,993	\$ (4,660,591)	-2.5%	\$ 496,535,417
TOTAL EXPENSES	\$ 316,176,895	\$ 302,417,628	\$ (13,759,266)	-4.4%	\$ 812,997,202
<u>REVENUE & INCOME</u>					
RATE REVENUE	\$ 335,112,461	\$ 335,112,461	\$ -	0.0%	\$ 792,084,000
OTHER USER CHARGES	4,178,531	4,708,217	529,686	12.7%	9,222,883
OTHER REVENUE	4,159,790	4,984,315	824,525	19.8%	6,479,203
RATE STABILIZATION	528,846	528,846	-	0.0%	1,250,000
INVESTMENT INCOME	1,666,973	1,638,622	(28,351)	-1.7%	3,961,116
TOTAL REVENUE & INCOME	\$ 345,646,601	\$ 346,972,462	\$ 1,325,860	0.4%	\$ 812,997,202

**ATTACHMENT 2
Current Expense Variance Explanations**

Total MWRA	FY22 Budget YTD November	FY22 Actuals November	FY22 YTD Actual vs. FY22 Budget		Explanations
			\$	%	
Direct Expenses					
Wages & Salaries	45,588,537	40,002,051	(5,586,486)	-12.3%	Wages and Salaries are under budget by \$5.6 million. Year to date, there have been 45 fewer average FTEs (1,122 versus 1,167 budget), lower average new hire salaries versus retirees, the timing of backfilling vacant positions.
Overtime	2,164,160	2,293,637	129,477	6.0%	Higher spending mainly in Deer Island of \$149,000 and Clinton of \$34,000 for storm and shift coverage. This was partially offset by underspending in Engineering & Construction of (\$46,000). Year-to-date rainfall was a major contributor for the increased overtime.
Fringe Benefits	9,557,170	9,155,414	(401,756)	-4.2%	Lower than budget in Health Insurance of \$295,000, due to fewer than budgeted participants in health insurance plans, increased contribution by external new hires vs. lower contribution rates of staff retiring, and the shift from family to individual plans which are less expensive. In addition, Medicare was under budget by (\$46,000) and Unemployment Insurance by (\$21,000).
Worker's Compensation	1,089,233	613,667	(475,566)	-43.7%	The lower expenses were due to favorable variances in Compensation Payments of (\$277,000), Medical Payments of (\$160,000), and Administrative Expenses of (\$38,000). Due to uncertainties of when spending will happen, the budget is spread evenly throughout the year.
Chemicals	5,800,232	5,410,083	(390,149)	-6.7%	Lower than budget spending on Hydrogen Peroxide of (\$295,000) driven by DITP based on usage as excessive rainfall helped lower H2S levels, Activated Carbon of (\$109,000) driven by DITP due to timing of replacements, Polymer of (\$64,000) driven by DITP due to less usage for centrifuge operations, Carbon Dioxide of (\$55,000) driven by Water Operations due to lower dosing combined with lower flows, and Soda Ash of (\$38,000) driven by Water Operations due to lower average flows at CWTP. This is offset by higher than budget spending on Liquid Oxygen of \$74,000 due to higher dosing at JJCWTP, Sodium Bisulfite of \$71,000 driven by Wastewater Operations and DITP due to higher use at wastewater facilities due to higher flows/rain, and Sodium Hypochlorite of \$66,000 due to increased disinfection usage. DITP flows are 43.2% higher than the budget and CWTP preliminary flows are 4.9% lower than the budget through November. It is important to note that Chemical variances are also based on deliveries which in general reflect the usage patterns. However, the timing of deliveries is an important factor.
Utilities	10,102,609	11,036,133	933,524	9.2%	Overspending in Electricity of \$1.3 million primarily at DITP of \$0.8 million driven by power demand charges being more than budgeted based on flows, new pricing for Eversource, and real time market prices for the non-block purchases under the Direct Energy contract. Also, Field Operations of \$0.5 million is over budget primarily due to new rates and quantity. Diesel Fuel is underspent by (\$0.3 million) driven by Deer Island Treatment Plant due to timing of deliveries. Deliveries started on October 5th and ran to October 15th with some invoices pending.

ATTACHMENT 2
Current Expense Variance Explanations

Total MWRA	FY22 Budget YTD November	FY22 Actuals November	FY22 YTD Actual vs. FY22 Budget		Explanations
			\$	%	
Maintenance	12,739,274	10,779,544	(1,959,730)	-15.4%	Underspending in Ongoing Maintenance by \$2.0 million is largely driven by the timing of projects. <i>Maintenance Services</i> are under budget by \$1.3 million driven by Plant and Machine Services of (\$968,000) primarily due to timing of DITP scrubber work and less than expected boiler work, Building & Grounds Services of (\$257,000) due to timing of service contracts, and Computer Services of (\$83,000) due to HP and Cisco Smartnet renewal contracts were less than budgeted, partially offset by Computer Software licenses of \$81,000 due to unbudgeted software purchases including of Commvault, VMware, and MHC tax modules. <i>Maintenance Materials</i> are under budget by \$0.7 million, driven by Plant and Machine Materials of (\$362,000) due to timing including strainers and lathe purchases at DITP, Special Equipment Materials of (\$175,000) and Pipe Materials of (\$79,000) due to timing.
Training & Meetings	176,787	115,915	(60,872)	-34.4%	Lower than budget spending on Training & Meetings by (\$61,000) is driven by MIS (\$54,000), Procurement (\$8,000), Tunnel Redundancy (\$10,000), and DITP of (\$10,000), partially offset by higher spending in Engineering & Construction of \$13,000 and Field Operations of \$11,000.
Professional Services	3,650,344	2,955,216	(695,128)	-19.0%	Lower than budget spending primarily for Computer Systems Consultant (\$389,000) in MIS primarily due to a reduction in scope of Managed Security Services Provider (MSSP) Year 5 monitoring extension; Engineering (\$254,000) primarily in Field Operations; and Legal Services (\$103,000) in Law and Administration.
Other Materials	1,691,286	1,546,381	(144,905)	-8.6%	Driven by less than budgeted spending for Computer Software (\$81,000) in Operations due to timing for CWTP SCADA, Vehicle Expense (\$56,000) primarily due to delay in obtaining parts, Vehicle Purchases/Replacements (\$43,000) and Office Supplies (\$41,000) due to timing. This underspending was partially offset by Computer Hardware \$94,000 in MIS due to additional hardware purchased for teleworking.
Other Services	10,945,547	10,901,756	(43,791)	-0.4%	Lower than budgeted spending for Other Services of (\$73,000) primarily due to timing of service contracts, Health/Safety (\$29,000), Space/Lease Rentals (\$22,000), and Telecommunication costs of (\$15,000). These are partially offset by higher than budgeted spending for Grit & Screening Removal of \$64,000 due to higher quantities and Memberships/Dues/Subscriptions of \$42,000 primarily in Operations.
Total Direct Expenses	103,505,179	94,809,797	(8,695,382)	-8.4%	

ATTACHMENT 2
Current Expense Variance Explanations

Total MWRA	FY22 Budget YTD November	FY22 Actuals November	FY22 YTD Actual vs. FY22 Budget		Explanations
			\$	%	
Indirect Expenses					
Insurance	1,668,446	1,600,934	(67,512)	-4.0%	Lower Payments/Claims of (\$69,000), offset by higher Premiums of (\$2,000) than budgeted.
Watershed/PILOT	6,134,472	5,631,920	(502,552)	-8.2%	Lower Watershed Reimbursement of \$0.5 million favorable variance to budget driven by lower spending on (1) Wages & Salaries, (2) Fringe Benefits, (3) Professional Services, (4) Maintenance, and (5) Equipment Services.
HEEC Payment	2,958,134	3,124,905	166,771	5.6%	O&M charge was greater than budgeted.
Mitigation	716,422	716,421	(1)	0.0%	
Addition to Reserves	597,658	597,658	-	0.0%	
Pension Expense	11,205,000	11,205,000	-	0.0%	
Post Employee Benefits	-	-	-		
Total Indirect Expenses	23,280,132	22,876,838	(403,294)	-1.7%	
Debt Service					
Debt Service	189,391,584	184,730,993	(4,660,591)	-2.5%	Debt service is \$4.7 million under budget due to lower than budgeted variable interest rates.
Debt Service Assistance	-	-	-		
Total Debt Service Expenses	189,391,584	184,730,993	(4,660,591)	-2.5%	
Total Expenses					
Total Expenses	316,176,895	302,417,628	(13,759,266)	-4.4%	

ATTACHMENT 2
Current Expense Variance Explanations

Total MWRA	FY22 Budget YTD November	FY22 Actuals November	FY22 YTD Actual vs. FY22 Budget		Explanations
			\$	%	
Revenue & Income					
Rate Revenue	335,112,461	335,112,462	1	0.0%	
Other User Charges	4,178,531	4,708,217	529,686	12.7%	Unplanned water use by the town of Burlington.
Other Revenue	4,159,790	4,984,315	824,525	19.8%	Miscellaneous Revenue of \$467,000 primarily associated with reimbursement from the Commonwealth of Massachusetts for Biobot work; Disposal of surplus materials of \$458,000; Energy Rebates of \$197,000, and Energy Revenue \$66,000, partially offset by Permit Fees of (\$377,000) due to timing.
Rate Stabilization	528,846	528,846	-	0.0%	HEEC Reserve.
Investment Income	1,666,973	1,638,622	(28,351)	-1.7%	Investment Income is under budget due to lower than budgeted interest rates (0.51% actual vs. 0.56% budget).
Total Revenue	345,646,601	346,972,462	1,325,861	0.4%	
Net Revenue in Excess of Expenses	29,469,706	44,554,834	15,085,127		

**ATTACHMENT 3
FY22 CIP Year-to-Date Variance Report (\$000's)**

	FY22 Budget YTD November	FY22 Actuals YTD November	YTD Actuals vs. Budget		Explanations
			\$	%	
Wastewater					
Interception & Pumping (I&P)	\$18,600	\$15,967	(\$2,634)	-14.2%	<u>Underspending</u> Prison Point Design CA/RI and Construction: \$1.4M (updated construction schedule) Ward Street & Columbus Park Headworks - Design/CA: \$1.4M (completed some design and inspection tasks later than anticipated) Wastewater Meter System Equipment Replacement: \$793k (slower than anticipated confirmations and acceptances) Interceptor Renewal No. 3, Dorchester Interceptor Sewer - Construction: \$752k (timing of contractor work. Contract is substantially complete.) Fuel Oil Tank Replacement - Phase 1 Construction: \$240k (fabrication of tank top slabs at Gillis Pumping Station taking longer than anticipated) Wastewater Meter System Planning/Study/Design: \$120k (CA work behind due to construction delay) Hayes Pump Station Rehab - Design: \$106k (additional time needed to inspect the pumps) <u>Offset Overspending</u> Chelsea Creek Headworks Upgrades - Construction, CA and REI: \$1.3M, and Nut Island Odor Control & HVAC Improvements Phase 2 - Construction: \$1.1M (work scheduled for FY21 performed in FY22)
Treatment	\$6,249	\$3,600	(\$2,649)	-42.4%	<u>Underspending</u> Winthrop Terminal Facility (WTF) VFD Replacement - Construction: \$1.3M, Gravity Thickener Rehabilitation: \$833k, and Miscellaneous VFD Replacements FY19-FY23: \$292k (timing of work) Clarifier Rehabilitation Phase 2 - Design: \$119k (pending time extension) Motor Control Center and Switchgear Replacement - Design/ESDC/REI: \$152k (updated construction schedule)
Residuals	\$0	\$14	\$14		
CSO	\$1,924	\$3,075	\$1,151	59.8%	<u>Overspending</u> East Boston CSO Control - BOS014: \$727k (work completed earlier than anticipated) Dorchester Inflow Removal Construction: \$572k (timing of payment)
Other Wastewater	\$12,590	\$9,865	(\$2,724)	-21.6%	<u>Underspending</u> I/I Local Financial Assistance: \$2.7M (timing of community distributions of grants and loans)
Total Wastewater	\$39,364	\$32,521	(\$6,843)	-17.4%	

**ATTACHMENT 3
FY22 CIP Year-to-Date Variance Report (\$000's)**

	FY22 Budget YTD November	FY22 Actuals YTD November	YTD Actuals vs. Budget		Explanations
			\$	%	
Waterworks					
Drinking Water Quality Improvements	\$663	\$1,075	\$412	62.1%	<u>Overspending</u> CP-7 Existing Facilities Modifications: \$192k (contractor progress) CWTP As-Needed Technical Assistance: \$145k due to greater than projected task order work
Transmission	\$10,895	\$13,301	\$2,406	22.1%	<u>Overspending</u> Metropolitan Tunnel Redundancy Administration, Legal & Public Outreach: \$1.9M (timing of land purchase), and Program Support Services: \$179k (timing of consultant work) WASM/Spot Pond Supply Mains West Pressure Reducing Valves - Construction: \$967k, and CP1 Shafts 6, 8, 9A: \$451k (contractors progress) Wachusett Dam Bridge Crane Removal: \$334k (FY21 planned work completed in FY22) <u>Offset Underspending</u> WASM 3 Rehabilitation, CP-1: \$243k (FY22 planned work completed in FY21 and summer shutdown), Watershed Land: \$241k (timing of purchases) River Road Improvements-Wachusett: \$281k (timing of work) WASM 3 - MEPA/Design/CA/RI: \$222k (timing of consultant work) Weston Aqueduct Sluice Gates - Construction: \$179k (issues with hatches) Winsor Station Pipeline Shaft 2 - Construction: \$168k (delays due to concrete issues)
Distribution & Pumping	\$6,437	\$1,859	(\$4,577)	-71.1%	<u>Underspending</u> Section 89/29 Replacement - Construction and RE/RI Services: \$3.2M, and CP3-Sections 23, 24, 47 Final Design/CA/RI: \$534k (updated schedules) Sections 50 & 57 Water Rehabilitation - Design/ESDC; \$540k (contract scope reduction) SEH Redundancy Pipeline Phase 1 - Design/CA/RI: \$295k (Construction Administration and Resident Inspection services less than anticipated budgeted spending) <u>Offset Overspending</u> NEH Improvements Design - ESDC: \$227k (timing of consultant work)


**ATTACHMENT 3
FY22 CIP Year-to-Date Variance Report (\$000's)**

	FY22 Budget YTD November	FY22 Actuals YTD November	YTD Actuals vs. Budget		Explanations
			\$	%	
Other Waterworks	\$8,254	(\$3,419)	(\$11,673)		<u>Underspending</u> Local Water Pipeline Financial Assistance Program: \$11.3M (timing of community distributions) Water System Hydraulic Model: \$2451k (slower than anticipated start-up) <u>Offset Overspending</u> CWTP SCADA Uogrades Construction: \$235k (contractor progress)
Total Waterworks	\$26,249	\$12,817	(\$13,432)	-51.2%	

**ATTACHMENT 3
FY22 CIP Year-to-Date Variance Report (\$000's)**


	FY22 Budget YTD November	FY22 Actuals YTD November	YTD Actuals vs. Budget		Explanations
			\$	%	
Business & Operations Support					
Total Business & Operations Support	\$4,415	\$1,962	(\$2,453)	-55.6%	<u>Underspending</u> As-Needed Technical Assistance and CS/REI Services: \$1.3M (lower than projected task order work) FY19-23 Vehicle Purchases: \$555k (due to timing) MAXIMO Interface Enhancements: \$182k, Edge Switches: \$156k, Servers: \$143k, and Enterprise Content Management: \$122k (timing of work)
Total MWRA	\$70,027	\$47,300	(\$22,728)	-32.5%	


STAFF SUMMARY

TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director 
DATE: December 15, 2021
SUBJECT: Maximo Software Maintenance and Support
IBM Corporation
State Contract ITS55

COMMITTEE: Administration, Finance, & Audit

 INFORMATION
 X VOTE

Paula Weadick 
Director, MIS

Michele S. Gillen 
Director, Administration

Douglas J. Rice, Director, Procurement
Preparer/Title

RECOMMENDATION:

To approve the award of a purchase order contract for one year of Maximo software maintenance and support to IBM Corporation and to authorize the Executive Director, on behalf of the Authority, to execute said purchase order contract in an amount not to exceed \$375,881.49 for a period of one year, from January 1, 2022 through December 31, 2022, under State Contract ITS55.

DISCUSSION:

Maximo is MWRA's Computerized Maintenance Management System and Enterprise Asset Management System used for managing asset life cycles and maintenance activities, materials management, work orders, overall costs, and prioritization of work schedules. In 1989, the Maximo application was purchased for the MWRA under the Boston Harbor Project to support asset tracking for the Deer Island Treatment Plant. In 1994, the Maximo application was extended through a competitive bid process to support Field Operations and Fleet Services. On May 13, 2015, the MWRA Board approved the award of a competitive bid contract to upgrade Maximo and purchase additional modules. The recommended upgrade project combined two separate Maximo applications, one for Deer Island and the other for the rest of MWRA's water and sewer systems, into a single, multi-site system, which provides updated technology and increased functionality for MWRA staff. Furthermore, the upgrade provides an optimized and automated end-to-end IT service management solution based on industry-best practices. On June 18, 2018, the final phase, IBM Control Desk, was implemented and MWRA staff are successfully using the IT service management solution for day-to-day operations.

MWRA purchased multiple new Maximo modules as a part of the upgrade to increase efficiency and further enhance the mobilization of the workforce. The new modules consist of Calibration, Spatial, Anywhere, and Scheduler. These modules are used to: (a) calibrate tools and equipment; (b) view complex GIS information; (c) provide remote access from most mobile devices to

Maximo, (d) view work orders and preventive maintenance schedules graphically on Gantt charts; (e) locate and track field resources on a public map; and (f) manage emergency work.

The annual support agreement provides standard software upgrades and technical support. The agreement covers 325 registered users across the Authority.

Procurement Process:

In order to renew the annual maintenance and support for the Maximo software, staff accessed the Commonwealth of Massachusetts State Contract ITS55, which provides licenses, maintenance, and support services for IBM products. As the original manufacturer, IBM is the only vendor which holds a state blanket contract to provide licenses, maintenance, and support of IBM software. Based on previous maintenance and support renewals, staff recommend the award of this purchase order to IBM Corporation, under State Contract ITS55.

The proposed price of \$375,881.49 for the Maximo software maintenance and support is 8.7% or \$345,763.90 higher than the price under the existing purchase order. Historically, annual cost increases have been 8.2% annually. Staff have reviewed IBM's proposed cost and have determined that it is reasonable. Therefore, staff recommend the award of this purchase order to IBM Corporation in the amount of \$375,881.49.

BUDGET/FISCAL IMPACT:

There are sufficient funds for this purchase order in the FY22 Current Expense Budget..

MBE/WBE PARTICIPATION:

IBM Corporation is not a certified Minority-or Woman-owned business.

STAFF SUMMARY


TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director
DATE: December 15, 2021
SUBJECT: Dental Insurance
Dental Service of Massachusetts, Inc.
d/b/a Delta Dental of Massachusetts
Contract A631



COMMITTEE: Administration, Finance and Audit

 INFORMATION
 X VOTE

Andrea Murphy, Director, Human Resources
Preparer/Title



Michele S. Gillen
Director of Administration

RECOMMENDATION:

To approve the recommendation of the Consultant Selection Committee to select Dental Service of Massachusetts, Inc. d/b/a Delta Dental of Massachusetts to provide dental insurance to eligible employees and to authorize the Executive Director, on behalf of the Authority, to execute a contract with Dental Service of Massachusetts, Inc. d/b/a Delta Dental of Massachusetts for an amount not to exceed \$289,000, for a contract term of twelve months with three options to renew for a period of twelve months each, subject to further Board approval.

DISCUSSION:

MWRA has been providing dental insurance to all non-union employees since July 1, 1985. This benefit covers Non-Union and Unit 6 employees and employees accreted into Units 1 and 9. Other MWRA union employees receive coverage through the Health and Welfare Funds of their respective unions. This proposed contract maintains the level of coverage currently offered to eligible employees in the areas of diagnostic, preventive, and basic and major restorative services to an annual maximum of \$1,500, as well as orthodontic coverage for a separate lifetime maximum of \$1,500. MWRA employees are currently ineligible to participate in the GIC's plan, which offers both dental and vision care benefits, because that plan is limited to Commonwealth non-union managers.

On September 1, 2021, MWRA issued a one-step Request for Qualifications Statement/Proposal (RFQ/P) that was publically advertised in the Central Register, Boston Herald, Banner Publication, El Mundo, and through the MWRA Supplier Portal. The RFQ/P included the following evaluation criteria: Cost – 50 points; Technical Approach/ Capacity/Organization and Management Approach – 30 points; and Experience/Past Performance/Qualifications and Key Personnel – 20 Points.

MWRA received one proposal from Dental Service of Massachusetts, Inc., d/b/a Delta Dental of Massachusetts. The Selection Committee reviewed, scored, and ranked the proposal as follows:

FIRM	PROPOSED COST	TOTAL POINTS	*ORDER OF PREFERENCE/TOTAL SCORE	FINAL RANKING
Delta Dental	\$288,386	451	5	1

*Rank represents the sum of the individual Selection Committee members' rankings where the firm receiving the highest number of points is assigned a "1"; the firm receiving the next highest number of points is assigned a "2", and so on.

Delta Dental (MWRA's current provider) met all criteria and requirements in the RFQ/P, including required coverage. Favorable reviews were received from external references, and Delta Dental has performed well under the current contract. Delta Dental's proposed comprehensive unit rates reflect a 0% increase from MWRA's current contract.

MWRA staff communicated with one of the plan holders who did not submit a proposal and were informed that the entity is an employee benefits consulting firm who passed on the RFP/P on to other dental vendors. Unfortunately, no other vendors submitted proposals.

The Selection Committee recommends the award of Contract A631 to Dental Service of Massachusetts, Inc. d/b/a Delta Dental of Massachusetts in an amount not to exceed \$289,000. If approved, the contract will include three options to renew, for a period of 12 months each. Exercising the options will be contingent upon the parties reaching an agreement on certain contract terms for the renewal period, and will be subject to further Board approval.


BUDGET/FISCAL IMPACT:

The \$289,000 value of this contract is a not-to-exceed amount based on calendar year. The actual cost of the contract will vary depending on the number of enrollees. The FY22 Current Expense Budget includes \$271,154 (the employer portion is 90% of the total cost). Any costs above this will be absorbed in the MWRA budget. The FY23 Current Expense Budget will include funding for the remaining portion of this contract.

MBE/WBE UTILIZATION:

There are no MBE/WBE participation requirements for this contract.

STAFF SUMMARY

TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director 
DATE: December 15, 2021
SUBJECT: Security Guard Services for Various MWRA Facilities
Universal Protection Service, LLC d/b/a/
Allied Universal Security Services
Contract EXE-041, Amendment 1

COMMITTEE: Administration, Finance & Audit

 INFORMATION
 X VOTE

Kathryn White, Mgr., Security Services
Preparer/Title

Gary Cacace 
Director, Security

RECOMMENDATION:

To authorize the Executive Director, on behalf of the Authority, to execute Amendment 1 to Contract EXE-041, Security Guard Service for Various MWRA Facilities, with Universal Protection Service, LLC d/b/a Allied Universal Security Services, exercising the first option to renew, increasing the contract amount by \$2,115,112.20, from \$6,849,216.00 to an amount not to exceed \$8,964,328.20, and extending the contract term by 365 calendar days from February 6, 2022 to February 6, 2023.

DISCUSSION:

On December 19, 2018, the Board of Directors approved the award of Contract EXE-041 to Universal Protection Service, LLC d/b/a Allied Universal Security Services for an amount not to exceed \$6,849,216, for a term of security guard services. The contract includes two options to renew, each for an additional 365 day period, subject to Board approval. Since February 5, 2019, Allied Universal has provided around-the-clock guard security, including video and alarm monitoring, gate access and mobile patrols, to MWRA major facilities such as Charlestown Headquarters, Deer Island Treatment Plant, Chelsea Facility, Carroll Water Treatment Plant and other remote locations.

This Amendment

Amendment 1 is for the first, one-year extension option. Security considerations and Allied Universal's performance support this recommendation. Allied Universal's security force performs at a high level and its familiarity with MWRA's facilities and operations, as well as the technology that MWRA employs, most effectively ensures continuity of security. For example, Allied Universal's security team performed beyond expectations during the COVID-19 pandemic fulfilling all responsibilities and lending support to MWRA in unconventional ways when administrative buildings were unstaffed.

The current SEIU Collective Bargaining Agreement (CBA) expires on July 30, 2022. The new guard billing rate in the proposed Amendment 1 includes salary rate increases averaging 3% through July 30, 2022 as required under the CBA. The salary rate increase includes additional costs for sick days as required under Massachusetts law, and increases in health insurance premiums. Allied Universal has agreed to maintain its same percentage mark-up of 15% for its fee during the option year. After review, staff found the rate increases to be reasonable.

The projected cost of Amendment 1 (the fourth year) is \$2,265,112.20, which includes the rate increases described above as well as 176 additional security management hours that were not included in the original contract due to a calculation error. The \$2,265,112.20 cost is offset by approximately \$150,000 of unspent funds in the current contract year due mostly to a balance remaining in an allowance for union and wage increases, resulting in a total amount for Amendment 1 of \$2,115,112.20.

The contract summary is as follows:

	Amount	Time	Date
Original Contract	\$6,849,216.00	36 Months	February 6, 2018
<u>Amendment 1</u>	<u>\$2,115,112.20</u>	<u>12 Months</u>	<u>February 6, 2022</u>
Total	\$8,964,328.20	48 Months	

For the reasons set forth above, staff recommend the Board's approval of Amendment 1 to Contract EXE-041.

BUDGET/FISCAL IMPACTS:

The not-to-exceed cost of this one-year extension to Contract EXE-041 is \$2,115,112.20. The FY22 CEB includes \$1,998,700 for the security guard services contract. The overage will be absorbed within the FY22 Current Expense Budget. Adequate funds will be included in the FY23 CEB to fund the remainder of this contract.

MBE/WBE PARTICIPATION:

Due to the specialized nature of this contract and the limited opportunities for subcontracting, no MBE or WBE participation requirements were established for this contract.

STAFF SUMMARY


TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director
DATE: December 15, 2021
SUBJECT: Cottage Farm CSO Facility
Facility Improvements and PCB Removal/Abatement



COMMITTEE: Wastewater Policy & Oversight

X INFORMATION
 VOTE

John P. Colbert, P.E., Chief Engineer
Rebecca Weidman, Director, Environmental and Regulatory Affairs
Richard P. Geisler, Environmental Manager
David K. Pottle, P.E., Program Manager
Preparer/Title


David W. Coppes, P.E.
Chief Operating Officer

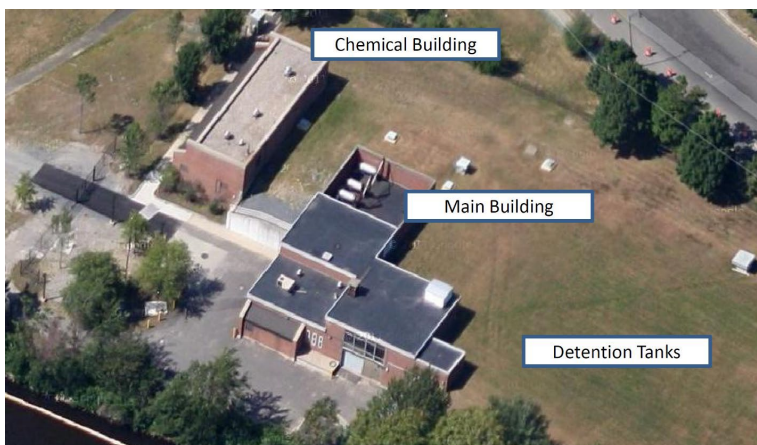
RECOMMENDATION:

For information only. This staff summary describes upcoming work to rehabilitate the Cottage Farm Combined Sewer Overflow (CSO) Facility, including the polychlorinated biphenyls (PCBs) abatement plan.

DISCUSSION:

The Cottage Farm CSO Facility, constructed in 1971, is located in Cambridge (shown in the figure on the following page.) It provides screening, detention, solids removal and disinfection (chlorination and dechlorination) of combined sewer overflows prior to pumping treated flow to the Charles River. The Cottage Farm CSO Facility is a key component of MWRA's court approved Long-Term CSO Control Plan (LTCP) and is operational only during large storms (twice in a "typical year" per the LTCP). Although activation of the facility is infrequent, the facility is critical to managing wastewater levels within the tributary sewers to prevent upstream flooding and untreated CSO discharges.

Rehabilitation of the Cottage Farm CSO Facility is planned as the facility components are 50 years old and are nearing the end of their useful life. The facility rehabilitation includes replacement of the major components including the pump diesel engines, pumps, screens, electrical switchgear, HVAC equipment, sluice gates, and boilers, as well as wetwell and detention basin concrete restoration and building envelope improvements.



The chemical building components will also be replaced including chemical tanks and pumps. PCBs were found in the facility and abatement is planned to be completed during the facility rehabilitation. The estimated cost for the facility rehabilitation is \$36 million to be completed in the next 10 years.

Two critical components of the facility are planned to be replaced in the next four years to ensure the reliability of this critical CSO facility. The diesel engine pumps are obsolete and parts for repairs are difficult to obtain. In addition, some of the chemical building sodium hypochlorite and sodium bisulfite tanks have had leaks. A design project to replace the diesel engine pumps and limited PCB abatement on the engine pump bases, as well as a full rehabilitation of the chemical building is currently being developed with an expected award to a design consultant in the second quarter of 2022. As a result of the partial PCBs abatement required for the engine replacements, staff have been engaged in discussions with the Environmental Protection Agency (EPA) on the approach and schedule of the full facility abatement.

Diesel Engine Replacement:

The Cottage Farm CSO Facility is equipped with three diesel engine-driven pumps and one electrically driven pump. During operations, all three diesel driven pumps provide station discharge capacity (the smaller electric pump is used during startup and shutdown of the facility). Due to a recent diesel engine failure during operation of the facility, it was necessary to replace the cylinder head on that engine. Two of the diesel engines are 40 years old and one is 50 years old, are no longer supported by the manufacturer, and new parts are no longer available. The replaced cylinder head was a refurbished part and took time to locate. This resulted in reduced pumping capacity for several weeks. To ensure reliable pumping is always available at this critical facility, staff recommend that all three diesel engines be replaced. Changing these engines to electric engines is not recommended for several reasons. These engines run infrequently and only during long duration and/or high rainfall events. If electric engines are installed, a new larger electrical feed will be required for the station and a full capacity diesel backup generator will be necessary to provide backup power in the event of power loss. The significantly larger backup generator will require building expansion to accommodate. These changes will add significant cost to the project for a facility that runs infrequently (*i.e.*, twice in a “typical year”).

Portions of the diesel engine assemblies and their concrete support pads are coated with paint containing PCBs and replacement of the engines and pads requires abatement of these PCB-containing materials. In addition to the diesel engines, much of the equipment at Cottage Farm is beyond its life expectancy and replacement is needed to maintain the reliability of this critical wet weather facility.



PCB Abatement Plan:

In 2014, a PCB abatement plan was prepared for the main building of the Cottage Farm Facility (the newer chemical building does not contain PCBs) and provided to EPA for review. Under EPA regulations (40 CFR 761), the presence of PCBs in paint and caulking above a concentration of 50 mg/kg must be abated. Sampling in the main building found concentrations of PCBs in paints up to 250,000 mg/kg, in impacted shallow concrete up to 1,400 mg/kg, and in caulking and impacted porous materials up to 290 mg/kg and 1.8 mg/kg, respectively. Under MWRA's draft PCB abatement plan, PCBs would be abated through a combination of removal and encapsulation. This facility is staffed infrequently, allowing for interim measures to be implemented to limit exposure to PCBs in the main building and allow staff to safely work until PCB abatement work is completed. These measures included installing floor mats in high traffic areas and prohibiting floor sweeping and drilling of concrete without dust control.

To date, MWRA has not submitted the PCB abatement plan for the Cottage Farm CSO facility to EPA for formal approval; the plan submittal is pending a final rehabilitation plan and schedule for the facility. In anticipation of replacing the engines and subsequent full rehabilitation of the facility, staff met with EPA in September to discuss the status of the abatement plan. EPA indicated that plan approval would be given under an appropriate, still to be determined, binding instrument. The type of instrument under which EPA would approve MWRA's PCB abatement plan may be dependent on the amount of time MWRA estimates it will take to complete the PCB abatement work. An extended timeline for the PCB abatement alone, or in combination with other considerations, may result in EPA requiring that MWRA enter into an Administrative Consent Order with stipulated milestones and timelines for the PCB abatement work.

Full abatement of the main building can only be performed by removing all of the existing equipment in order to gain complete access to contaminated materials, and this should be performed when the equipment is replaced under the full rehabilitation. MWRA's priority is to replace the pump engines in the facility as soon as possible and then move to a second phase of construction that would include full facility PCB abatement and equipment replacement. PCB abatement and rehabilitation of the entire facility is estimated to take ten years, which requires additional discussion with EPA.

The proposed contract packaging and schedule staff plan to discuss with EPA is presented in the table below. Replacing the pump engines and upgrading the chemical building and its equipment under an initial construction contract provides the shortest duration for implementing these improvements. As shown, a separate construction contract for the main building rehabilitation and PCB abatement would follow. The total construction cost of PCB abatement in the main building is estimated as \$3.9 million.

Contract	Start	End	Duration	Estimated Cost
<u>Chemical Building Improvements and Main Building Engines Replacement/Abatement</u>				
Design	April 2022	April 2024	24 months	\$ 1.8 million
Construction	April 2024	April 2026	24 months	\$10.6 million
<u>Main Building Improvements and PCB Abatement</u>				
Design	December 2025	December 2028	36 months	\$ 3.7 million
Construction	December 2028	December 2031	36 months	\$20.0 million

BUDGET/FISCAL IMPACT:

The FY22 CIP includes budgets of \$1,000,000 for design, construction administration and resident engineering (Design, CA & RE) services and \$5,000,000 for construction of improvements to the chemical building, and includes budgets of \$1,547,000 for Design, CA & RE services and \$7,736,000 for improvements to the main building.

The Proposed FY23 CIP will include budgets of \$1,800,000 for Design, CA & RE services and \$10,600,000 for construction of improvements to the chemical building, including replacement of the main building pump engines and engines-related PCB abatement, and \$3,700,000 for Design, CA & RE services and \$20,000,000 for improvements to the main building, of which \$4,000,000 is for PCB abatement.

The FY22 budgets were based on estimates originally provided in a 2012 planning report that identified, at a preliminary level, improvements needed at the Cottage Farm facility. The FY23 budgets have been adjusted to reflect recent construction, including PCB abatement performed at the Alewife Brook Pump Station.

The components to be included in the Chemical Building Improvements/Main Building Engines Replacement/Abatement and the Main Building Improvements/PCB Abatement contracts are not yet fully determined and will be refined during design. More detailed evaluations will be performed to identify the components to be included in the contracts, and the budgets will be revised as scopes of work are finalized.

STAFF SUMMARY


TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director
DATE: December 15, 2021
SUBJECT: Prison Point CSO Facility Improvements
Contract 7462 Update




COMMITTEE: Wastewater Policy & Oversight

X INFORMATION
VOTE

Douglas Rice, Director of Procurement
John P. Colbert, P.E., Chief Engineer
Preparer/Title



Carolyn Francisco Murphy
General Counsel



David W. Coppes, P.E.
Chief Operating Officer

RECOMMENDATION:

For information only.

DISCUSSION:

At its September 15, 2021 meeting, the Board approved the award of Contract 7462, Prison Point CSO Facility Improvements, to Barletta Heavy Division, Inc. in the amount of \$39,479,000. The Contract was to provide improvements to the Prison Point CSO Facility including process and mechanical upgrades as well as security, structural, architectural, electrical and instrumentation improvements. Replacement of the major process and mechanical equipment operating in the facility due to age and condition, including the dry and wet weather mechanical bar screens, screenings conveyor systems, grinders, influent and effluent sluice gates, dry weather pumps, chemical feed and sampling pumps and diesel engines driving the wet weather pumps, is included in the project.

After the Notice to Proceed was issued on October 29, 2021, Barletta notified MWRA that the electrical filed subcontractor and plumbing filed subcontractor were unwilling to execute a subcontract for their bid price or contract tenure of 24 months due to significant price escalations and supply chain issues increasing lead times since the submission of their bid. Thereafter, procurement staff contacted the other electrical sub-bidders (five in total) and none were willing to hold their bid price. The second low plumbing subcontractor, however, was willing to proceed at its bid price for the as-bid contract duration.

Based on information from the electrical contractor that an additional 18-20 months of time would be necessary to perform the contract work, Barletta proposed a change order of over \$5.3 million (plus additional potential costs), an increase of at least 13.5%, and a 20 month time extension. Lead times of up to 72 - 76 weeks for certain electrical equipment, and electrical material price

increases of 160% since March, 2021 and 10% since November 2021 were cited as examples. This, of course, does not include potential costs to the consultant, Arcadis, for a 20-month time extension. At this time, staff are reassessing and considering whether to cancel the project and rebid it into smaller packages. Staff will keep the Board apprised as this situation unfolds, and provide a further update in January.

STAFF SUMMARY

TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director
DATE: December 15, 2021
SUBJECT: Screw Pump Replacement, Phase 1, Clinton Treatment Plant
IPC Lydon, LLC
Contract 7704



COMMITTEE: Wastewater Policy & Oversight


 INFORMATION

 X VOTE



Michele S. Gillen
Director of Administration

David Duest, Director, Deer Island Treatment Plant
Richard J. Adams, Manager, Engineering Services
Preparer/Title



David W. Coppes, P.E.
Chief Operating Officer

RECOMMENDATION:

To approve the award of Contract 7704, Screw Pump Replacement, Phase 1 at the Clinton Wastewater Treatment Plant, 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 \$3,452,985, for a contract term of 540 calendar days from the Notice to Proceed.

DISCUSSION:

The Clinton Wastewater Treatment Plant provides advanced wastewater treatment, including nutrient removal, for the Town of Clinton and Lancaster Sewer District prior to discharging the treated effluent to the South Nashua River. The original treatment plant was constructed in 1955-56 and was expanded and upgraded in 1992, and upgraded again in 2019 to meet new National Pollutant Discharge Elimination System permit requirements.

The treatment facility includes preliminary treatment in the form of grit removal and screening followed by primary settling, trickling filtration, aeration tanks, secondary clariflocculators for nutrient removal, tertiary treatment disc filtration system for phosphorus removal, and chlorination and dechlorination prior to discharge to the river. The facility also includes an anaerobic digestion system followed by digested sludge storage and sludge dewatering facility. All digested and dewatered sludge along with grit and screenings are disposed of in an MWRA-owned sewage sludge landfill in Clinton.

The plant utilizes three, six million gallon per day influent lift pumps to pump wastewater from the collection system up to the designed-maximum flow of 12 mgd. The plant average daily design flow is 3.01 mgd. One pump is typically in operation, while two pumps can be operated to pump to the maximum design capacity. One of the three pumps is utilized as a backup.



Each pump utilizes a two-speed 40 horsepower motor and is designed to handle a maximum of three or six mgd, depending on speed, with a hydraulic lift of 20.87 feet. Staff performed a study of the plant's processes and existing pumping system and equipment to determine if better methods and/or more efficient equipment could be utilized. It was determined that the use of screw pumps, driven by variable frequency drives, was the most effective system to lift the incoming influent, including scum and sludge, to the wastewater treatment process.

Presently, two of the three pumps are inoperable due to mechanical failure. The plant is currently operating with one influent screw pump in conjunction with two smaller temporary hydraulic submersible pumps to handle peak flow events. A portable pump is also available as a backup. The existing pumps are all at the end of their useful life, which is 20 years, and are therefore in need of immediate replacement.

The work under this contract includes demolishing and replacing the three screw pumps and motors, replacing three existing 72-inch by 60-inch pump isolation slide gates and associated electrical and controls; providing a temporary bypass pumping system to ensure the plant's pumping capacity is maintained during the construction phase; and providing concrete remediation in the pump channels.

This is the first phase of a two phase project. The second phase will include the replacement of three similar screw pumps utilized to lift partially treated wastewater post-trickling filter into the aeration basins. Phase two is currently scheduled to commence in 2023.

Procurement Process

Contract 7704 was bid in accordance with Chapter 149 of Massachusetts General Laws and publicly advertised in the Central Register, the Boston Herald, Banner Publications and El Mundo, as well as on the MWRA Supplier Portal. General bids were received, opened and reviewed on October 13, 2021, from the following three contractors:

<i>Engineer's Estimate</i>	<i>\$3,300,000</i>
IPC Lydon, LLC	\$3,452,985
Walsh Construction Company II, LLC	\$3,690,000
Waterline Industries Corp.	\$4,677,677

IPC Lydon's bid was the lowest at \$3,452,985, which is \$152,985 or 4.6% higher than the Engineer's Estimate.

Staff reviewed IPC Lydon's bid in detail, and conducted a formal interview with the contractor on October 22, 2021. Staff determined that the bid is complete, reasonable, and includes the payment of prevailing wages as required. Staff further determined that the Engineer's cost estimate for the three screw pumps was slightly lower than the bid amount due to recent cost increases in the commodities market (for stainless steel). References for IPC Lydon were checked and found to be favorable. Staff searched the US Department of Labor's OSHA website for any history of inspection enforcement action involving IPC Lydon over the last 10 years. Two minor enforcement actions were found (one has been closed and the other is open). Based upon the information received, staff are of the opinion that IPC Lydon understands the scope, nature, and complexity of the project, has the skill, ability, and integrity necessary to complete the work, and is qualified to do so.

Therefore, staff recommend that Contract 7704 be awarded to IPC Lydon, LLC as the lowest responsible and eligible bidder.

BUDGET/FISCAL IMPACT:

The FY22 Capital Improvement Program includes \$3,500,000 for the Screw Pump Replacement, Phase 1 project. The proposed award amount is \$3,452,985 or \$47,015 under budget.

MBE/WBE PARTICIPATION:

The MBE and WBE participation requirements for this contract were established at 7.24% and 3.6%, respectively. The Affirmative Action and Compliance Unit has reviewed the bid and has determined that it meets these requirements.

STAFF SUMMARY


TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director
DATE: December 15, 2021
SUBJECT: Gravity Thickener Upgrade, Deer Island Treatment Plant
Walsh Construction Company II, LLC
Contract 7428, Change Order 17



COMMITTEE: Wastewater Policy & Oversight

INFORMATION
 VOTE

David F. Duest, Director, Deer Island Treatment Plant
Richard J. Adams, Manager, Engineering Services
Frank Brickelmaier, Project Manager
Preparer/Title


David W. Coppes, P.E.
Chief Operating Officer

RECOMMENDATION:

To authorize the Executive Director, on behalf of the Authority, to approve Change Order 17 to Contract 7428, Gravity Thickener Upgrade, Deer Island Treatment Plant, with Walsh Construction Company II, LLC, for a lump sum amount of \$244,289.11, increasing the contract amount from \$19,979,541.22 to \$20,223,830.33, with no increase in contract term.

DISCUSSION:

Under Contract 7428, the Contractor is performing a comprehensive upgrade of all six gravity thickeners at Deer Island that includes complete replacement of each tank's sludge and scum thickening equipment, as well as replacement of five of the six fiberglass-reinforced plastic (FRP) dome covers. Gravity Thickeners 1 and 2 are of similar design in that all equipment is located under the FRP dome covers. Gravity Thickeners 3 through 6 are of similar design, with some of the mechanism equipment such as the motor, drive, and torque monitoring box, located above the FRP dome covers. The work also involves draining and disposing of the contents of Digested Sludge and Gas Storage Tank 1 to enable the replacement of valves and piping in the Residuals Facility, inside the ring wall and on top of Digested Sludge and Gas Storage Tank 1.



Gravity Thickeners 1 through 6

This Change Order

Change Order 17 consists of the following five items:

Furnish Additional Labor and Equipment to Remove the Foreign Material in Digested Sludge and Gas Storage Tank No. 1

\$117,203.04

During the sludge removal process, what appeared to be the remnants of an old tank membrane liner was encountered in the tank. This foreign material impeded the sludge removal process. Therefore, additional time and effort was required to complete the removal of sludge.



Old Liner / Foreign Material

This item was identified by MWRA staff as an unforeseen condition. Staff and the Contractor have agreed to a lump sum amount of \$117,203.04 for this additional work. The Contractor has completed this work at its own risk in order to proceed with the remainder of the contract work.

Reimbursement for COVID-19 Costs

\$57,000

This project commenced before the Commonwealth's "COVID-19 Guidelines and Procedures for All Construction Sites and Workers at All Public Works" established COVID-19 related safety requirements. The Contractor was required to hold a safety stand down meeting at the site with all construction personnel to review the new procedures and guidelines. The Contractor was also required to assign a site specific COVID Officer, whose duties included taking the temperature of all employees, confirming self-certification, preparing daily reports and monitoring the site to ensure the procedures were being followed. Additionally, cleaning supplies, wash stations, hand sanitizers, gloves, and facemasks were also provided from March 2020 until the work was complete in September 2021. Since the Order was issued after the Notice to Proceed, this change order reimburses the Contractor for costs associated with complying with the guidelines and procedures.



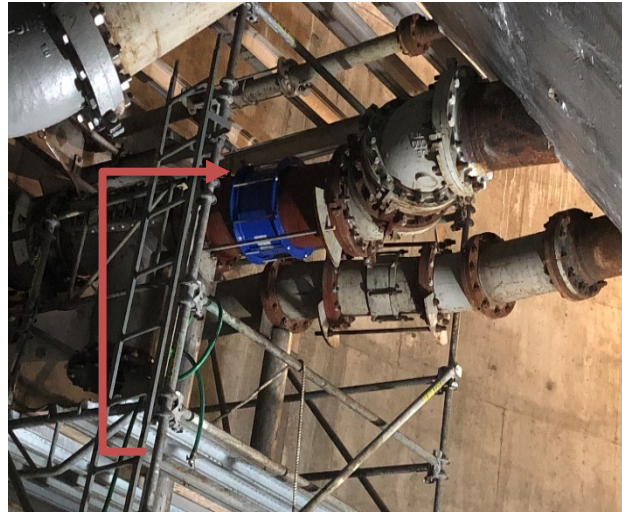
Hand Wash and Sanitizing Station

This item was identified by MWRA staff as an unforeseen condition. Staff and the Contractor have agreed to a lump sum amount of \$57,000 for this additional work. This change order is consistent with other MWRA projects that were impacted during the COVID-19 pandemic. The Contractor has proceeded with this work at its own risk in order to comply with the Commonwealth's guidelines and procedures.

Furnish and Install a 16-inch Coupling and Spool Sections of Ductile Iron Pipe

\$35,232.21

When MWRA Operations staff started filling Digested Sludge and Gas Storage Tank No. 1 with water to prepare for the Contractor-provided nitrogen purge so the tank could be put back on-line, an existing 16-inch coupling was found to be leaking. The coupling, along with two glass lined ductile iron pipe spool sections, required replacement.



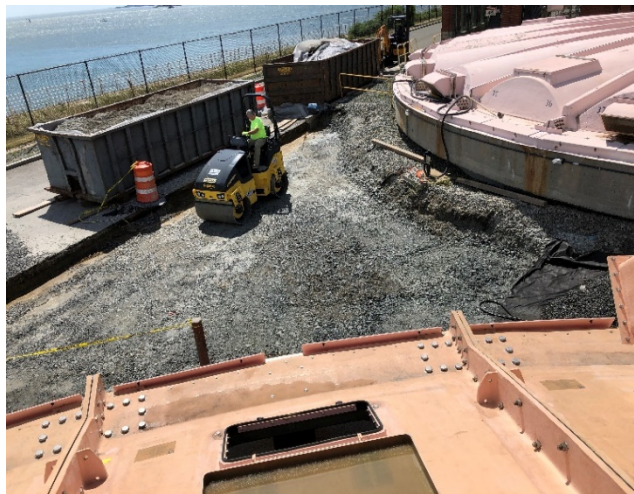
16-inch Coupling and Spool Sections

This item was identified by MWRA staff as an unforeseen condition. Staff and the Contractor have agreed to a lump sum amount of \$35,232.21 for this additional work. The Contractor has completed this work at its own risk in order to proceed with the remainder of the contract work.

Provide for the Disposal of Additional Contaminated Soil

\$33,000

The specifications contained an estimated quantity of 275 tons of contaminated soil for disposal. The work required more excavation than originally anticipated. The original quantity estimated was exceeded by an additional 265.41 tons.



Additional Soil Disposal

This item was identified by MWRA staff as an unforeseen condition. Staff negotiated a lower unit cost to dispose of the excess material due to the ability to dispose of the soil at a Massachusetts based facility in lieu of a facility that was located out of state. Staff and the Contractor have agreed to a lump sum amount of \$33,000 for this additional work. The Contractor has completed this work at its own risk in order to proceed with the remainder of the contract work.

Furnish and Install Additional Lightning Protection

\$1,853.86

The Design Engineer did not show existing features or equipment on the drawings, which needed to be shown for the lightning protection vendor to design the lightning protection system. To obtain the contract-specified UL Certificate of Compliance, lightning protection had to be installed at an existing light pole at Gravity Thickener 3 and at an existing walkway at Gravity Thickener 4.

This item was identified by MWRA staff as a design error. MWRA staff and the Contractor agreed to a lump sum amount of \$1,853.86 for this additional work with no increase in contract term. The

Contractor completed this work at its own risk in order to proceed with the remainder of the contract work.

CONTRACT SUMMARY:

	<u>Amount</u>	<u>Time</u>	<u>Dated</u>
Original Contract:	\$19,633,050.00	1,000 Days	05/11/18
Change Orders:	\$5,772.35	0 Days	10/09/18
Change Order 2*	\$13,584.64	0 Days	04/05/19
Change Order 3*	\$4,834.25	0 Days	07/26/19
Change Order 4*	\$25,645.65	0 Days	10/28/19
Change Order 5*	\$12,701.17	0 Days	02/18/20
Change Order 6*	\$7,791.11	0 Days	03/31/20
Change Order 7*	\$58,786.32	0 Days	08/27/20
Change Order 8*	(\$115,278.55)	0 Days	12/07/20
Change Order 9*	\$120,815.29	0 Days	12/14/20
Change Order 10	\$262,041.00	98 Days	01/22/21
Change Order 11*	\$22,906.97	0 Days	02/08/21
Change Order 12*	\$38,649.03	0 Days	04/22/21
Change Order 13*	(\$111,758.01)	0 Days	06/10/21
Change Order 14*	\$0.00	32 Days	06/29/21
Change Order 15*	\$0.00	60 Days	07/20/21
Change Order 16*	\$0.00	40 Days	09/03/21
Change Order 17	<u>\$244,289.11</u>	<u>0 Days</u>	Pending
Total of Change Orders:	\$590,780.33	230 Days	
Adjusted Contract:	\$20,223,830.33	1,230 Days	

*Approved under delegated authority

If Change Order 17 is approved, the cumulative value of all change orders to this contract will be \$590,780.33 or 3.01% of the original contract amount. Work on this contract is substantially complete.


BUDGET/FISCAL IMPACT:

MWRA received \$984,283.05 from FEMA (through MEMA) for the damage to a gravity thickener as a result of 2015 snow events. The FY22 Capital Improvement Program includes \$20,227,650 for Contract 7428. Including this change order for \$244,289.11, the adjusted subphase total will be \$20,223,830.33

MBE/WBE PARTICIPATION:

The MBE and WBE participation requirements for this contract were established at 7.24% and 3.6% respectively. The Contractor proposed 7.2% MBE and 3.62% WBE participation and has committed to continuing to make good faith efforts to satisfy the 0.04% MBE participation deficit. This is acceptable to the Affirmative Action and Compliance Unit. The Contractor has been notified that these requirements are still expected to be met.

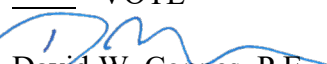
STAFF SUMMARY

TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director 
DATE: December 15, 2021
SUBJECT: Update on Lead and Copper Rule Compliance – Fall 2021

COMMITTEE: Water Policy & Oversight

X INFORMATION
 VOTE

Beverly Anderson, Project Manager, Public Health
Stephen Estes-Smargiassi, Director, Planning and Sustainability
Preparer/Title


David W. Coppes, P.E.
Chief Operating Officer

RECOMMENDATION:

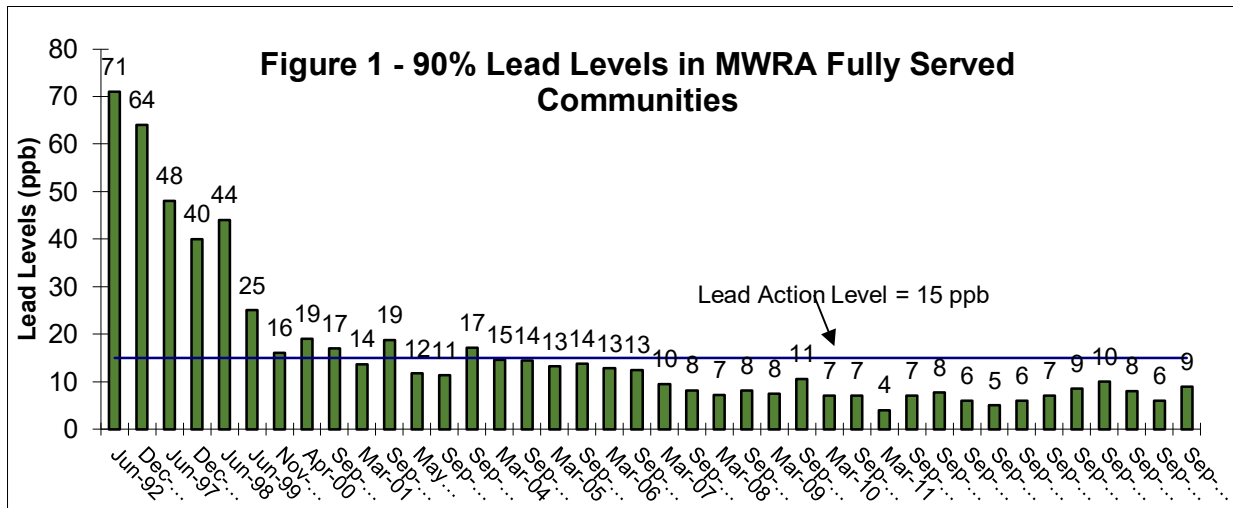
For information only.

DISCUSSION:

Under the Environmental Protection Agency's (EPA) Lead and Copper Rule (LCR), each year MWRA and every fully-supplied community must collect and test tap water in a sample of homes *that are likely to have high lead levels*. These are usually homes with lead services or lead solder. EPA requires that nine out of ten of the sampled homes have lead levels at or below the Action Level of 15 ppb.

MWRA and its communities conducted the 2021 LCR sampling round beginning in September 2021. The 90th percentile lead value for the system as a whole was 8.5 parts per billion (ppb). The MWRA system has been below the lead Action Level of 15 ppb in every round since 2004.

In addition to determining how the system as a whole performs, EPA looks at each individual community. Five MWRA customer communities were individually over the lead Action Level, including Boston, Malden, Medford, Melrose, and Winthrop. Boston was over in 2020 for the first time since 2014. Malden was over in 2014, 2015, and 2016. Medford was over in 2020 as well as several rounds before then. Melrose was over in 2020 and 2017; and Winthrop was over in 2017, 2018, and 2019.



Staff have notified all five communities that exceeded the lead Action Level. The Massachusetts Department of Environmental Protection (MassDEP) has had extensive interactions with all five communities regarding the requirements of the Lead and Copper Rule. Each will need to meet the rule’s public education requirements, including mailing updated lead education brochures to all customers, and each will be required to meet lead service line replacement requirements set by MassDEP. MWRA has provided an updated educational brochure and staff have offered assistance in working with MassDEP on the educational requirements and documentation that demonstrates that the community has replaced the required number of service lines.

Under the LCR, each community is also required to collect samples from two schools or childcare facilities. Seven schools (out of 60 tested) in six communities had one or two samples above the Action Level as part of the LCR testing. As with residential samples, MWRA staff immediately contact any community that has a school sample above the Action Level. All school data are available on MassDEP’s online school database that includes over 39,000 school test results from MWRA communities. A link to the MassDEP database is available on the MWRA webpage.

MWRA has formally transmitted these results to MassDEP. The results were also transmitted to the communities and, through them, to each individual homeowner or school that collected a sample.

School and Childcare Sampling Program

MWRA continues to offer no-cost laboratory analysis services to any of its customer communities that want to sample drinking water taps in schools or childcare facilities. The program is offered in coordination with MassDEP’s similar program. As of the end of October, MWRA’s laboratory has conducted over 39,000 tests from 534 schools and childcare facilities in 44 communities.

Lead Service Line Replacement Loan Program

In March 2016, the Board approved an enhancement to the Local Water System Assistance Program to make \$100 million in 10-year interest-free loans available to communities solely for

efforts to fully replace lead service lines. Under MWRA's Lead Service Line Replacement Loan Program, each community can develop its own replacement program, tailored to its local circumstances.

During the first five years of the program (through December 2021), MWRA has distributed a total of \$28.2 million in Lead Service Line Replacement Loan Program funds to thirteen communities:

- Boston Water and Sewer Commission (BWSC): \$2.6 million in FY21;
- Chelsea: \$100,000 in FY19, \$300,000 in FY20, \$300,000 in FY21, and \$300,000 in FY22 (\$1 million total);
- Everett: \$1 million in FY19, and \$1 million, \$500,000 in FY20, \$1.5 million in FY21 (\$4 million total);
- Marlborough: \$1 million in FY18, \$1 million in FY19, \$1 million in FY20 and \$2 million in FY21 (\$5 million total);
- Needham: \$1 million in FY18;
- Newton: \$4 million in FY17;
- Quincy: \$1.5 million in FY17;
- Revere: \$195,000 in FY18, and \$1.3 million in FY22;
- Somerville: \$900,000 in FY20, and \$1,555,000 in FY22;
- Watertown: \$600,000 in FY21;
- Weston: \$160,000 in FY20;
- Winchester: \$500,000 in FY17, \$500,000 in FY18, \$600,000 in FY20, and \$600,000 in FY21 (\$2.2 million total); and
- Winthrop: \$284,000 in FY18, \$487,850 in FY19, \$690,000 in FY20 and \$750,000 in FY21 (\$2,211,850 total).

Several communities are using the MWRA loans to fully fund replacement of the entire lead service line, while some have developed various incentives for the portion of the line on private property. BWSC increased its long standing lead service line incentive program and is now providing the first \$4,000 toward replacement of lead service lines on private property with a zero-interest loan over 60 months for any cost above that dollar amount.

Revisions to the Lead and Copper Rule

EPA's long awaited revisions to the Lead and Copper Rule were released in January 2021, but the new Administration has delayed implementation while it assesses and makes additional changes to the rule. Staff reported on the revised rule in February 2021 and have provided initial training to communities on its requirements in May 2021, in cooperation with the MWRA Advisory Board. Staff will provide an update to the Board on any additional changes to the LCR when they are released.

Review of Corrosion Control Treatment

Staff continue to review long-term water quality data and the state of knowledge about corrosion control treatment, in case a change in corrosion control is ever desired or required. That effort has included construction of a pipe loop system with "harvested" lead service lines to enable future evaluation of possible changes to treatment. Initially, the system is being operated with

MWRA finished water to acclimate and stabilize the harvested lead pipes. An extended period of acclimation and stabilization will help provide a more realistic evaluation of any potential treatment changes. Acclimation of the initially installed harvested lead service lines is proving more complicated than anticipated, as initial lead results are uncharacteristically high. Staff are evaluating whether some of the installed pieces of pipe will need to be replaced with ones that had less physical disturbance during removal and installation. These difficulties point out the benefit of starting this process early.



Evaluating a corrosion control treatment change is a significant undertaking. It will require careful consideration of both the level of confidence in the expected changes in long-term lead levels, as well as the likelihood of significant water quality problems during the treatment transition.


As a key part of this review, staff have assembled a panel of outside experts to provide input into the type of treatment adjustments to be considered and the type of evaluations to be included. The panel is helping staff identify and confirm the feasible and appropriate alternatives to be evaluated for our specific system and to identify the critical research questions that need to be answered to assure that any recommended alternatives are implementable without adverse, unintended consequences to water quality, public health, or the environment. Staff have also asked their opinion on whether and when to replace any harvested pipes that are not providing stable representative data.

Two meetings of the panel have been held. Staff from MassDEP and EPA, as well as community and Advisory Board staff, participated in the panel discussions, as has been MWRA's practice for all prior treatment evaluations.

BUDGET /FISCAL IMPACT:

MWRA began modern effective corrosion control treatment to reduce lead and copper levels at the tap in 1997. MWRA's corrosion control treatment involves raising the pH and alkalinity to the water to provide a stable, non-corrosive product, reducing the potential for both lead and copper to leach from customer's home plumbing. The annual average cost for corrosion control is approximately \$3.6 million, including \$3.3 million in soda ash costs and \$0.3 million in carbon dioxide costs.

STAFF SUMMARY


TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director 
DATE: December 15, 2021
SUBJECT: Memorandum of Agreement between MWRA and the City of Waltham
Section 101 Extension Waltham
Contract 7457

COMMITTEE: Water Policy & Oversight

Peter Grasso, Project Manager
John Colbert, P.E., Chief Engineer
Preparer/Title

INFORMATION

VOTE


Carolyn Francisco Murphy
General Counsel


David W. Coppes, P.E.
Chief Operating Officer

RECOMMENDATION:

To authorize the Executive Director, on behalf of the Authority, to execute a Memorandum of Agreement with the City of Waltham, substantially in the form attached hereto, related to reimbursement to MWRA for design and construction costs associated with the installation of City of Waltham local water, sewer and drain lines and appurtenances.

DISCUSSION:

The Northern Extra High (NEH) Pressure Zone provides water to Arlington, Bedford (through Lexington), Belmont, Lexington, Waltham and Winchester. The six communities are supplied an average of 11.55 million gallons per day (mgd) from MWRA. Water is pumped to these communities and into storage facilities in Arlington, Lexington and Waltham by three pumping stations: Spring Street Pumping Station, Brattle Court Pumping Station, and Lexington Street Pumping Station. The pumping stations draw water from the Norumbega Covered Storage Facility via the Weston Aqueduct Supply Main 3 (WASM 3).

In 2010, the MWRA hired Green International Affiliates, Inc. to design a new water main extension that would allow for uninterrupted water service to the City of Waltham during planned or unexpected shutdowns of WASM 3 and the Lexington Street Pumping Station. The Green International design was put on hold in December 2012 with the design 75% complete while the pipe routing was finalized in conjunction with the long term water redundancy program.

The design included a new 36-inch diameter water main and appurtenances, which will supply Waltham from the MWRA's Northern Extra High (NEH) system by adding a new pipeline, extending Section 101, from Waltham's Meter 182 at the Waltham/Lexington town line down Lexington Street to Totten Pond Road where it would connect to Waltham's water system (see

Figure 1). This connection provides a new redundant water supply to Waltham's Prospect Hill Service area from the NEH pressure zone and to MWRA's Lexington Street Pump Station. This connection, in an emergency, can provide partial water supply to the NEH from the Lexington Pump Station.

In recent discussions between the MWRA and the City of Waltham, the City requested that MWRA complete the Section 101 Extension construction before the planned opening of the City's new high school in 2024. The MWRA determined that, in order to support the construction schedule, an Authority Technical Assistance Consultant Services Contract would be used to complete the design of the MWRA pipeline and additional Waltham utility replacement work the City wishes to carry out while Lexington Street is under construction. On January 22, 2021, a Technical Assistance Consultant Services Contract Task Order was executed with CDM Smith and Green International as subconsultant, to design and bid the Section 101 Extension construction contract.

Proposed Cost Sharing Agreement

The design of the project is almost completed and staff have negotiated an agreement with the City of Waltham for the added design and construction costs of Waltham's work as detailed in the attached MOA. The bid documents for Contract 7457 will include a separate line item for installation of approximately 3,000 linear feet of Waltham local water main, 2,700 linear feet of Waltham local sewer main and 800 linear feet of Waltham local drain line. The work will also include the replacement and reconnection of all local water and sewer services and appurtenances.

Other Major Provisions of the Agreement

- The City of Waltham will reimburse the MWRA for the cost of the design of the additional work, noted above, that was completed under a separate MWRA Technical Assistance Consultant Services Contract Task Order, which was executed September 8, 2021.
- The City of Waltham will contract directly with MWRA's consultant for its portion of the construction administration and resident inspection of its work.
- MWRA will require its selected contractor for the Project to: (i) name the City of Waltham as an additional insured on all insurance policies required to be provided by such contractor for the Project, except for Workers Compensation; and (ii) name the City of Waltham as an obligee on the performance and labor and materials payment bonds provided by the contractor under the construction contract.
- The City of Waltham will be responsible for its share of construction and any construction change orders relating to its work.

BUDGET/FISCAL IMPACT:

The FY22 CIP includes a budget of \$13,780,520 for Contract 7457.

MBE/WBE PARTICIPATION:

The D/MBE and WBE participation requirements for this contract will be established by MWRA's Affirmative Action and Compliance Unit.

ATTACHMENT:

Figure 1- Section 101 Extension Project Map
Draft Memorandum of Agreement

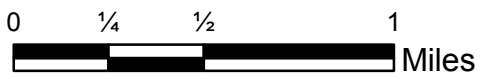
Section 101 Ext. Waltham Project Map



Legend

- P Pump Stations (MWRA)
- P Pump Stations (Community)
- M Meters
- Water Storage (MWRA)
- Water Storage (Community)
- 24" Waltham Community Pipes

Figure 1



MEMORANDUM OF AGREEMENT
BETWEEN
MASSACHUSETTS WATER RESOURCES AUTHORITY
AND
CITY OF WALTHAM, MASSACHUSETTS

This MEMORANDUM OF AGREEMENT (“MOA”) is made this ____ day of _____, 2021 by and between the MASSACHUSETTS WATER RESOURCES AUTHORITY (“MWRA”), a body corporate and politic and an independent authority pursuant to St. 1984, c. 372 of the laws of the Commonwealth of Massachusetts, and the CITY OF WALTHAM (“City of Waltham”), a duly incorporated city under the laws of the Commonwealth of Massachusetts (each individually a “Party” and collectively the “Parties”). MWRA’s address is 100 First Avenue, Boston, MA 02129. The City of Waltham’s address is 610 Main Street, Waltham, MA 02452.

RECITALS

WHEREAS, MWRA is planning to install, by open-cut construction, approximately 8,920 linear feet of new 36-inch water pipeline in portions of roadway along Lexington Street in Waltham, from Meter 182 to a new meter near Totten Pond Road, including installation of valves, meters and other appurtenances, by-pass pumping, replacement of certain utilities, pavement restoration, traffic and environmental controls (“Project”);

WHEREAS, the Project will be competitively bid by MWRA as “MWRA Contract 7457, MWRA Section 101 Extension in Waltham”;

WHEREAS, in order to avoid construction conflicts related to the City of Waltham’s construction of a new high school and the need for future work in the vicinity of the Project, the City of Waltham has requested that MWRA include in MWRA Contract 7457 certain additional water, sewer and drain line replacements within the same roadway as MWRA’s 36-inch water pipeline along Lexington Street;

WHEREAS, the additional water, sewer and drain line replacements requested by the City of Waltham include more specifically: a) remove 12-inch water and replace with 12-inch water from new High School entrance north to Lake Street including replace services on this line from the water main to the curb stop; b) abandon 8-inch and 10-inch water mains from Lake Street to Meter 182; c) transfer water services not already connected to existing 16-inch water main from Lake Street to Meter 182; d) along Lexington Street, just south of the driveway to the new High School, incorporate the upsizing of the existing 15-inch drain to a 24-inch RCP drain from Station 71+60 to Station 79+73. (It is assumed that the City of Waltham will upsize the drainage system downstream of the proposed drain manhole, located between houses #473 and #475, where the 24-inch RCP drain will connect to the existing 15-inch drain line.); e) upsize 10-inch Sanitary Sewer main to 12-inch from Totten Pond Road to Jack’s way; f) add sewer lateral replacements from Totten Pond Rd to Jack's Way; g) add 4 meter boxes into for large residential complexes; h) revise connection of new 10-inch water to show a stub and valve into Jack's Way; and i) provide a detail (to be provided by the City of Waltham) to replace all water services on new 10-inch water (collectively the “City of Waltham Work”).

WHEREAS, MWRA and the City of Waltham have determined that it is in the best interest of the Parties to include the City of Waltham Work within the scope of MWRA Contract 7457;

WHEREAS, MWRA expects that after award of MWRA Contract 7457, a Notice to Proceed will issue in or around March 2022; and

WHEREAS, MWRA and the City of Waltham wish to enter into this MOA regarding certain aspects of the design, bidding and construction, as well as payment for and sharing of costs with respect to the Project, MWRA Contract 7457 and installation of the sections of MWRA and City of Waltham pipelines referenced above.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. PROJECT RESPONSIBILITIES AND ALLOCATION OF COSTS

1.1 MWRA's design consultant, CDM Smith, Inc. (CDM), in coordination with MWRA, will complete the design of MWRA's work on the Project to be included in the contract documents for MWRA Contract 7457. The MWRA will also issue to CDM, Task Order No. 9 under its As Needed Agency Wide Technical Assistance Consultant Services Contract, to provide design and bidding services for the City of Waltham Work, the scope of which will also be included in the contract documents for MWRA Contract 7457. The City of Waltham shall pay for all costs and expenses for the design and bidding services associated with the City of Waltham Work and will reimburse the MWRA for all such costs and expenses in accordance with Section 6.1 of this MOA.

1.2 The City of Waltham shall have two opportunities to review and comment on the design documents associated with the City of Waltham Work, with the first opportunity at the 90% design milestone for the City of Waltham Work, and the second opportunity at the 100% design milestone for the City of Waltham Work. The review period for City of Waltham to review the 90% and 100% design documents shall not exceed one week.

1.3 The bid documents for MWRA Contract 7457 will include a separate line item(s) for all construction work associated with the City of Waltham Work (Waltham Work Line Item(s)), which will be installed by means of open cut construction at various locations along Lexington Street. The City of Waltham shall pay for all costs and expenses arising out of the construction of the City of Waltham Work including, without limitation, 100 percent of the cost of the City of Waltham Work Line Item(s), all costs for services of uniformed police officers and local fire department services associated with the City of Waltham Work and all costs arising out of final surface restoration associated with the City of Waltham Work. The City of Waltham shall also be responsible for all Change Order costs under MWRA Contract 7457 arising out of the City of Waltham Work. The City of Waltham shall make all payments to MWRA in accordance with Section 6.2 of this MOA.

1.4 Consistent with the provisions of G.L. c. 44, §31C, the City of Waltham certifies that it has duly appropriated funds for the cost of the design and bidding services to be performed under Task Order No. 9 for the City of Waltham Work based upon a current cost estimate of approximately \$130,000. The City of Waltham further certifies that it has duly appropriated funds for the cost of construction of the City of Waltham Work under MWRA Contract 7457 upon its current cost estimate of approximately \$_____. Following the opening of bids for MWRA Contract 7457 and prior to award by MWRA, the City of Waltham shall re-certify that it has duly appropriated funds to cover all costs for the design, engineering, construction administration and construction of its portion of Contract 7457.

1.5 Under MWRA Contract 7457, MWRA shall require its selected contractor for the Project to: (i) name the City of Waltham as an additional insured on all insurance policies required for the Project, except for Workers Compensation; and (ii) name the City of Waltham as an obligee on the Performance and/or Labor and Materials Payment Bonds to be provided by the contractor under MWRA Contract 7457.

1.6 Under MWRA Contract 7457, MWRA shall cause its contractor to warrant, for the benefit of the City of Waltham, that the City of Waltham Work will be free from defects in materials and workmanship for a period of one (1) year from substantial completion of the Project in accordance with standard MWRA terms. Provision shall be made for the contractor to repair or replace all defective work within said one-year period in accordance with standard MWRA terms. MWRA may also assign, at its discretion, any claims arising out of deficiencies in the design or construction of the City of Waltham Work to the City of Waltham.

1.7 Under MWRA Contract 7457, MWRA shall cause its contractor to indemnify and hold harmless the City of Waltham to the same extent that MWRA requires its contractor to indemnify and hold harmless the MWRA under Paragraphs 5.1.1 and 5.2.1 of Article 5 of the general conditions of Contract 7457.

2. ADVERTISEMENT AND AWARD OF CONTRACT

2.1 In accordance with G.L. c. 30, sec. 39M of the Massachusetts public bid laws, MWRA shall advertise and accept bids for MWRA Contract 7457. MWRA, in its sole discretion, reserves the right to accept and/or reject any and/or all bids for the reasons articulated in the MWRA Contract 7457 bid solicitation materials and/or as provided by law.

2.2 If and/or when MWRA awards MWRA Contract 7457 and enters into a contract for the Project, such contract shall include the City of Waltham Work.

3. EXTRA WORK/CHANGE ORDERS

3.1 Should the City of Waltham request changes in the City of Waltham Work such request shall be forwarded by MWRA to the contractor so that the contractor, in accordance with Article 13 of the general conditions of Contract 7457, may prepare a

written statement setting forth the contractor's estimate of the increased or decreased cost and time impact, if any, of such proposed changes.

MWRA shall determine whether a request for a Change Order under MWRA Contract 7457 should be approved or rejected, in whole or in part. In the event a request for a Change Order relates, in whole or in part, to the City of Waltham Work, MWRA will provide the City of Waltham with a copy of the proposed Change Order for review and comment and, at the City of Waltham's request, MWRA project personnel shall meet with the City of Waltham personnel to discuss and consider the City of Waltham's and MWRA's respective positions. The parties shall, in good faith, confer regarding their respective positions. After conferring with the City of Waltham, MWRA shall process those Change Orders that MWRA approves. Change Orders approved by MWRA shall be included in the contractor's monthly invoice to MWRA. The City of Waltham shall make payments to MWRA for its portion of the Change Order costs arising out of or relating to the City of Work in accordance with Section 6 of this MOA.

In the event the contractor submits a claim for additional compensation and/or additional time relating to or arising out of, in whole or in part, the City of Waltham Work, which claim sums and/or time request are not included in an approved Change Order, MWRA shall provide the City of Waltham with a copy of such claim, the Parties shall confer and cooperate with each other, and the City of Waltham shall assist MWRA in the defense and/or resolution of such claim.

4. HAZARDOUS MATERIALS

MWRA shall be responsible for, and shall take all actions necessary or appropriate in accordance with MGL Chapter 21E and the Massachusetts Contingency Plan ("MCP") Utility Related Abatement Measures ("URAM") necessary to conduct the work under the Project. The City of Waltham shall reimburse MWRA for all costs associated with the disposal of contaminated soils related to the City of Waltham Work under MWRA Contract 7457. All costs associated with the disposal of contaminated soils related to MWRA's work will be MWRA's responsibility.

5. TERM

The term of this MOA shall, unless otherwise agreed to by the Parties, commence on the date written above and continue until final completion of the Project and any Warranty period within MWRA Contract 7457.

6. PAYMENT BY THE CITY OF WALTHAM

6.1 CDM shall submit monthly invoices to MWRA for services rendered and reimbursable expenses incurred under Task Order No. 9 associated with the City of Waltham Work. MWRA shall provide the City of Waltham with a copy of CDM's invoices related to the Task Order No. 9 City of Waltham Work for review and comment. The City of Waltham shall review and provide comments, if any, to MWRA within 5 business days of receipt of the CDM invoice. MWRA shall pay CDM approved invoiced amounts in accordance with the agreement between MWRA and CDM for the Project.

MWRA will invoice the City of Waltham for approved invoice amounts paid by MWRA to CDM for the City of Waltham Work on a monthly basis. The City of Waltham shall make payment to MWRA within 15 business days of receiving said invoices from MWRA.

6.2 The contractor shall submit monthly invoices to MWRA for the work under MWRA Contract 7457, including the City of Waltham Work and approved Change Orders, in accordance with the contract documents. When invoicing MWRA shall request that the contractor include the City of Waltham Work on line items separate and apart from line items for MWRA's work. MWRA shall pay the contractor its monthly invoices in accordance with the contract documents. The City of Waltham shall make payment to MWRA of the amounts requested in the contractor's monthly invoice for line items and Change Orders approved by MWRA associated with the City of Waltham Work within 15 business days of receiving invoices from MWRA. Payment amounts shall be in accordance with the Schedule of Values submitted by the contractor and approved by MWRA. MWRA will invoice the City of Waltham on a monthly basis.

7. AMENDMENTS

The Parties to this MOA may amend this MOA only by a writing duly executed by both Parties.

8. SEVERABILITY

If any part of this MOA is determined to be invalid, illegal, or unenforceable, such determination shall not affect the validity, legality, or enforceability of any other part of the Agreement and the remaining parts of this MOA shall be enforced as if such invalid, illegal or unenforceable part were not contained herein, unless continued performance of the remaining provisions of this MOA, which have not been determined to be invalid, illegal or unenforceable, would result in the substantial loss of the benefit of the bargain to either MWRA or the City of Waltham.

9. NOTICE

Whenever, by the terms of this instrument, notices may or are to be given either to the City of Waltham or MWRA, such notice shall be deemed to have been given, if in writing and either delivered by hand or by U.S. mail to the following addresses:

To the City of Waltham: Robert Winn, City Engineer
City of Waltham
119 School Street
Waltham, MA 02451

To MWRA: John Colbert, Chief Engineer
Massachusetts Water Resources Authority
2 Griffin Way
Chelsea, MA 02150

10. ENTIRE AGREEMENT

This MOA constitutes the entire agreement between the Parties with respect to the subject matter hereof and supersedes all prior agreements, understandings, expectations, negotiations, and discussions of the Parties, whether oral or written. There are no representations by either Party, which are not specifically set forth in this MOA. The above Recitals to this MOA are incorporated herein by reference and made a part hereof.

11. GOVERNING LAW

This MOA shall be executed and delivered in the Commonwealth of Massachusetts and shall be construed and enforced in accordance with, and shall be governed by, the laws of the Commonwealth of Massachusetts.

12. DISPUTES/COOPERATION

The Parties shall each use their best efforts to cooperate in the performance of the Project and MWRA Contract 7457 by appointing appropriate representatives who, respectively, shall be responsible for expediting and responding to any and all inquiries, problems, and matters requiring coordination among the Parties concerning the scheduling, performance, progress or completion of the Project. Any and all disputes which arise and which cannot be amicably resolved by the Parties during the course of the performance of the Project, if at all possible, shall be resolved after the completion of the Project.

13. COUNTERPARTS

This MOA may be executed in duplicate counterparts, each of which shall be deemed an original and both of which shall constitute one and the same instrument.

14. AUTHORITY

Each person signing in an official or representative capacity warrants that he or she is duly authorized to act for his or her principal and that he or she is so acting when signing this MOA, and that, when executed this MOA shall be a valid and binding obligation, enforceable in accordance with its terms.

15. NO PRESUMPTION

The Parties agree that this MOA shall be construed without regard to any presumption or other rule requiring construction or interpretation against the Party causing this Agreement to be drafted.

IN WITNESS WHEREOF, the Parties hereto have caused the MOA to be executed as a sealed instrument and signed in duplicate by their duly authorized representatives.

EXECUTED AS A SEALED INSTRUMENT this _____ day of _____, 2021.

MASSACHUSETTS WATER RESOURCES
AUTHORITY:

CITY OF WALTHAM:


By: _____
Frederick A. Laskey
Executive Director

By: _____
The Honorable Jeannette McCarthy
Mayor

By: _____
Robert Winn
City Engineer

Approved To Form: _____

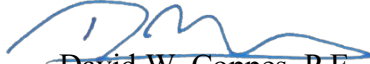
STAFF SUMMARY

TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director 
DATE: December 15, 2021
SUBJECT: Renewal of City of Marlborough and Dedham-Westwood Water District Water Supply Continuation Agreements

COMMITTEE: Water Policy and Oversight

 INFORMATION
 X VOTE

Rebecca Weidman, Director, Env. and Regulatory Affairs
Katherine Ronan, Environmental Analyst
Preparer/Title


David W. Coppes, P.E.
Chief Operating Officer

RECOMMENDATION:

To authorize the Executive Director, on behalf of the Authority, to execute the attached ten-year Water Supply Continuation Agreements with the City of Marlborough and Dedham-Westwood Water District, substantially in the form filed as Attachments A and B to this Staff Summary.

DISCUSSION:

The City of Marlborough and the Dedham-Westwood Water District are “contract communities;” they receive MWRA water pursuant to Water Supply Continuation Agreements reflecting obligations to be fulfilled by both MWRA and the communities. The difference between contract and non-contract communities dates back to before MWRA’s Enabling Act. Twenty-eight of the 53 MWRA water-served communities are contract communities. Of these MWRA contract communities, eight are fully served, 17 are partially supplied by MWRA and regularly use local sources to meet some portion of demand, and three rely on MWRA only in unusual or emergency situations.

Both Marlborough and Dedham-Westwood Water District’s Agreements expired on December 31, 2020. Over the past several months, MWRA staff have worked cooperatively with the two communities to complete the contract renewal processes. The development of new Agreements is predicated upon meeting certain criteria set forth in the MWRA Enabling Act and the completion of a process outlined in MWRA regulation 360 C.M.R. 11.00, entitled “Regulations for the Continuation of Contract Water Supply.” These regulations require communities to prepare a Supplementary Report, which includes a supply and demand analyses, documentation of conservation and demand management efforts, and a description of various facets of the community’s water supply system. The regulations also prescribe the execution of a written agreement between MWRA and each community.

The Water Supply Continuation Agreements serve three purposes. First, they specify how the water supply needs of the communities will be met in a manner consistent with the capabilities of the MWRA water supply system. Second, they compel the community to implement demand

management and planning efforts. Third, they constitute a record of compliance with the factors and requirements specified in Section 8 (d) of the Enabling Act and MWRA regulations.

The Proposed Agreements

Each proposed Agreement establishes that the applicable criteria set forth in Section 8(d) of MWRA's Enabling Act are necessary conditions for the continuation of water supply and have been satisfied. These criteria relate to safe yield, use and non-abandonment of local sources, implementation of effective demand management measures, and the requirement to conduct water use surveys. Each Agreement also states the maximum annual water volumes and maximum daily water volumes that MWRA agrees to provide to the community over the next ten years. The typical term for MWRA Water Supply Continuation Agreements with communities is ten years. The exception to this general rule is for first-time Agreements applicable to new entrants into the MWRA system, which have five-year terms.

Marlborough

In 2016, Marlborough's Millham Water Treatment Plant was taken offline due to high chloride levels in the source water and its potential threat of causing lead to leach from the remaining lead water service lines in the local distribution system. Since then, Marlborough has relied on MWRA to meet 100 percent of local demands and has exceeded the previous MWRA/Marlborough Water Supply Continuation Agreement maximum annual water volume of 1.313 billion gallons. This limit (1.313 billion gallons) was intended to allow for some flexibility should the City need additional water in case of shortfalls or changes in circumstances regarding the local supply. Since Marlborough began using MWRA to meet its full demand, the City has used roughly 1.5 billion gallons annually in 2017, 2018, and 2019. In 2020, Marlborough used more than 1.5 billion gallons of water. The City was assessed and has paid for all water used at MWRA's full prevailing rate. The City intends to continue to use MWRA to meet 100 percent of local demands and therefore requests to increase its maximum annual volume to 1.663 billion gallons in this Agreement renewal. Marlborough has remained well below its maximum daily water volume of eight million gallons per day (mgd) and is not seeking to increase or adjust this volume.

Marlborough continues to implement water conservation and leak detection programs to reduce demands. A previous Agreement included a maximum annual volume of 2.04 billion gallons in 2010. The City now projects maximum annual volume to remain within 1.663 billion gallons through 2030. Over the years, Marlborough has worked to effectively lower usage and demand. In 2020, Marlborough's Residential Gallons Per Capita per Day (RGPCD) was 44 RGPCD, significantly below the State standard of 65 RGPCD. The City performs routine leak detection on approximately half of its local system annually. All water users are metered and the City administers a meter replacement program. The City issues monthly water bills to local high water users and regularly conducts public education and outreach regarding water conservation including distribution of MWRA materials.

Marlborough was originally admitted to the water system under the Metropolitan District Commission. Based on this and previous Water Supply Continuation Agreements, there is no additional "Entrance Fee" associated with Marlborough's proposed increased maximum annual volume. The City will continue to be assessed and pay for all water used at MWRA's prevailing rate.

Dedham Westwood Water District

Dedham-Westwood Water District (DWWD) is not seeking any changes from previous Agreement volumes, which include: (a) a maximum annual volume of 73 million gallons; and (b) a two mgd maximum daily volume. DWWD was admitted to MWRA in 2005, pursuant to OP.10, and uses MWRA water to supplement local sources when use of its Fowl Meadow Well is restricted during low flow periods on the Neponset River (per limitations established by the Water Resources Commission). In 2014, DWWD's maximum annual volume was increased from 36.5 million gallons to the current 73 million gallons, due to difficulties meeting local demand, as a result of these restrictions. At that time, the Agreement was amended and an additional entrance fee of \$556,727 was assessed, because DWWD joined MWRA under "System Expansion," pursuant to the then-current OP.10, which required revising the entrance fee if the community consistently used more water than was stated in the original contract.

In 2018, DWWD was temporarily authorized to exceed Agreement volumes while performing work on its local Bridge Street Water Treatment Plant. This work was delayed to 2019 and DWWD used (and paid for) a total of 240 million gallons in that year. Work was completed in May 2020 and DWWD now expects MWRA water usage to return to levels below previous agreement volumes (73 million gallons annually and a maximum daily volume of 2 mgd) through 2030.

DWWD continues to implement water conservation and leak detection programs to reduce demands. In 2020, DWWD's RGPCD was 65, in accordance with the State standard. For the past five years, DWWD has conducted system-wide leak detection twice per year. All water users are metered and DWWD is currently working with a consultant to evaluate plant and customer meters. DWWD utilizes an increasing block rate structure, and regularly conducts public education and outreach regarding water conservation.

BUDGET/FISCAL IMPACTS:

The City of Marlborough and DWWD are assessed in accordance with MWRA's Community Charge Determination Policy. MWRA's Community Charge Determination Policy computes charges for water services on the basis of each community's metered water flows. For fiscal year 2021, MWRA received \$6,194,747 from Marlborough and \$1,037,861 from DWWD.

ATTACHMENTS:

Attachment A: Draft MWRA/Marlborough Continual Water Supply Agreement

Attachment B: Draft MWRA/DWWD Continual Water Supply Agreement

**WATER SUPPLY CONTINUATION AGREEMENT
BETWEEN
THE MASSACHUSETTS WATER RESOURCES AUTHORITY
AND
THE CITY OF MARLBOROUGH**

PARTIES:

This Water Supply Continuation Agreement (“**Agreement**”) is entered into by and between the Massachusetts Water Resources Authority, a body corporate and politic and an instrumentality of the Commonwealth of Massachusetts established pursuant to Chapter 372 of the Acts of 1984, as amended, having an address of Charlestown Navy Yard, 100 First Avenue, Boston, MA 02129 (“the **MWRA**”) and the City of Marlborough (the “**City**” or “**Marlborough**”), (hereinafter jointly referred to as “the **Parties**” and each individually as a “**Party**”). This Agreement documents the understanding of the Parties regarding the arrangement whereby the MWRA will continue to supply water to the City and the City will purchase its water supply from the MWRA water supply system.

RECITALS:

- R1. Whereas, the Massachusetts Legislature created MWRA in December 1984 to use, operate, maintain, and improve the waterworks and sewerage systems serving the greater metropolitan area. Operating pursuant to its enabling act under chapter 372 of the Acts of 1984, as amended (the “**Act**”), MWRA provides water supply and distribution services and wastewater collection and treatment services, to certain cities, towns and special services districts (the “**Communities**”) within MWRA’s service area;
- R2. Whereas, MWRA desires to continue to provide safe and sufficient water supplies to the City and to provide system-wide assistance to help protect and conserve water supplies;
- R3. Whereas, Section 8(d) of the Act permits the MWRA to enter into an arrangement to provide for the continued delivery of water to a community if specified requirements are met;
- R4. Whereas, a regulation entitled “Continuation of Contract Water Supply,” promulgated by the MWRA at 360 C.M.R. § 11.00 and most recently revised on November 18, 1994, (the “**Regulation**”) defines more specifically the requirements of Section 8(d) of the Act and govern the continued delivery of water by the MWRA to the Communities purchasing water from the MWRA;
- R5. Whereas, the City executed a contract dated October 2002 for the purchase of water from the MWRA, which contract terms remained in effect until December 31, 2010; the Parties subsequently executed a contract dated May 2012 for the continued purchase of water from the MWRA, which contract terms remained in effect until December 31, 2020;

- R6. Whereas, pursuant to the Regulation the City has submitted a continuation request and a Supplementary Report including: (1) a supply analysis; (2) a demand analysis; (3) a description of water conservation and demand management measures, (4) an ordinance for the protection of local sources, and (5) a description of the local user charges and accounting system, which meet the Regulation’s requirements for conservation based rates;
- R7. Whereas, the City also now requests to increase its annual withdrawal volume from 1,313 million gallons to 1,664 million gallons to meet 100% of its local demand, as the City’s Millham Reservoir was taken offline in 2016 due to high chloride levels in the source water;
- R8. Whereas, the MWRA finds that the applicable requirements of Section 8(d) of the Act have been met as follows:
- (1) The safe yield of the watershed system as of the date of this Agreement and as projected for the term hereof is sufficient to meet the projected demand of the City;
 - (2) No existing or potential water supply source for the City has been abandoned;
 - (3) Effective demand management measures have been developed by the City;
 - (4) A local water supply source feasible for development has not been identified by either the City or the Department of Environmental Protection (the “DEP”); and
 - (5) A water use survey has been completed which identifies all users within the City that consume in excess of twenty million gallons a year; and
- R8. Whereas, the MWRA and the City wish to formalize their rights and obligations regarding the continuation of supply of water to the City and therefore enter into this Agreement.

AGREEMENT:

NOW, THEREFORE, in consideration of the mutual promises contained herein and for other good and valuable consideration, the MWRA and the City agree to the following:

1. The term (“Term”) of this Agreement shall end at midnight on December 31, 2030.
2. The MWRA shall, during the Term, provide the City with water on a maximum annual water volume basis, stated in millions of gallons, as follows:

Maximum Annual Volume
1,663 million gallons

And up to eight million gallons per day (mgd) on a maximum daily basis.

In the event of unusual circumstances regarding local demand and/or supply should occur or in the event new Water Management Act conditions affect local source withdrawals, and upon notice to the MWRA disclosing and explaining such conditions, MWRA agrees that it will use its best efforts to supply the City with those quantities of water to meet its legitimate needs in excess of the maximum daily and annual water volumes stated above.

3. In the event that revised circumstances regarding local demand and/or supply should occur and the City determines that the volume designated in this Agreement to be supplied from the MWRA system is insufficient to meet the City's newly projected demand, the City may petition the MWRA to amend this Agreement pursuant to 360 CMR § 11.11.
4. The MWRA shall bill the City and the City shall pay to the MWRA charges for all water supplied under this Agreement at the MWRA's applicable prevailing rate. All billing procedures, due dates, and interest charges for late payments shall be in accordance with the MWRA's standard policies and procedures.
5. The City agrees to continue a user charge system and an accounting system that meets the Regulation's requirement for: (a) conservation based rates and/or is designed to ensure affordability of water service to low and/or fixed income persons; and (b) to prohibit rate structures that incorporate descending or declining block rates.
6. The City shall develop and implement a full cost pricing system within twelve (12) months from the date that all communities listed in Section 8(d) of the Act other than those subject to 360 CMR 11.00 have implemented a full cost pricing system.
7. The City agrees that during the Term it shall continue the implementation of its current and proposed local demand management programs, including leak detection, participation in MWRA conservation programs, and distribution of MWRA-provided materials to all water users.
8. The City agrees that during the Term it shall not abandon any local source and substitute for it water from MWRA sources unless DEP has declared that the local source to be abandoned, is unfit for drinking and cannot be economically restored for drinking purposes.
9. The City agrees to use its best efforts to either continue in full force and effect during the Term the ordinance for the protection of local water sources, or, at the City's discretion, to adopt an ordinance with more stringent measures.
10. The City agrees that the MWRA will not be liable to the City of any disruption to water delivery to the City attributable to the water distribution system of the City.
11. Any dispute arising between the MWRA and the City concerning the calculation of Marlborough's annual assessment shall be resolved in accordance with the Review and Dispute Resolution Process as outlined in MWRA's Budget and Assessment Policies and

Procedures (Exhibit A). Any other dispute between MWRA and the City under terms of this Agreement shall be resolved in accordance with the dispute resolution process set forth at 360 CMR § 11.14 and the administrative procedures set forth at 360 CMR § 1.00.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on this day of December, 2021 by their duly authorized representatives.

MASSACHUSETTS WATER RESOURCES AUTHORITY

By: _____
Frederick A. Laskey
Executive Director

CITY OF MARLBOROUGH

By: _____
Arthur Vigeant
Mayor

Exhibit A: MWRA Budget and Assessment Policies and Procedures

**WATER SUPPLY CONTINUATION AGREEMENT
BETWEEN
THE MASSACHUSETTS WATER RESOURCES AUTHORITY
AND
THE DEDHAM-WESTWOOD WATER DISTRICT**

PARTIES:

This Water Supply Continuation Agreement (“**Agreement**”) is entered into by and between the Massachusetts Water Resources Authority, a body corporate and politic and an instrumentality of the Commonwealth of Massachusetts established pursuant to Chapter 372 of the Acts of 1984, as amended, having an address of Charlestown Navy Yard, 100 First Avenue, Boston, MA 02129 (the “**MWRA**”) and the Dedham-Westwood Water District, having an address of 50 Elm Street, Dedham, MA 02027-9137 (the “**DWWD**”), (hereinafter jointly referred to as the “**Parties**”; each individually as a “**Party**”). This Agreement documents the understanding of the Parties regarding the arrangement whereby the MWRA will continue to supply water to DWWD and DWWD will purchase a portion of its water supply from the MWRA water supply system.

RECITALS:

- R1. Whereas, the Massachusetts Legislature created MWRA in December 1984 to use, operate, maintain, and improve the waterworks and sewerage systems serving the greater metropolitan area. Operating pursuant to its enabling act under chapter 372 of the Acts of 1984, as amended (the “**Act**”), MWRA provides water supply and distribution services and wastewater collection and treatment services to certain cities, towns, and special services districts (the “**Communities**”) within MWRA’s service area;
- R2. Whereas, MWRA desires to continue to provide safe and sufficient water supplies to DWWD and to provide system-wide assistance to help protect and conserve water supplies;
- R3. Whereas, Section 8(d) of the Act permits the MWRA to extend its waterworks system to a community and to provide the continued delivery of water to the new community under reasonable terms as determined by MWRA provided that specific requirements are met;
- R4. Whereas, DWWD, having met the conditions of said Section 8(d) of the Act and the conditions of *O.P. #10, Admission of a New Community to the Waterworks System*, was duly admitted to the MWRA Waterworks system on October 25, 2005, thereby acquiring certain rights and obligations conferred by that admission;
- R5. Whereas, a regulation entitled “Continuation of Contract Water Supply,” promulgated by the MWRA at 360 C.M.R. 11.00 and most recently revised on November 18, 1994 (the “**Regulation**”), defines more specifically the requirements of Section 8(d) of the Enabling Act and governs the continued delivery of water by the MWRA to the Communities purchasing water from the MWRA;

- R6. Whereas, DWWD first executed a contract dated January 1, 2006 for the purchase of 36.5 million gallons of water a year from the MWRA;
- R7. Whereas, DWWD agreed to pay MWRA an entrance fee of Five Hundred Forty-eight Thousand Seven Hundred Forty-eight Dollars (\$548,748) for its share of the present asset value of the waterworks system in place at the time of its entrance to MWRA, in accordance with a schedule of payments established at the time of its entrance, and with the final scheduled payment having been made in February 2010. It is the express understanding of the Parties, in consideration of DWWD's payment of the entrance fee, that DWWD shall be eligible to continue its purchase of water supply from MWRA in accordance with Section 8(d) of the Enabling Act and with the Regulation;
- R8. Whereas, pursuant to the Regulation DWWD submitted a continuation request and a Supplementary Report, including: (1) a supply analysis; (2) a demand analysis; (3) a water management plan; (4) an ordinance for the protection of local sources; and (5) a description of the local user charges system and accounting system, which meet the Regulation's requirement for conservation based rates;
- R9. Whereas, on October 22, 2014, DWWD requested that its annual withdrawal limit from MWRA be increased from 36.5 million gallons a year to 73 million gallons per year;
- R10. Whereas, on December 17, 2014, the MWRA approved DWWD's request to increase its MWRA withdrawal limit from 36.5 million gallons a year to 73 million gallons a year, subject to payment of an additional entrance fee of \$556,727;
- R11. Whereas, DWWD agreed to pay an additional entrance fee of \$556,727 and to pay the entrance fee pursuant to a five-year, interest-free payment plan; this amount was paid by DWWD to MWRA in full in FY19;
- R12. Whereas, the MWRA finds that the applicable requirements of section 8(d) of the Enabling Act have been met as follows:
- (1) the safe yield of the watershed system as of the date of this Agreement and as projected for the term hereof, is sufficient to meet the projected demand of the DWWD;
 - (2) No existing or potential water supply source for DWWD has been abandoned;
 - (3) Effective demand management measures have been developed by DWWD;
 - (4) A local water supply source feasible for development has not been identified by either DWWD or the Department of Environmental Protection (the "DEP"); and
 - (5) A water use survey has been completed, which identifies all users within DWWD that consume in excess of twenty million gallons a years; and
- R13. Whereas, the MWRA and DWWD wish to formalize their rights and obligations regarding the continuation of supply of water to the DWWD and therefore enter into this Agreement.

AGREEMENT:

NOW, THEREFORE, in consideration of mutual promises contained herein and for other good and valuable consideration, the MWRA and DWWD agree to the following:

1. The term (“Term”) of this Agreement shall end at midnight on December 31, 2030.
2. The MWRA shall during the Term provide DWWD with water on a maximum annual water volume basis, stated in millions of gallons, as follows:

Maximum Annual Volume

73 million gallons

And up to two million gallons per day (mgd) on a maximum day (non-emergency) basis.

3. Any increase beyond 73 million gallons on an average annual basis will require a written contract revision and revision to the entrance fee. A water supply emergency may be an appropriate reason for DWWD to temporarily increase its maximum water volume in excess of the above referenced volume without requiring a revision to this Agreement.
4. DWWD agrees that during the Term it will operate its local water supply system in such manner so as to make maximum feasible use of any available local water supply sources.
5. DWWD agrees that the MWRA shall not be liable to DWWD for any disruption of water service delivery to DWWD attributable to the water distribution systems of the DWWD.
6. The MWRA shall bill DWWD and DWWD shall pay to the MWRA charges for all water supplied under this Agreement at the MWRA’s applicable prevailing rate. All billing procedures, due dates, and interest charges for late payments shall be in accordance with the MWRA’s standard policies and procedures.
7. The DWWD agrees to continue a user charge system and an accounting system, which meets the Regulation’s requirement to: (a) incorporate a uniform rate or an alternative structure which provides incentives for water conservation and/or is designed to ensure the affordability of water services to low and/or fixed income persons; and (b) prohibit rate structures that incorporate descending or declining block rates.
8. DWWD agrees to continue in effect a full cost pricing system for water received from the MWRA water supply system.
9. DWWD agrees that during the Term it shall maintain all reasonable conservation measures and continue the implementation of its Water Conservation Plan submitted to DEP in 2005, as a condition of its MEPA Certificate for admission to MWRA. Measures include, but are not limited to, participation in MWRA conservation programs, distribution of MWRA-provided materials to all water users, compliance with MWRA’s regulations for town-wide leak detection and repair (360 C.M.R. 12.00), maintain metering in 100% of DWWD’s distribution system, including all municipal facilities, and

maintenance of efficient water fixtures in all public buildings, together with promotion of their use in industrial, commercial, and residential areas.

10. DWWD agrees that during the Term it shall not abandon any local source and substitute for it water from MWRA sources unless DEP has declared that the local source will be or has been abandoned, is unfit for drinking, and cannot be economically restored for drinking purposes.
11. DWWD agrees that it will work cooperatively with the Towns of Dedham and Westwood to continue in full force and effect their local bylaws (Dedham's Aquifer Protection District Zoning By-law for the Bridge Street well field and Fowl Meadow Aquifer and Westwood's Water Resource Protection District zoning bylaw for the White Lodge Well Field and Rock Meadow Well), to preserve and protect existing and potential sources of drinking water supplies, to promote the health, safety, and general welfare of the community, to conserve Dedham and Westwood's natural resources, and to prevent temporary and permanent contamination to the environment. DWWD further agrees to work toward implementation of the recommendations of the Source Water Assessment and Protection Report prepared for DWWD, including cooperation with the Towns of Canton, Milton, and Norwood to encourage them to adopt local controls that include DWWD's wellhead protection area.
12. The Parties agree that the interconnection between DWWD's distribution and the MWRA system constructed in 1999-2000 to provide a source of emergency supply shall remain available for emergency use, with valving set to allow water to enter the DWWD automatically in the event of a low-pressure event, such as a major fire.
13. Any dispute arising between the MWRA and DWWD concerning the calculation of DWWD's annual assessment shall be resolved in accordance with the Review and Dispute Resolution Process as outlined in MWRA's Budget and Assessment Policies and Procedures (Exhibit A). Any other dispute between MWRA and DWWD under terms of this Agreement shall be resolved in accordance with the dispute resolution process set forth at 360 CMR § 11.14 and the administrative procedures set forth at 360 CMR § 1.00.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on this day of December, 2021 by their duly authorized representatives.

MASSACHUSETTS WATER RESOURCES AUTHORITY

By:

Frederick A. Laskey
Executive Director

DEDHAM WESTWOOD WATER DISTRICT

By:

Blake Lukis
Executive Director

Exhibit A: MWRA Budget and Assessment Policies and Procedures

STAFF SUMMARY

TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director
DATE: December 15, 2021
SUBJECT: Wachusett Dam Bastion Improvements
MAS Building & Bridge, Inc.
Contract 7697



COMMITTEE: Water Policy & Oversight

INFORMATION
 VOTE


Michele S. Gillen

Director of Administration

John Colbert, P.E., Chief Engineer
Patricia Mallett, P.E., Program Manager
Preparer/Title


David W. Coppes, P.E.

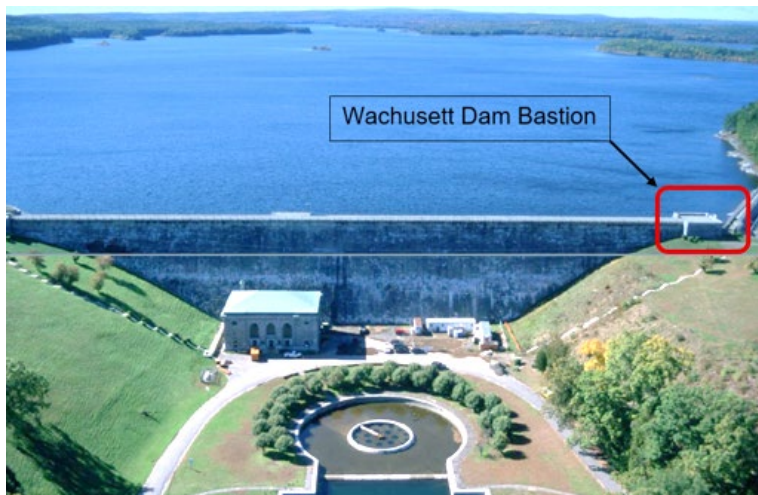
Chief Operating Officer

RECOMMENDATION:

To approve the award of Contract 7697, Wachusett Dam Bastion Improvements, to the lowest responsible and eligible bidder, MAS Building & Bridge, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the bid amount of \$3,927,000, with a contract term of 456 calendar days from the Notice to Proceed.

DISCUSSION:

The Wachusett Dam, located in Clinton, Massachusetts, was built circa 1904. The Dam and its ancillary structures are built primarily with cast-in-place concrete and stone masonry. The bastion, at the northerly end of the Wachusett Dam (at right.) is an enclosed room measuring approximately 40 feet long by 50 feet wide by 12 feet high, which currently houses mechanical and electrical equipment. The primary electrical feed for Wachusett Dam,



the Lower Gatehouse and the Cosgrove Intake, passes through the bastion. Power generated from the hydro turbines at Cosgrove is also transmitted to the electrical grid through these lines. The bastion has significant structural and architectural deterioration. There are large vertical cracks in the concrete walls and entryway. There are also leaks in the roof, which have resulted in corrosion of the ceiling's structural beams. This contract is for a major structural reconstruction of the facility. The 15-month construction contract includes removal and replacement of the top three

feet of the bastion’s walls, crack filling and water proofing all walls, providing a new roof and drainage system, and rebuilding the entryway arch and exterior stairway. Photos of the wall cracks and exterior of the bastion are shown below.



Vertical Crack in South Wall



Exterior of Bastion

Since the bastion is a historic building, construction must be completed in a manner consistent with MWRA’s Memorandum of Agreement with the Massachusetts Historical Commission. Therefore, the exterior granite blocks will be catalogued prior to removal and replaced in the same location upon project completion, so that the building has the same exterior appearance.

Procurement Process

Contract 7697 was advertised in the Boston Herald, the Central Register, Banner Publications, El Mundo and on COMMBUYS, and bid utilizing MWRA’s e-procurement system in accordance with Chapter 30 of the Massachusetts General Laws. A pre-bid conference was held on October 12, 2021. Two site visits took place on October 15, 2021 and October 25, 2021. Three general bids were received and opened on November 16, 2021. The results are presented below.

<u>Bidder</u>	<u>Bid Amount</u>
MAS Building & Bridge, Inc.	\$3,927,000
<i>Engineer’s Estimate</i>	<i>\$4,033,260</i>
WES Construction Corp.	\$5,377,000
R. Zoppo Corp.	\$5,397,000

The lowest bid from MAS Building & Bridge is 2.6% lower than the Engineer’s Estimate. The next lowest bid from WES Construction is 33.3% higher than the Engineer’s Estimate, and R. Zoppo’s bid is 33.8% higher than the Engineer’s Estimate.

Staff have reviewed the scope of work with MAS Building & Bridge and are satisfied that the bid includes all elements of the work for the bid price. References for MAS Building & Bridge were checked and found to be very good. For example, an \$8.68 million bridge construction project for the Department of Transportation in Framingham had no contractor related change orders, time

extensions or safety issues. Further, the reference stated MAS Building & Bridge had excellent management of its subcontractors, communication skills and documentation practices, and would be eager to work with the firm again. Similarly, references for a \$615,000 draw bridge project in Barnstable and a \$2.3 million bridge and causeway replacement project in Norfolk had similar positive experiences with MAS Building & Bridge. In the Barnstable project, the reference stated that MAS Building & Bridge is one of the few contractors that exceeded his expectations. Likewise, the Norfolk reference stated that MAS Building & Bridge did an excellent job working with the public, and would work with MAS Building & Bridge again.

Staff conducted a review of the OSHA database and determined that MAS Building & Bridge had a serious violation in 2015 involving a subcontractor that resulted in a fatality. MAS Building & Bridge was fined \$15,630 for the accident. Since that time, MAS Building & Bridge has updated its safety protocols specifically relative to fall protection to respond to the safety violation and have had no further OSHA violations. If this contract award is approved, MWRA staff will periodically audit the contractor's safety practices.

Staff have determined that MAS Building & Bridge, Inc. possesses the skill, ability, and integrity necessary to perform the work under this contract, and is qualified to do so. Staff have further determined that the bid price is reasonable, complete, and incorporates all necessary labor and materials, including payment of prevailing wages as required. Therefore, staff recommend the award of this contract to MAS Building & Bridge, Inc. as the lowest responsible and eligible bidder.

BUDGET/FISCAL IMPACT:

The FY22 CIP includes a budget of \$2,000,000 for Contract 7697. The contract award is \$3,927,000, or \$1,927,000 over budget. This amount will be absorbed within the five-year CIP spending cap. The cost estimate was updated for the FY23 Proposed CIP to include a budget of \$4,033,000.

MBE/WBE PARTICIPATION:

The minimum MBE and WBE participation requirements for this contract are 7.24% and 3.6%, respectively. MAS Building & Bridge, Inc.'s bid includes 3.85% and 15.38% participation for MBE and WBE, respectively. AACU reviewed the bids and determined that MAS Building & Bridge, Inc.'s bid is responsive to the WBE participation requirements and granted a partial waiver for MBE participation requirements.

STAFF SUMMARY

TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director *Frederick A. Laskey*
DATE: December 15, 2021
SUBJECT: Purchase Order Contract for the Pre-purchase of Materials for the Northern Extra High Pressure Zone Improvements Section 63 (Lexington)
Everett J. Prescott, Inc.
Bid WRA-5044

COMMITTEE: Water Policy & Oversight

 INFORMATION
 X VOTE

Michele S. Gillen
Michele S. Gillen
Director of Administration

John P. Colbert, P.E., Chief Engineer
Douglas J. Rice, Director of Procurement
Preparer/Title

David W. Coppes
David W. Coppes, P.E.
Chief Operating Officer

RECOMMENDATION:

To approve the award of Purchase Order Contract WRA-5044, for the supply, handling, storage, and delivery of water main materials to support construction Contract 6522, Northern Extra High Pressure Zone Improvements Construction Package 1, Section 63 (Lexington), to the lowest responsible and eligible bidder, Everett J. Prescott, Inc., and authorize the Executive Director, on behalf of the Authority, to execute said purchase order contract in an amount not to exceed \$1,989,791.00 for a period of 407 calendar days from the Notice to Proceed.

DISCUSSION:

The Northern Extra High (NEH) Pressure Zone provides water to Arlington, Bedford (through Lexington), Belmont, Lexington, Waltham and Winchester. In December 2020, the Board of Directors approved the Town of Burlington’s application for admission to the MWRA water system purchasing water through the NEH Pressure Zone. To allow for the connection by Burlington, MWRA will construct a portion of the Northern Extra High redundancy project extending Section 63 by approximately 5,200 linear feet under upcoming construction Contract 6522. Burlington is moving forward with pipeline construction of approximately 10,000 feet of 24-inch diameter water main, which is scheduled to be completed by November 2022, sooner than initially anticipated. In response, MWRA accelerated design and construction of its pipeline to allow Burlington to begin taking water as soon as is practical. The new MWRA 5,200 linear foot 24-inch diameter water main in Construction Package 1 is located on Lowell Street and Summer Street (State Route 2A) in Lexington from Maple Street to the town border with Arlington. Construction Contract 6652 Section 63 (Lexington) is the first of three construction contracts that, in addition to providing a connection to Burlington, will also improve hydraulic conditions and provide redundancy for communities of the Northern Extra High Pressure Zone.

Contract 6522 Section 63 (Lexington) is currently in the final design phase. MWRA anticipates advertising for construction bids in late December 2021, requesting approval to award the construction contract at the February 16, 2022 Board of Directors' meeting, and issuing the Notice to Proceed to the selected construction contractor in March 2022.

Due to long lead times and supply chain issues with construction materials, staff recommend the pre-purchase of certain items by purchase order and to provide these materials to the selected contractor. This will shorten the duration of the construction contract allowing for closer coordination of the MWRA-constructed and Burlington-constructed pipelines. This pre-purchase includes 24-inch, 20-inch, 16-inch and small diameter pipe, fittings and valves to support the installation of new MWRA piping for approximately one mile.

This purchase order contract was structured similar to contracts done between construction firms and suppliers, and requires the supplier to deliver, secure, store and insure all materials in Massachusetts, and deliver the materials to the project site at the direction of the to-be-named construction contractor. The pre-purchase of materials benefits MWRA by reducing the lead time for acquiring materials and shortening the construction schedule, even though MWRA bears certain responsibilities for the materials instead of the contractor. On large pipeline projects, MWRA typically requires the construction contractor to both furnish and install all materials. In this instance, MWRA is taking on certain additional risk, albeit limited, to reduce the construction duration.

Procurement Process

Bid WRA-5044 was advertised in the following publications: the Central Register, the Boston Herald, El Mundo, and Banner Publications, and bid utilizing the MWRA's e-procurement system (Event 4866). The materials are being purchased in accordance with G.L. Chapter 30.

Three bids were received and opened on November 23, 2021. The bid results were as follows:

<u>Bidders</u>	<u>Bid Amount</u>
<i>Engineer's Estimate</i>	<i>\$1,870,869.00</i>
Everett J. Prescott, Inc.	\$1,989,791.00
Ferguson Waterworks	\$2,481,682.67
F. W. Webb Water Works Div.	\$3,047,993.93

Everett J. Prescott, Inc. submitted a bid price that is \$118,922 or 6.3% higher than the Engineer's Estimate. The Engineer's Estimate is low and does not reflect the recent volatility of commodity prices nor the aggressive delivery schedule required by MWRA of the supplier. The second lowest bidder is 19.8% higher than the Engineer's estimate. Everett J. Prescott explained its aggressive bidding on the project reflects the lowest profit margin allowed by the materials manufacturers, and trucking transportation performed by a sister company further reduces costs. Prior project review reflects Everett J. Prescott routinely supplying similar construction materials to contractors for numerous projects throughout New England and the eastern United States for the past 65 years, including many successful MWRA projects. Currently, Everett J. Prescott is providing materials to GVC Corporation for Burlington's Phase 2A project, which MWRA will connect to under this project; P. Gioioso and Sons for MWRA Contract 7117, Northern Intermediate High Section 89 Replacement in Stoneham, Woburn, and Winchester; and to Albanese D&S, Inc. for MWRA Contract 6392, Rehabilitation of Sections 23, 24, and 47.

Staff reviewed the bid submitted by Everett J. Prescott, Inc. and determined the company possesses the skill, ability and integrity necessary to meet all of the requirements of the contract and is qualified to do so. Therefore, staff recommend the award of this purchase order contract to Everett J. Prescott, Inc. as the lowest responsible and eligible bidder.

BUDGET/FISCAL IMPACT:

There are sufficient funds included in the FY22 CIP under the Northern Extra High Pressure Zone Improvements project for this contract.

MBE/WBE PARTICIPATION:

Everett J. Prescott, Inc. is not a certified Minority-owned nor Women-owned business.

STAFF SUMMARY


TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director
DATE: December 15, 2021
SUBJECT: Quabbin Aqueduct Shaft 2 Repairs
Unified Contracting, Inc.
Contract 7198, Change Order 1



COMMITTEE: Water Policy & Oversight

INFORMATION
 VOTE

Corinne M. Barrett, Director, Construction
Daniel Thompson, Construction Coordinator
Preparer/Title



David W. Coppes, P.E.
Chief Operating Officer

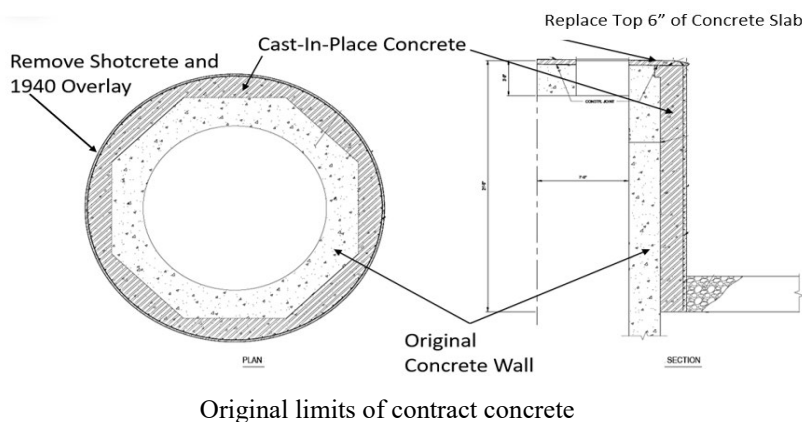
RECOMMENDATION:

To authorize the Executive Director, on behalf of the Authority, to approve Change Order 1 to Contract 7198, Quabbin Aqueduct Shaft 2 Repairs, with Unified Contracting, Inc. for an amount not to exceed \$500,000, increasing the contract amount from \$789,000 to \$1,289,000, and extending the contract term by 110 calendar days, from March 12, 2022 to June 30, 2022.

Further, to authorize the Executive Director to approve additional change orders as may be needed to Contract 7198 in an amount not to exceed the aggregate of \$250,000, in accordance with the Management Policies and Procedures of the Board of Directors.

DISCUSSION:

Shaft 2 of the Quabbin Aqueduct, located in Holden, was originally constructed in an octagonal shape and provided a tunnel spoil removal location during the 1927 tunnel construction. It now functions as a high-level overflow relief point. In 1940, the surrounding soil was removed and a cast-in-



place concrete wall collar ranging in thickness from one-foot to one-foot, nine-inches was installed to provide restraint for stresses from internal water pressure that was previously provided by the surrounding soil. In 1957, additional repairs were made to the exterior deteriorated concrete with the application of a two-inch shotcrete layer.

More recently, the exterior of the structure exhibited extensive deterioration, including delamination, spalling, leading edge failure and cracking of the overlay. As a result, the contract's scope of work includes: 1) removal of the 1940 overlay wall in its entirety and replacement with a new reinforced concrete wall; 2) concrete repair work, including doweling and installing a new cast-in-place exterior wall; and 3) replacement of the top slab.



Shaft 2 Preconstruction Condition

This Change Order

Change Order 1 consists of the following item:

Reconstruction of Shaft Walls and Extension of the Contract Time by 110 Calendar Days

Not to Exceed \$500,000

After demolition of the shotcrete overlay and the 1940 concrete wall, the Contractor encountered extensive deterioration of concrete in the original structure and embedded timbers. The 1940 construction drawings, which were relied upon during design, identified a support of excavation system comprised of timbers that were to be removed at the completion of the concrete placements and filled with grout. However, the existing 12-inch thick timbers were still in place and embedded in the concrete at four levels surrounding the entire perimeter.



Removal of concrete collar and shotcrete exposing the octagonal concrete structure and wooden timbers

In order to proceed, the Contractor performed ground-penetrating radar to locate and determine the limits of the embedded vertical timbers to be removed. Additionally, when the structure was further inspected, several areas at the surface showed degraded or crumbling concrete with hollow cavities and areas of delamination. The Contractor then performed a non-destructive test by taking concrete core samples to assess the structure's condition.

Following this test, it was determined that additional concrete “panels” (approximately ten inches thick) were delaminating and required removal from the structure. The concrete panel removal and replacement must be done prior to installation of the new rebar dowels for the new cast-in-place concrete in order to obtain proper embedment into structurally sound concrete.

The new concrete installation must include both construction joints at four horizontal levels around the perimeter of the concrete collar at approximately five-foot levels, and the installation of three evenly spaced vertical control joints in the new cast-in-place concrete collar. A revised formwork system must be furnished and installed to reduce any potential stress on the structure. Finally, in order to remove the lowest level of timber below the apron slab, the new vertical wall collar must be extended one-foot deeper, from the top slab to the top of the new mud slab.



Horizontal and vertical timbers and concrete panels removed

Prior to bidding, the design engineers performed a preliminary site survey of the structure that included taking core samples of the existing concrete material. While taking those samples, no timbers were encountered and the condition of the structure appeared acceptable. Further, a review of the 1940 construction drawings and notes indicated the timbers imbedded in the structure were removed and filled with concrete, which was consistent with the site survey and core sample findings.



Additional vertical timbers discovered as concrete panels removed

Due to the additional demolition work and revised sequence of work, there have been numerous delays to critical path activities, thereby requiring concrete placements in winter conditions and a time extension to the contract. The Contractor submitted an updated schedule and staff analysis of this schedule indicates a 110-day time extension to the contract will be necessary.

This item was identified by MWRA staff as an unforeseen condition. Work is being performed on a time and materials basis due to the scope of work continuing to evolve with respect to the amount of deteriorated concrete that needs to be removed and replaced. This change order is for an amount not to exceed \$500,000 and to extend the contract term by 110 calendar days, from March 12, 2022 to June 30, 2022. The Contractor proceeded with this work at its own risk in order to complete the remainder of the contract work.

CONTRACT SUMMARY:

	<u>Amount</u>	<u>Time</u>	<u>Dated</u>
Original Contract:	\$789,000.00	270 Days	06/15/21
Change Orders:			
Change Order 1	<u>\$500,000.00</u>	<u>110 Days</u>	Pending
Total of Change Orders:	\$500,000.00	110 Days	
Adjusted Contract:	\$1,289,000.00	380 Days	

*Approved under delegated authority

If Change Order 1 is approved, the cumulative value of all change orders to this contract will be \$500,000 or 63% of the original contract amount. Work on this contract is approximately 30.6% complete.

BUDGET/FISCAL IMPACTS:

The FY22 CIP includes a budget of \$789,000 for Contract 7198. Including this change order for \$500,000, the adjusted subphase total is \$1,289,000 or \$500,000 over budget. This amount will be absorbed within the five-year CIP spending cap.

MBE/WBE PARTICIPATION:

There were no MBE/WBE participation requirements established for this contract due to the limited opportunities for subcontracting.

STAFF SUMMARY

TO: Board of Director
FROM: Frederick A Laskey, Executive Director
DATE: December 15, 2021
SUBJECT: December PCR Amendments



COMMITTEE: Personnel and Compensation

 INFORMATION
 X VOTE

Andrea Murphy, Director of Human Resources
Preparer/Title


Michele S. Gillen
Director, Administration

RECOMMENDATION:

To approve amendments to the Position Control Register (PCR) included in the attached chart.

DISCUSSION:

The Position Control Register lists all positions of the Authority, filled and vacant. It is updated as changes occur and it is published at the end of each month. Any changes to positions during the year are proposed as amendments to the PCR. All amendments to the PCR must be approved by the Personnel Committee of the Board of Directors. All amendments resulting in an upgrade of a position by more than one grade level, and/or an amendment which creates a position increasing annual cost by \$10,000 or more, must be approved by the Board of Directors after review by the Personnel and Compensation Committee.

December PCR Amendments

There are four PCR Amendments this month.

Organizational Changes:

1. Salary adjustment to one filled position in the Law Division, for Senior Staff Counsel, Labor and Employment Unit 6 Grade 13 to maintain internal pay equity.
2. Title change to one vacant position in the Administration Division, MIS department from Database Analyst/Programmer Unit 6 Grade 11 to Systems Analyst/Programmer III, Unit 6 Grade 11 to better reflect job duties.
3. Salary adjustment to one filled position in the Operations Division, EQ Department for Plumber/Pipefitter Unit 3 Grade 16 per union agreement.
4. Title change to one vacant position in the Public Affairs Division from Project Manager, Graphic Design Unit 6 Grade 10 to Project Manager, Media and Visual Design, Unit 6 Grade 10 to better reflect job duties.

BUDGET/FISCAL IMPACT:

The annualized budget impact of these PCR amendments will be a maximum cost of \$16,694. Staff will ensure that the cost increase associated with this PCR amendment will not result in spending over the approved FY22 Wages and Salaries budget.

ATTACHMENTS:

New Job Descriptions

Old Job Descriptions

**MASSACHUSETTS WATER RESOURCES AUTHORITY
POSITION CONTROL REGISTER AMENDMENTS
FISCAL YEAR 2022**

PCR AMENDMENTS REQUIRING BOARD APPROVAL - December 15, 2021																	
Number	Current PCR #	V/F	Type	Current Title	UN	GR	Amended Title	UN	GR	Current/Budget Salary	Estimated New Salary		Estimated Annual \$ Impact		Reason For Amendment		
B23	Law 7110036	F	S	Senior Staff Counsel, Labor and Employment	6	13	Senior Staff Counsel, Labor and Employment	6	13	\$122,534	\$127,482	-	\$127,482	\$4,948	-	\$4,948	Pay equity adjustment.
B24	Administration MIS 8610046	V	T	Database Analyst/Programmer	6	11	Systems Analyst/ Programmer III - ERP Enterprise Resource Planning	6	11	\$106,647	\$69,432		\$106,647	\$0	-	\$0	To better reflect job duties.
B25	Operations EQ General 5470033	F	S	Plumber/Pipefitter	3	16	Plumber/Pipefitter	3	16	\$64,144	\$75,890		\$75,890	\$11,746	-	\$11,746	Per union agreement. Internal pay adjustment due to new recruitment rate.
B26	Public Affairs 8250016	V	T	Project Manager, Graphic Design	6	10	Project Manager, Media and Design	6	10	\$96,898	\$63,325		\$96,898	\$0	-	\$0	To better reflect job duties.
BOARD TOTAL=					4						TOTAL:		\$16,694 - \$16,694				

**MWRA
POSITION DESCRIPTION**



POSITION: Database Analyst Programmer/Custom Support

DIVISION: Administration & Finance

DEPARTMENT: Management Information Systems (MIS)

BASIC PURPOSE:

Primary technical lead in support of assigned applications including, senior level programming, systems project management, application maintenance and database integrity. Defines and develops new functionality, database structures, application interfaces and the critically shared data elements through a comprehensive understanding of the MWRA's business functions.

SUPERVISION RECEIVED:

Works under the general supervision of the I/S Custom Support Manager.

SUPERVISION EXERCISED:

Exercises close supervision of assigned project staff and technical resources.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

- Performs senior level programming and leads all technical efforts associated with development, maintenance and enhancement of the Custom Support developed systems in compliance with SDM and MIS Change Control Procedures.
- Manages assigned technical staff resources and combined user and MIS implementation task forces.
- Assures the quality and integrity of the production version of systems in compliance with SDM and Change Control Procedures.
- Manages new release and maintenance support activities as required.
- Oversees the definition of related data groups, data entities and data elements and the development of logical and physical data structures.
- Specifies and analyzes the operational requirements of related data groups, data entities and

data elements.

- Determines the clusters of systems related business functions and data entities which are most critical to the Authority, including the definition of critically shared data entities.
- Defines and analyzes relationships among distributed, consolidated and redundant related data structures.
- Executes software testing and data structure utilities and procedures; and, validates the content of data structures for data security and data accuracy.
- Participates in the identification, evaluation and storage medium organization techniques and access methods.

SECONDARY DUTIES:

- Performs related duties as required.

MINIMUM QUALIFICATIONS:

Education and Experience:

- (A) A four (4) year college program in computer science or related field. Advance degree preferred; and
- (B) Six (6) to eight (8) years experience in programming and support on a varied application portfolio, including at least (2) years of project management experience; or
- (C) Any equivalent combination of education or experience.

Necessary Knowledge, Skills, and Abilities:

- (A) Knowledge of data base design and programming.
- (B) Proficiency with the following required: SQL Server, database administration and security management, .NET technologies, Visual Studio, Windows-XP or Windows Server programming environment, JavaScript, IE Browser, and problem solving.
- (C) Proficiency with the following preferred: user training, user documentation & materials, Team Foundation Server, SharePoint Server, and Windows SharePoint Services.
- (D) Knowledge preferred: Information and business process modeling, prototyping and reverse engineering, database administration and security management, and data warehousing.

- (E) Demonstrated experience in project management techniques and the ability to establish effective relationships with users.

SPECIAL REQUIREMENTS:

None.

TOOLS AND EQUIPMENT USED:

Office equipment as normally associated with the use of telephone, personal computers including word processing and other software, copy and fax machines.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, feel or operate objects, tools or controls and reach with hands and arms. The employee frequently is required to sit and talk or hear. The employee is occasionally required to walk; stand; climb or balance; stoop, kneel, crouch, or crawl; taste or smell.

The employee must frequently lift and/or move up to 25 pounds and occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision and color vision, and the ability to adjust focus.

WORK ENVIRONMENT:

The work characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee occasionally works in various field settings and in an office environment.

The noise level in the work environment is moderately quiet in office settings and moderately noisy in field settings.

October 2008

**MWRA
POSITION DESCRIPTION**



POSITION: Systems Analyst/Programmer III - (ERP)
Enterprise Resource Planning

DIVISION: Administration

DEPARTMENT: Management Information System (MIS)

BASIC PURPOSE:

This position is responsible for analyzing, designing, developing, testing, implementing and maintaining software applications. This position is also responsible for the post-implementation support including incident, performance, capacity, continuity and problem management activities. The Systems Analyst/Programmer III -ERP is responsible for the preparation and maintenance of system documentation to be used by the IT staff and user community.

The Systems Analyst/Programmer III – ERP also serves as a team lead for assigned projects, maintains and upgrades project plans and schedules and ensures IT testing is scheduled and documented

SUPERVISION RECEIVED:

Works under the general supervision of the Program Manager. On specific IT projects may be supervised by a team lead or project manager.

SUPERVISION EXERCISED:

Exercises supervision of assigned vendor resources and IT project team.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

Application Development

- Reviews application design prior to buy or build decision to ensure service levels can be met and recommends any performance enhancements prior to implementation
- Codes, configures, implements, maintains and supports, new and upgrades to software applications (in-house and third party software) and interfaces to ensure processes and functionality of the applications comply with the organization’s requirements, processes and standards.
- Develops and maintains technical documentation for applications as follows:

- Design Model - Description of the system design. Comprised of a variety of work products, potentially including a deployment model, an object model, a physical data model (PDM), a security threat model, a system overview document, and a user interface model.
 - Source Code – The program code for the system.
 - Regression Test Suite - Collection of test cases, and the code to run them in the appropriate order. The regression test suite will include a wide range of tests, including acceptance tests, unit tests, system tests, etc.
 - Installation Scripts - Code for installing the system into pre- and post-production environments.
 - Release Notes - Summarize the things to know pertaining to the current release of the system.
 - Operations Procedure - Procedures and supporting information to operate the system once it is in production including continuity and disaster recovery procedures.
 - Support Reference- Used by support staff, such as trouble shooting guides, contact information for the development team, which enables them to support end users
- Responsible for developing a release package for all systems changes when transitioning to the production environments.

Post-Implementation Support

- Supports the resolution of incidents and problems with software application functionality.
- Researches and corrects problems with the system applications code during production processing in an efficient and timely manner ensuring system recovery and integrity.
- Is available to execute and carry out IT Continuity and Disaster Recovery Plans
- Is a Technical Member of the Change Advisory Board (CAB) as needed.
- Serves as team lead for assigned projects and updates/maintains project plans and schedules as required.

Mentoring & Professionalism

- Maintains professional interaction with the application development staff, user and extended IT community (i.e. project teams) to ensure adequate system functionality, promote team participation and encourage user confidence in the Application Development Staff's quality of service.
- Provides assistance to Systems Analysts/Programmer I and II personnel ensuring that all technical design work, coding and testing are done in a manner that meets or exceeds design and testing requirements and standards.

SECONDARY DUTIES:

- Performs related duties as required.

MINIMUM QUALIFICATIONS:

Education and Experience:

- (A) A Bachelor's degree program in management science, engineering management, computer science or related field; and
- (B) Five (5) to seven (7) years experience supporting enterprise wide applications as well as tier two applications including at least three (3) years experience supporting an enterprise resource planning system such as Infor Lawson ERP or a comparable enterprise level application; or
- (C) Any equivalent combination of education or experience.

Necessary Knowledge, Skills and Abilities:

- (A) Extensive knowledge of programming languages, troubleshooting techniques, database structures, triggers and procedures, application server platforms, middleware and operating systems.
- (B) Knowledge of the following is desirable: MS .Net, J2EE, Crystal Reporting, ORACLE, SQL Server and PL/SQL.
- (C) Knowledge of Infor Lawson preferred.
- (D) Strong analytical and interpersonal skills
- (E) Excellent written and oral communication skills.

SPECIAL REQUIREMENTS:

- A valid Massachusetts driver's license.
- Information Technology Infrastructure Library (ITIL) Foundation Certification is required or the ability to obtain within one year.
- Formal training or certification in programming methodologies and System Development Life Cycle methodologies is required or the ability to obtain within one year.

TOOLS AND EQUIPMENT USED:

Office equipment as normally associated with the use of telephone, personal computers including

word processing and other software, copy and fax machines.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, feel or operate objects, tools or controls and reach with hands and arms. The employee frequently is required to sit and talk or hear. The employee is occasionally required to walk and stand.

The employee must frequently lift and/or move up to 25 pounds and occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision and color vision, and the ability to adjust focus.

WORK ENVIRONMENT:

The work characteristics described here are representative of those an employee encounters while performing the essential functions of this job.

While performing the duties of this job, the employee occasionally works in various field settings and in an office environment. The employee regularly works near moving mechanical parts, and is occasionally exposed to risk of vibration.

The noise level in the work environment is very loud in field settings, moderately loud at other work locations and moderately quiet at office settings.

September 2020

**MWRA
POSITION DESCRIPTION**

OLD

POSITION: Project Manager, Graphic Design

DIVISION: Support Services

DEPARTMENT: Public Affairs

BASIC PURPOSE:

Designs, produces and oversees graphic design services for the Authority and manages the process from conceptualization to final production.

SUPERVISION RECEIVED:

Works under the general supervision of the Deputy Director, Communications.

SUPERVISION EXERCISED:

Provides oversight and direction to Publications Coordinator.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

- Plans, designs and produces a wide variety of graphics design products such as displays, brochures, slides and illustrations for use throughout the Authority.
- Determines project priorities, allocates resources accordingly and develops appropriate schedules.
- Oversees production and editing of MWRA publications and printed materials for internal and external distribution, including educational materials for MWRA service area.
- Coordinates with divisions to develop and produce informational pamphlets, brochures, videotapes and other multi-media presentations to educate the public on MWRA programs.
- Prepares specifications, evaluating bids and selecting outside graphic arts vendors. Evaluates and selects software and equipment as required.

- Selects a wide array of materials and supplies to be used in-house. Keeps updated on supplies needed for upcoming projects and new products on the market.

SECONDARY DUTIES:

Performs related duties as required.

DESIRED MINIMUM QUALIFICATIONS:

Education and Experience:

- (A) Knowledge of the principles and practices of graphic arts as normally attained through a four (4) year college program in graphic design or a related field; and
- (B) Graphic design skills as acquired through five (5) to seven (7) years experience in the field. Experience in an engineering or technical environment preferred; or
- (C) Any equivalent combination of education or experience.

Necessary Knowledge, Skills and Abilities:

- (A) Ability to use a wide variety of Macintosh graphics software;
- (B) Excellent interpersonal, oral and written communications skills required.

SPECIAL REQUIREMENTS:

None.

TOOLS AND EQUIPMENT USED:

Office machines as normally associated, with the use of telephone, personal computer including word processing and other software, copy and fax machine.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to sit, talk or hear. The employee is regularly required to use hands to finger, handle, feel or operate objects, including I office equipment, or controls and reach with hands and arms. The employee

frequently is required to stand and walk.

The employee must regularly lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision, and the ability to adjust focus.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee regularly works in an office environment.

The noise level in the work environment is usually a moderately quiet office setting.

May 2000

**MWRA
POSITION DESCRIPTION**

NEW

POSITION: Project Manager, Media and Design

DIVISION: Executive

DEPARTMENT: Public Affairs

BASIC PURPOSE:

Designs, produces and oversees graphic design and video editing services. Creates visual content through photography and videography.

SUPERVISION RECEIVED:

Works under the general supervision of the Special Assistant to the Executive Director.

SUPERVISION EXERCISED:

None.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

- Plans, designs, and produces a wide variety of graphics design products such as illustrations, brochures and displays, including the Annual Water Quality Report, and manages the processes from conceptualization to final production.
- Determines project priorities, allocates resources accordingly and develops appropriate schedules. Prepares contract specifications and evaluates bids.
- Oversees production of printed and digital materials for internal and external distribution, including educational materials for MWRA customer communities.
- Coordinates with divisions to develop and produce informational pamphlets, brochures, videos and other multi-media presentations to educate the public on MWRA programs.
- Creates and manages photo and video files, using still and video cameras as well as aerial drones.
- Documents training exercises, public events, tours and visiting VIPs through the use of video, still photography and digital imaging.

SECONDARY DUTIES:

- Provides back-up web administration for Internet and Intranet sites.
- Performs related duties as required.

MINIMUM QUALIFICATIONS:

Education and Experience:

- (A) Knowledge of the principles and practices of graphic arts and photography/videography as normally attained through a Bachelor's degree in graphic design, fine arts, communications, or a related field; and
- (B) Graphic design skills as acquired through a minimum of four (4) years of experience in the communications or design field; and
- (C) Experience using digital and video cameras, as well as drones; and
- (D) Any equivalent combination of education or experience.

Necessary Knowledge, Skills and Abilities:

- (A) Ability to use a wide variety of Apple and PC graphics software including desktop publishing, such as Adobe Creative Suite.
- (B) Proficiency with digital photo and video editing software such as Adobe Premiere, iMovie, etc.
- (C) Excellent organizational, oral and written communications skills.
- (D) Ability to meet deadlines and work under time constraints.

SPECIAL REQUIREMENTS:

A valid Massachusetts Class D Motor Vehicle Operators License.

Ability to work occasional nights and weekends.

TOOLS AND EQUIPMENT USED:

Office machines as normally associated with the use of telephone, personal computer including word processing and graphics software, cameras and drones, and copiers.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to sit, talk or hear. The employee is regularly required to use hands to finger, handle, feel or operate objects, including office equipment, or controls and reach with hands and arms. The employee frequently is required to stand and walk.

The employee must regularly lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision, and the ability to adjust focus.


WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee regularly works in an office environment, but is required to work in the field on occasion.

The noise level in the work environment is usually a moderately quiet office setting.

November 2021


STAFF SUMMARY

TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director 
DATE: December 15, 2021
SUBJECT: Appointment of Program Manager, Monitoring, TRAC

COMMITTEE: Personnel and Compensation

 INFORMATION
 X VOTE

Andrea Murphy, Director Human Resources
Carolyn M. Fiore, Deputy Chief Operating Officer
Matthew Dam, Director, Toxic Reduction and Control
Preparer/Title


David W. Coppes, P.E.
Chief Operating Officer

RECOMMENDATION:

To approve the appointment of Mr. Shawn Owen to the position of Program Manager, Monitoring (Unit 9, Grade 29) in the Toxic Reduction and Control department at the recommended salary of \$128,958.94 to be effective on a date to be determined by the Executive Director.

DISCUSSION:

The Program Manager, Monitoring position became vacant in early December 2021 upon the retirement of the incumbent. This position manages the Toxic Reduction and Control (TRAC) department's Industrial Monitoring Program. It is responsible for the day-to-day management of TRAC's sampling staff who carry out the sampling requirements of MWRA's EPA-approved pretreatment program and perform other sampling in support of various MWRA programs. In addition to supervising staff, the Program Manager, Monitoring's duties include managing all aspects of TRAC's monitoring program including ensuring consistency of sampling practices and procedures, developing and maintaining Standard Operating Procedures for sampling, maintaining appropriate sampling supply inventory levels, ensuring that sampling equipment are properly maintained through vendor contracts, and managing the budget for field equipment and supplies. The Program Manager reviews and evaluates monitoring documentation for accuracy in support of TRAC enforcement and legal actions, and participates in TRAC's On-Call Manager rotation for response to spill events after hours.

Selection Process

This position was posted internally and MWRA received three applications. All three were determined to be qualified and were referred for interviews. The Senior Program Manager, Field Operations and Permitting, the outgoing Regional Manager, and the Assistant Manager, Employment interviewed all three candidates. Upon completion of the interviews, Mr. Shawn Owen was determined to be the best candidate based on his knowledge, skills and experience.

Mr. Owen has 27 years of experience in the environmental industry and has worked for MWRA since 1999 in progressively more responsible positions. He started out at MWRA working for the Central Laboratory. For the past 15 years, he has worked in TRAC's Industrial Monitoring Program. Initially, he worked as a Sampling Associate. In this position, he gained in depth knowledge of TRAC's field monitoring procedures used for industrial sampling, monitoring projects, and emergency response. In February 2017, Mr. Owen was promoted to his current position of Senior Sampling Associate, which is responsible for exercising direct supervision of approximately half of the sampling staff, setting weekly schedules, drafting and reviewing sampling protocols and making recommendations, changes and corrections to them as necessary. In addition, he is responsible for ensuring that TRAC sampling activities adhere to established federal, state and MWRA's pretreatment program regulations, policies and procedures, and ensuring consistency and coordination among sampling staff.

Mr. Owen has performed very well in this role, showing a thorough understanding of industrial environmental regulations and industrial monitoring practices and procedures. He has demonstrated excellent communication skills, initiative, and leadership. Mr. Owen has developed several Standard Operating Procedures for TRAC's Monitoring group and has trained staff on those procedures. He has acquired a comprehensive understanding of the Pretreatment Information Management System software system used for scheduling work and tracking results.

Mr. Owen earned his Bachelor of Science Degree in Marine Transportation from Massachusetts Maritime Academy.

BUDGET/FISCAL IMPACTS:

There are sufficient funds in the FY22 Current Expense Budget to fund this position.

ATTACHMENTS:

Resume of Shawn Owen
Position Description
Organization Chart

Shawn Owen

Accomplishments

- Initial member of the MWRA's Emergency Services Unit (ESU)
- Past member of the Deer Island Emergency Response Team
- Former Acting Senior Sampling Associate
- Former On Call Supervisor for Department of Lab Services

Professional Experience

MASSACHUSETTS WATER RESOURCES AUTHORITY Metro-Boston, MA

Sampling Associate

April 2006–Present

- Plan and conduct sampling and inspections to verify industries regulated by the MWRA's Industrial Pretreatment Program meet permit requirements.
- Write Standard Operation Procedures
- Document each sampling event with a detailed monitoring report.
- Emergency sampling and air monitoring as a member of the ESU and as a TRAC on-call sampler.

Acting Senior Sampling Associate

March 2013–June 2013

- Create and schedule sampling events using Pretreatment Information Management System (PIMS).
- Coordinate sampling events with other MWRA departments, local DPW's and local police departments for required details.
- Schedule industrial sampling events to assure completion of MWRA's Industrial Pretreatment Plan.
- Use of software such as PIMS, Laboratory Information Management System (LIMS), Excel, Word and Oracle Discoverer.

Chemist I / Sr. Laboratory Technician

November 1999–April 2006

- Operate and maintain GC-ECD, GC-uECD, GC-FID, HPLC
- Perform data analysis for Pesticides/PCB's (EPA 608), PCB congeners and low level pesticides.
- Sample extraction and preparation for instrument analysis (EPA 608, 625).
- Member of Lab Safety Committee
- Member of Deer Island Emergency Response Team

Jr. Instrument Technician, Contractor

February 1999–November 1999

- Assisted Instrument Technician and Sr. Instrument technician in maintaining, repairing and calibrating flow meters throughout collection system.
- Routinely performed confined space entries (manholes) to perform maintenance duties.

AMERICAN ENVIROMENTAL NETWORK North Billerica, MA

January 1996–January 1999

GC Analyst

- Operate and maintain GC-FID, order lab supplies, completed analytical reports for GC analysis performed.

CLEAN HARBORS ANALYTICAL SERVICES Braintree, MA

August 1994–December 1995

- Prepared water, soil, air and oil samples for analysis using EPA Solid Waste methods.

MORMAC MARINE SHIPPING Stamford, CT
Third Officer

July 1991-April 1994

- At sea supervised an eight hour navigation watch performing necessary maneuvers and course plotting while maintaining collision avoidance vigilance
- In port supervised a twelve hour cargo watch either loading or unloading various petroleum cargoes. Maintained specified ballast and trim to assure efficient cargo operation.
- Acted as ships Safety Officer- led various emergency drills such as abandon ships drills (lowering of lifeboats), fire rescue and response (full donning of turnout gear and scba).
- Acted as ships Medical Officer- maintained ships supply of all medications including class III narcotics. Dispensed minor medications and treated minor injuries. Maintained medical log book documenting all medications dispersed and injuries treated.

Certifications

Wastewater Treatment Plant Operator, Grade 5, Industrial and Municipal

40 Hour OSHA Hazardous Waste Operator

10 Hour OSHA Construction Safety and Health

FEMA Emergency Management Institute – Incident Commander Training – ICS-100, 200 and 300

OPA 90 Qualified Individual (QI)

Confined Space Entry and Rescue

Collection Systems Grade IV

MWRA Supervisor Training

USCG Master 100 Ton Vessel

Education

MASSACHUSETTS MARITIME ACADEMY Buzzards Bay, Massachusetts

Bachelor of Science Marine Transportation – 1991

**MWRA
POSITION DESCRIPTION**

POSITION: Program Manager, Monitoring

PCR#: 2210063

DIVISION: Operations

DEPARTMENT: TRAC

BASIC PURPOSE:

Manages the Toxic Reduction and Control (TRAC) Department's Monitoring Program. Directs all monitoring activities for the department and provides assistance to other sections within the department.

SUPERVISION RECEIVED:

Reports to the Sr. Program Manager, Field Operations and Permitting

SUPERVISION EXERCISED:

Supervises assigned monitoring staff.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

- Provides overall direction to sampling staff concerning technical requirements for sampling to ensure that there is consistency and coordination among and within the staff on sampling practice, procedure, and implementation.
- Oversees the maintenance of the Monitoring Manual and its standard operating procedures (SOPs) and keeps the manual up-to-date.
- Serves as the primary liaison with the MWRA Central Laboratory on sampling and analysis issues.
- Manages TRAC's sampling operations at the Chelsea facility; ensures that sampling equipment and supplies are available and maintained; develops the TRAC sampling field equipment budget.
- Coordinates, as required, monitoring staff preparation and response to emergency spills and releases into the sewer system.

- Reviews and evaluates monitoring documents generated by the sampling staff and ensures that they will support enforcement and legal actions and stand up to scrutiny in actions brought by MWRA or others.
- Recommends agency, program or department policy by analyzing all pertinent issues and information regarding the impact of proposed policy and by determining the resources necessary to implement the policy. Reviews, recommends, and manages the implementation of policies and standard operating procedures within TRAC to maintain efficient, high quality programs that are in compliance with EPA and other regulatory requirements.
- Performs administrative duties such as interviewing and recommending staff for hiring and promotion, reviewing and evaluating staff, scheduling work, developing budgets, managing vehicles, equipment, and supply acquisitions and maintenance, approving time sheets, helping to develop and implement training for staff members, and maintaining discipline.
- Ensures that staff coordinate with other TRAC groups and sections and with other MWRA departments and divisions as needed.
- Uses computer systems to schedule and coordinate work, to ensure that staff time and functions are appropriately tracked and reported, and to carry out other job responsibilities.
- Participates in development and implementation of TRAC policies and procedures including emergency response policy.
- Participates in the selection and hiring of project consultants and oversees the consultant's planning process.
- Participates in liaison, coordination, and educational activities within the MWRA and with other governmental agencies and the public.

SECONDARY DUTIES:

- Acts as On-Call Manager for TRAC in rotation with other TRAC staff.
- Participates actively in TRAC multi-disciplinary work groups.
- Drafts reports, memoranda, and other documents.
- Performs related duties as required.

MINIMUM QUALIFICATIONS:

Education and Experience:

- (A) Bachelor's degree in the chemistry, biology, environmental sciences, engineering, science, computer science or information systems science, legal studies or related field. Advanced degree preferred; and
- (B) Knowledge and understanding of environmental regulatory issues, policies, and practices, industrial permits, and enforcement related to industrial wastewater treatment and discharge, as acquired through a minimum of 7 to 9 years of experience, of which at least 3 years should be in a supervisory capacity; or
- (C) Any equivalent combination of education and experience.

Necessary Knowledge, Skills and Abilities:

- (A) Knowledge of the use, development, maintenance and management of complex computer-based information systems as a tool for supporting pretreatment program.
- (B) Ability to negotiate and reach agreement in an enforcement setting and to work with attorneys.
- (C) Ability to plan and implement programs.
- (D) Demonstrated effectiveness working across organizational boundaries and with persons at all levels in an organization.
- (E) Strong written and oral communication skills.
- (F) Ability to manage staff, including to organize, direct, train, assign duties to, supervise, motivate, and evaluate staff.

SPECIAL REQUIREMENTS:

Massachusetts Class D Motor Vehicle Operators License.

TOOLS AND EQUIPMENT USED:

Office machines as normally associated, with the use of telephone, personal computer including word processing and other software, copy or fax machine.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the essential functions the employee is regularly required to use hands to finger, handle, feel or operate objects, including office equipment, or controls and reach with hands and arms. The employee frequently is required to sit, and talk or hear. The employee is occasionally required to stand, and walk.

The employee must regularly lift and/or move up to 10 pounds, occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision and the ability to adjust focus.

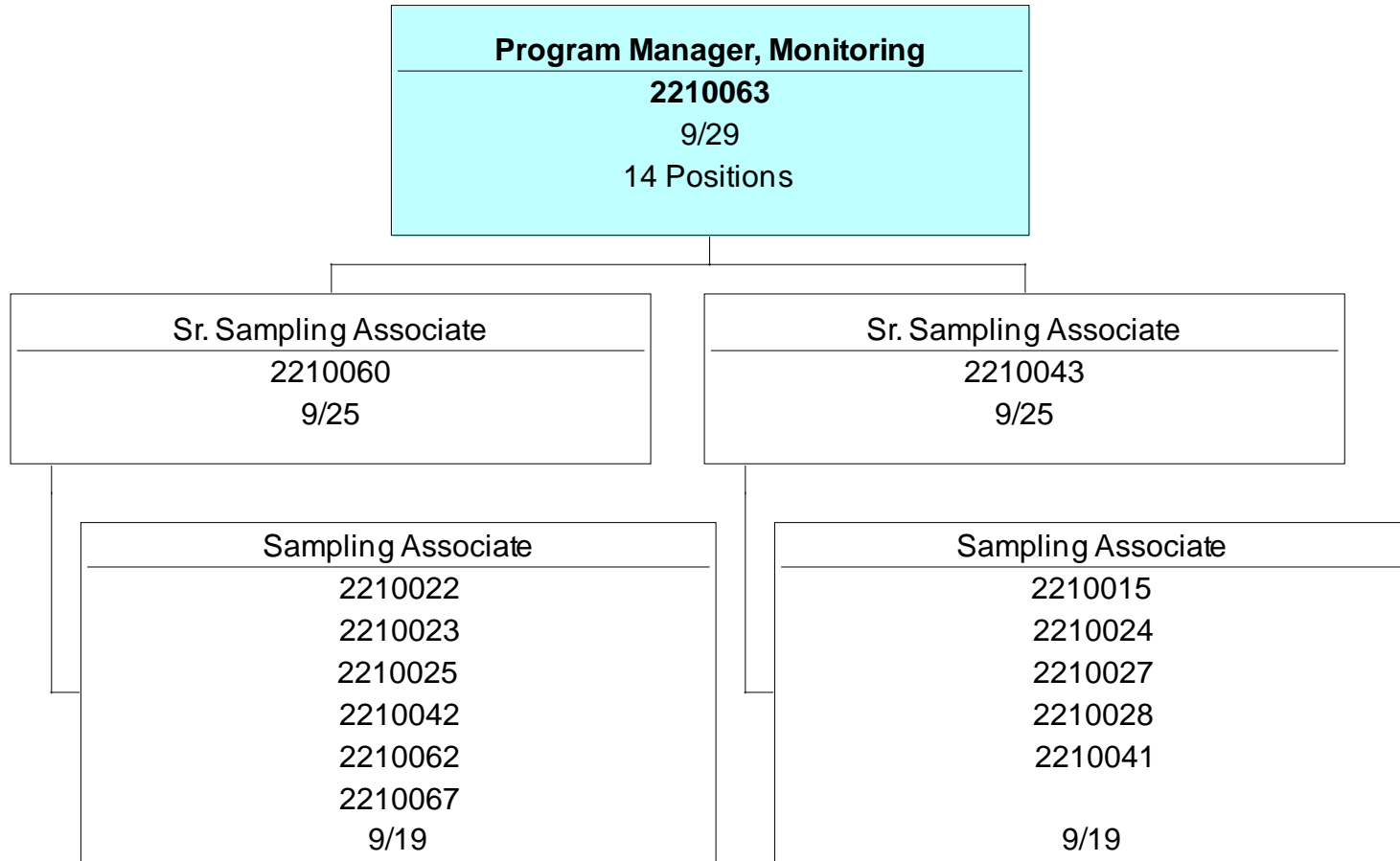
WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee regularly works in an office environment.

The noise level in the work environment is a moderately quiet in office setting.

September 2021

TRAC Monitoring Unit
December, 2021



STAFF SUMMARY


TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director
DATE: December 15, 2021
SUBJECT: Appointment of Manager, Operations Support



COMMITTEE: Personnel & Compensation

 INFORMATION
 X VOTE

Andrea Murphy, Director, Human Resources
Carolyn M. Fiore, Deputy Chief Operating Officer
Preparer/Title


David W. Coppes, P.E.
Chief Operating Officer

RECOMMENDATION:

To approve the appointment of Ms. Jeannie Teixeira to the position of Manager, Operations Support (Non-Union, Grade 14), in the Operations Division at the recommended annual salary of \$118,000, commencing on a date to be determined by the Executive Director.

DISCUSSION:

The position of Manager, Operations Support became vacant upon the retirement of the previous incumbent. The Manager, Operations Support reports to the Deputy Chief Operating Officer in the Operations Division while working closely with the Human Resources Department. The position is responsible for managing the planning and implementation of human resources related initiatives within the Operations Division, including projects and programs associated with organizational restructuring, staffing, and employee development. The position is also responsible for representing the Operations Division on labor relations matters, and advising and assisting managers and staff on hiring, labor policy and other employee relations matters. The need for this position has been highlighted recently due to the increased turnover among Operations Division staff. Increasingly, MWRA has identified the need for new training and hiring initiatives to ensure we are attracting and retaining appropriately skilled staff. This position will work closely with Operations Division managers to identify needs and provide liaison services with Human Resources to address these new challenges. The responsibilities of the position require in depth experience and demonstrated skills in human resources practices and procedures as well as excellent interpersonal, oral and written communication skills.

Selection Process

The position of Manager, Operations Support was posted both internally and externally. A total of 33 candidates applied for the position, including five internal applicants. Four external candidates were determined to be qualified and were referred for interviews, although two candidates declined prior to the scheduling of the interviews. The Deputy Chief Operating Officer, the Associate Special Assistant for Affirmative Action, the Manager, Policy and Planning Support, and the Manager, Employment conducted the two remaining interviews. Upon completion of the

interviews, Ms. Jeannie Teixeira was determined to be the best candidate based on her experience, knowledge, skills, and education.

Ms. Teixeira has nine years of human resources experience working at the Massachusetts State Lottery Commission. In this position, she has experience carrying out major personnel initiatives, including managing staff communication involved with the Lottery Commission's facility move to a new location. She was responsible for working with high-risk employees during the pandemic by modifying their assignments and providing resources for their successful transition to teleworking. Ms. Teixeira has been working in a unionized environment, and has been involved with union/management meetings and with grievance hearings including documenting hearing results. She has performed all aspects of the hiring process including updating job descriptions, screening of resumes, candidate interviews, participating in the candidate selection process, and preparing justifications for the candidate selections. She has conducted extensive outreach to promote diversity at the Lottery Commission. Ms. Teixeira has experience administering performance appraisal systems, addressing sick time abuse issues, maintaining organizational charts, and conducting trainings on preventing workplace violence and sexual harassment. She demonstrated a high level of knowledge about Massachusetts and federal employment laws, including the Family and Medical Leave Act, the Americans with Disabilities Act, and the Commonwealth's recently adopted Paid Family and Medical Leave Law. Ms. Teixeira also has experience conducting personnel related investigations and documenting findings for later personnel actions.

Prior to her position at the Massachusetts State Lottery Commission, Ms. Teixeira held various positions in the insurance industry, including three years at Aon Risk Services and four years at Liberty Mutual Insurance. In addition, she also worked for more than three years at a small private company.

Ms. Teixeira demonstrated excellent communication skills during the interview, providing detailed examples of her experience directly related to the requirements of the position of Manager, Operations Support. Her experience carrying out human resources work, her knowledge of human resources related laws and regulations, and her demonstrated communications skills as well as her education provide an excellent foundation for her success in this position.

Ms. Teixeira has an Associates of Science in Business Administration from Massasoit Community College, a Bachelor of Science in Management from Bridgewater State University, and is scheduled to graduate in spring 2022 from Fitchburg State University with a Masters of Business Administration with a concentration in Human Resources Management.

BUDGET/FISCAL IMPACTS:

There are sufficient funds in the Operations Division's FY22 Current Expense Budget to fund this position.

ATTACHMENTS:

Resume of Jeannie Teixeira
Position Description
Organization Chart

Jeannie Teixeira

EDUCATION

- **Massasoit Community College**
Associates of Science -Business Administration
Spring 2015
- **Bridgewater State University**
Bachelor of Science in Management
Fall 2019
- **Fitchburg State University**
Masters of Business Administration
Concentration: Human Resources Management
Graduation: Spring 2022

PROFESSIONAL DEVELOPMENT

- **SHRM Essentials of HR – 2014**
- **National Seminars Training**
The Family and Medical Leave Act – 2012
- **Skill Path – Various Webinars**
HR Professional Update – 2012
- **Anti-Discrimination Training** - Annually
- **MCAD – Preventing Harassment in the Workplace**
- **MCAD – Preventing Discrimination in the Workplace**
- **MCAD – Preventing and Addressing Public Accommodations Discrimination**
- **MCAD – Train the Trainer Responding to Accommodations Request**

PROFESSIONAL EXPERIENCE

Massachusetts State Lottery Commission, Braintree, MA

March 2012 – Present

Employee Relations Specialist

- Assist the Assistant Executive Director/Director of Human Resources in the day-to-day operation of the Human Resources Department.
- Administration of the Performance Appraisal System for the Lottery, following the established H.R. and Lottery policies and procedures.
- Responsible for all screening of the resumes and scheduling interviews with potential candidates.
- Arrange interviews by coordinating schedules with hiring managers.
- Participate on the interview team for many internal interviews for promotional opportunities.
- Works with department managers and supervisors in creating and updating comprehensive job descriptions.
- Process 1-9 Documentations and CORI for new employees.
- Development and implementation of the new employee orientation process; guide employees through the process.
- Understanding of all benefits available to employees and assist them in inquiries regarding all facets of this area.
- Responsible for transcribing, and involved in meetings with HR Director and employees regarding HR Issues, employee Investigations.
- Responsible for maintaining and updating Lottery organizational charts.
- Responsible for the implementation of directives from the Assistant Executive Director/Human Resources that improve the operation of the department and overall administration of the Lottery.
- Reorganizing and maintaining the personnel, medical, and investigator files.
- Implements special projects such as Children's Hospital Blood Drive, Red Cross Blood Drive, and the Lottery's Employee recognition Program.
- Cross training on specific Payroll projects utilizing the HRCMS process.
- Administers and approves requests for Family Medical Leave, Parental Leave, and PFML.
- Responsible for approving or denying FMLA and non-FMLA Medical leave cases based on legislative guidelines.
- Manages Summer Interns' time approval and records.
- Prepares status sheet for the Payroll Department of all hires, promotions, transfers, suspensions, etc.
- Conducts interviews with potential external candidates.

- Attends Union/Management Labor Meetings and Grievance Hearings and is responsible for taking, transcribing, and distributing minutes of meetings.
- Conducts training classes on the prevention of workplace violence, sexual harassment, and domestic violence.
- Attends Seminars pertaining to my job to gain more knowledge such as Family Medical Leave Act Training, and Massachusetts Commission against Discrimination Training.
- Recommends new approaches, policies, and procedures to effect continual improvements in the efficiency of the department and services performed.

Aon Risk Services (Construction Services Group), Boston, MA,

September 2008 – July 2011

Executive Assistant/Insurance Analyst

- Coordinated travel arrangements for staff, utilizing the in-house travel agency.
- Prepared expense reports/reimbursement requests for staff.
- Scheduled meetings and appointments for staff, including coordinating and confirming attendance, arrangement of meeting location, equipment, and supplies.
- Read and routed incoming mail and prepared outgoing mail.
- Located and attached applicable file information or previous correspondence to facilitate a prompt resolution.
- Maintained database information, such as mailing list, vendor information, etc. in the applicable format.
- Filed correspondence and other records.
- Created Purchased requests for additional office supplies as needed.
- Reviewed Subcontractor's Certificate of Insurance to ensure compliance with contractual obligations of the Client.
- Corresponded with Subcontractors and the Agents on a day-to-day basis relating to the required Insurance coverages per the Client.
- Responsible for updating the status of each Subcontractor's Certificate of Insurance for the client in a timely manner through Aon's online management system, Risk Console.
- Read and understood the rules and regulations pertaining to insurance provisions within the assigned state (s).

Liberty Mutual Insurance, Boston, MA

January 2004 – September 2008

Executive Assistant

- Served as liaison between the Senior Vice President of Involuntarily Markets and all SIU personnel.
- Resolved complex administrative problems and inquiries concerning activities and operations of the department/division.
- Managed and coordinated travel arrangements for executives and candidates, creating travel itineraries and monitoring travel activities.
- Interface with Board members and C-level executives involved in highly confidential projects.
- Produced, organized, and reviewed thorough analysis of moderately complex information for inclusion in reports, budgets, presentations, and custom packages.
- Maintained and distributed incoming/outgoing mail along with significant administrative duties such as check requests, ordering, and cataloging necessary supplies/material.
- Designed and maintained Involuntary Market Service Intranet homepage.
- Maintained current databases of all SIU accounts and handled legal document searches and requests.
- Prioritized and handled complex, confidential matters assuring discreet handling of all corporate business.

Atlantic Highway Signs/Plow, Inc., Taunton, MA

September 2000 – January 2004

Jr. Bookkeeper/Sr. Receivables/ Payables Analyst

- Maintained database of received payments, check receipts, and ledger book to be used on a daily, weekly, and monthly auditing process.
- Produced and disseminated weekly vendor and contractor checks.
- Reconciled and balanced all accounts
- Published invoices and billing information for the contractors and organizations.
- Managed multiple phone lines, along with universal administrative duties, such as filing, ordering supplies, correlating materials, and/or organizing the company's mail.
- Worked directly with the CPA monthly to reconcile the company's ledger.
- Considered new business opportunities credit to create a company account and assure necessary reimbursement.
- Worked closely with customers to assure a high level of customer service.

STRONG BUSINESS COMPETENCIES

- Proficient with Microsoft Office suite (i.e. Outlook, Word, Excel, PowerPoint, Access, and Visio).
- PeopleSoft - HRCMS
- Strong analytical skills and detail-oriented.
- Advanced organizational and communication skills.
- Able to effectively manage change.
- Outstanding interpersonal and presentation skills.
- Experience managing confidential and sensitive information.
- Able to multi-task and achieve deadlines.
- Motivated self-starter with the ability to work well under pressure.

AREAS OF EXPERTISE

- HR Best Practices
- Process Improvement
- HR Compliance
- Benefits Management
- Change Management
- Talent Acquisition & Recruitment
- Employee Personnel Management & Retention
- HR Policy, Process & Systems Design
- Employee Relations & Diversity
- Employee Performance Improvement & Development
- ADA Compliance & Accommodations

**MWRA
POSITION DESCRIPTION**

POSITION: Manager, Operations Support

DIVISION: Operations/Chelsea

DEPARTMENT: Operations Administration

BASIC PURPOSE:

Manages planning and implementation of major initiatives, projects and programs related to organizational restructuring, staffing, development, labor relations, and efficiency improvements in the Operations Division. Acts as a liaison between the Operations Division and the Human Resources Department.

SUPERVISION RECEIVED:

Works under the supervision of the Deputy Chief Operating Officer.

SUPERVISION EXERCISED:

Supervises assigned staff as needed. May serve as a team lead on projects or initiatives.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

- Develops and communicates division-wide procedures for human resources and operations support issues. Meets regularly with Operations directors and managers to solicit input and communicate procedures.
- Provides coaching to managers and staff on employee relations matters and policy interpretation from routine to complex.
- Works with Operations Division, Human Resources, and Affirmative Action staff on major personnel-related initiatives such as compensation analyses, hybrid work model, facility consolidation, apprenticeship program development, performance reviews, ADA and FMLA initiatives, and major organizational changes.
- Works with the Human Resources Training Unit to assess Operations' training needs and coordinate training activities and sessions. Conducts training with managers and supervisors as needed.
- Prepares staffing analyses and advises the Deputy Chief Operating Officer on human resources issues, projects, and programs to resolve issues.

- Collaborates with Operations managers on employment-related activities, including participating in interviews, working with hiring managers to develop interview questions, and assisting in preparing documentation for hiring decisions.
- Coordinates Labor Relations matters for the Operations Division. Administers policies and procedures designed to increase the effectiveness of employee relations and support positive working relations. Represents the Operations Division in union contract negotiations.
- Working together with Human Resources department and Labor Relations staff, maintains good communication with the unions, meeting regularly to address both management and union concerns. Develops strategies to address concerns in a proactive and effective manner. Advises the Deputy Chief Operating Officer on pending labor relations matters.
- Working closely with Labor Relations and Affirmative Action staff, conducts employee investigations, and assists with disciplinary matters as needed.
- Assists Law Division with preparation for arbitration cases and unemployment hearings as needed.
- Works with Operations Division managers in providing accurate responses to Step 1 grievances.
- Manages the sick leave review process for the Operations Division. Prepares and distributes sick leave management reports to Operations Managers. Meets regularly with managers and staff to review sick leave usage and recommend appropriate action to address specific issues or situations.
- Works closely with Human Resources to monitor the use of sick time by employees and ensures employees provide sufficient medical documentation. Prepares reports by gathering other information needed to review usage patterns and other pertinent data. Recommends appropriate next steps to Deputy Chief Operating Officer.
- Audits written time sheet submissions from all staff including all off hour shifts in order to ensure that staff are applying time appropriate to use such as leave time, meal breaks, compensatory time, overtime and stand-by pay.
- Prepares analyses, provides suggestions and makes recommendations to senior management on ways to improve business processes and operational effectiveness.
- Assists with editing and writing of Staff Summaries for monthly Board meetings as needed.

SECONDARY DUTIES:

Performs other duties as required.

MINIMUM QUALIFICATIONS:

Education and Experience:

- (A) A Bachelor's degree in public administration, business, human resources or a related field; and
- (B) Knowledge of human resources, labor relations, and grievance administration as acquired through seven (7) to nine (9) years of related experience including three (3) years in a supervisory capacity. Experience in a unionized environment required, preferably in a large public sector agency; or
- (C) Any equivalent combination of education or experience.

Knowledge, Skills, and Abilities:

- (A) Knowledge of Massachusetts employment law including MGL Chapter 150E and MEPA and Federal employment law including FMLA and ADA.
- (B) Solid knowledge of labor relations principles and practices.
- (C) Experience with staffing analyses and with designing and implementing employee development plans.
- (D) Demonstrated ability to work effectively as part of a project team and to function independently with minimal supervision.
- (E) Proficient in Microsoft Office Suite (Word, Excel and PowerPoint)
- (F) Excellent interpersonal, managerial, oral and written communication skills.
- (G) Strong analytical, project management, and strategic planning skills.
- (H) Ability to maintain confidentiality and exercise discretion while handling sensitive matters.

SPECIAL REQUIREMENTS:

A valid Massachusetts Class D Motor Vehicle Operators License.

TOOLS AND EQUIPMENT USED:

Office equipment as normally associated with the use of telephone, personal computer including word processing and other software, copy and fax machine.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, feel or operate objects, tools or controls and frequently required to reach with hands and arms. The employee regularly is required to talk or hear. The employee is occasionally required to walk; stand; climb or balance; stoop, kneel, crouch, or crawl; or sit.

Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception and the ability to adjust focus.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee regularly works in an office environment.

The noise level in the work environment is usually a moderately quiet office setting.

Travel may be required between MWRA facilities.

April 2021

Policy & Administration

December, 2021

Deputy Chief Operating Officer
5210072
NU/17

Budget, Personnel & Admin. Support
25 Positions

Executive Secretary
5210004
1/18

Admin Systems Coordinator
5210012
C1/20


Manager, Finance
5210015
6/14
13 Positions

Manager, Coordination & Control
5210073
6/12
4 Positions

Manager, Operations Support
5210079
NU/14

Mgr., Policy & Planning Support
5910014
NU/13
5 Positions


STAFF SUMMARY

TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director 
DATE: December 15, 2021
SUBJECT: Appointment of Senior Program Manager, Operations Engineering

COMMITTEE: Personnel & Compensation

 INFORMATION
 X VOTE

Andrea Murphy, Director of Human Resources
Valerie Moran, P.E., Director, Waterworks
Lisa Bina, P.E., Deputy Director, Waterworks
Preparer/Title


David W. Coppes, P.E.
Chief Operating Officer

RECOMMENDATION:

To approve the appointment of Ms. Kristen Hall to the position of Senior Program Manager, Operations Engineering (Unit 9, Grade 30) in the Operations Engineering Department at the recommended annual salary of \$134,318.33 commencing on a date to be determined by the Executive Director.

DISCUSSION:

The position of Senior Program Manager, Operations Engineering became vacant upon the promotion of the incumbent. The position works under the general supervision of the Deputy Director, Waterworks and is responsible for managing several engineering staff in the Operations Engineering group. This position oversees operational hydraulic support and planning for maintenance and construction projects, and for the day-to-day operations of wastewater facilities and collection systems, and water facilities, distribution and transmission systems. In addition, the Senior Program Manager, Operations Engineering oversees the coordination between the Engineering and Construction Department and Operations to ensure operational requirements are met during the design and construction of capital engineering projects. This position also manages the development and use of facility and system data to monitor, track and report on water and wastewater facility equipment and process performance and for hydraulic investigations of the water distribution and wastewater collections systems to support operational decisions and system improvements. The Senior Program Manager acts as a back-up to and assists the managers of water and wastewater operations during emergencies.

Selection Process

This position was posted internally and externally. Seven candidates applied for the position including four internal candidates and three external candidates. The four internal candidates were determined to be qualified and were referred for an interview. The Director of Waterworks, the Deputy Director of Waterworks and the Associate Special Assistant for Affirmative Action interviewed the candidates. Upon completion of the interviews, Ms. Kristen Hall was determined

to be the best candidate for the position based on her combination of experience, knowledge, skills and education.

Ms. Hall has 28 years of experience at MWRA in progressively more responsible engineering related positions. She began her career in the Wastewater Metering-Infiltration/Inflow Management Program within the Sewage Facilities Development Department as a Data Analyst, progressing to Staff Engineer and then Project Engineer. During that period she gained extensive experience in monitoring wastewater system hydraulic performance utilizing MWRA's Telog databases and developing graphics and presentations to help monitor system performance and troubleshoot system issues. In May 2003, she was promoted to Project Manager in the Planning Department, where she managed all aspects of MWRA's Local Water Assistance Program, which required the technical review of all program projects along with providing technical assistance to the communities during project implementation. In September 2019, she was promoted to her current position of Program Manager in Operations Engineering.

In the Program Manager position, Ms. Hall has successfully managed the development and use of MWRA's SCADA data to track and report on wastewater facilities to help monitor system performance and troubleshoot system issues. She has taken a lead role during wet weather events, monitoring system performance, developing work plans for operators, and providing post-storm reporting and follow-up. She has developed and managed service contracts, supporting operations and maintenance and has performed design reviews for upcoming CIP projects. Ms. Hall has taken the lead on the development of the Facility Manual for the Chelsea Creek Headworks Project, successfully working with operators to ensure that the SOPs included meet Operations' needs. Ms. Hall has trained and supervised engineering staff in both her prior Project Manager position and in her current position in the Operations Engineering group. She has demonstrated technical knowledge and has proven to be reliable and capable in managing projects, working with outside contractors and consultants and with in-house operations and maintenance staff.

Ms. Hall earned a Bachelor of Science Degree in Civil Engineering from Tufts University. She holds a Water Distribution System Grade 1 operator in training license and a Wastewater Collections Grade 4 Certificate.

BUDGET/FISCAL IMPACTS:

There are sufficient funds in the Operations Division's FY22 Current Expense Budget to fund this position.

ATTACHMENTS:

- Resume of Kristen Hall
- Position Description
- Organization Chart

Kristen Hall

Experience

Program Manager, MWRA Operations Engineering

September 2019-present

- Monitor, analyze and report on wastewater system performance, and coordinate with other departments as needed to address process control and equipment improvements/repairs
- Participate in Emergency Operations Center staffing for wet weather events and emergencies, and act as back up to Manager of Wastewater Operations, as needed
- Prepare and distribute detailed storm reports after rain events
- Review facility control strategies and make recommendations for improvements
- Manage the development and coordination of maintenance service contracts, including Metro Ops Paving, and Overhead Door Services
- Participate in the development and update of facility Standard Operating Procedures (SOPs) and facility manuals
- Assist in the development of project scopes with Engineering and Construction, and provide input on impacts to Operations
- Review project specifications and participate in the selection committee process
- Coordinate the purchase and installation of carbon at wastewater facilities for odor control
- Report monthly on wastewater system performance metrics
- Provide technical support to Operations staff as needed
- Supervise junior Operations Engineering staff as needed

Project Manager, MWRA Community Support Program

2004-September 2019

- Managed all aspects of MWRA's Local Water System Assistance Program. Responsibilities include: review of community funding applications and technical specifications, development of legal borrowing documents, meeting with community officials and consultants, coordination with outside Bond attorneys and MWRA staff, and approval of invoices in preparation of project closeout packages
- Managed MWRA's Leak Detection Survey Services Contract. Responsibilities include: development of project scope, coordination with MWRA staff to initiate procurement process, participation in contractor selection committee, preparation of contract documents, and management of three contractors working within MWRA communities
- Analyzed community wastewater data for use in MWRA's rates development. Responsibilities included: retrieval of data from Telog software, review of data for possible operational problems, community I/I analysis, examination of individual meter data as well as community level data as requested by MWRA communities, and development of annual NPDES I/I reports for Deer Island and Clinton treatment plants

Project Engineer, MWRA I/I Management Program

1999-2004

- Coordinated all meetings, workshops and activities of MWRA's I/I Task Force
- Managed MWRA's Water Conservation Program, including purchase, tracking and distribution of literature and devices
- Initiated and managed contract to develop CMOM related materials specific to MWRA facilities
- Assisted in managing MWRA's Local Pipeline Assistance Program to fund water main rehabilitation/replacement projects
- Developed and coordinated the submittal of MWRA's annual NPDES Demand Management Report and I/I reports for Deer Island and Clinton
- Coordinated with metering and monitoring staff on wastewater metering data
- Provided technical assistance to MWRA communities as needed

Staff Engineer, MWRA I/I Management Program

1996-1999

- Reviewed and commented on contract specifications and plans for Authority funded sewer improvement projects
- Assisted Project Managers with coordination and management of community projects, including I/I reduction, system optimization and I/I Local Financial Assistance Program funded construction project inspections
- Met with MWRA member community representatives, provided technical assistance to communities regarding various aspects of civil engineering work, and coordinated regional I/I reduction programs

Data Analyst, MWRA I/I Management Program

1993-1996

- Responsible for the collection, analysis and storage of depth, velocity and flow data from 78 wastewater meters in the MWRA South System used in the calculation of sewer rates
- Coordinated field maintenance and calibration of wastewater flow meters with Transport Department staff
- Determined reliability of wastewater flow data provided by field personnel

Education

Tufts University, Medford, MA

Bachelor of Science, Civil Engineering, 1992

Licenses/Registrations

Wastewater Collection System Grade 4 Certification

MWRA
POSITION DESCRIPTION

POSITION: Senior Program Manager, Operations Engineering

PCR#: 5811028

DIVISION: Operations

DEPARTMENT: Operations Engineering

BASIC PURPOSE:

Manages process control, operational hydraulic support and planning for maintenance and construction projects, and for day-to-day operations within wastewater facilities and collection systems and water facilities, distribution and transmission systems. Provides complete technical support on all operations, troubleshooting, regulatory and process control matters. Acts as a back-up to and assists the managers of water and wastewater operations during emergencies and as needed.

SUPERVISION RECEIVED

Works under the general supervision of the Deputy Director of Waterworks.

SUPERVISION EXERCISED:

Exercises close supervision of assigned technical and engineering staff and supervises water, wastewater operations, and maintenance staff as needed.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

- Provides technical support and develops/manages project work plans to support operations, maintenance and construction activities to ensure minimal impact to operations and MWRA customers.
- Works with Engineering and Construction Department staff to ensure that operations related design requirements are incorporated into capital improvement projects.
- Manages the development and use of facility and system data to monitor, track and report on water and wastewater facility equipment and process performance and for hydraulic investigations of the water distribution and wastewater collections systems to support system reconfigurations and improvements.
- Develops, updates and manages control strategies to ensure clear documentation of manual and automated facility controls and alarming functions.

- Works to implement and improve upon instrumentation and automated facility controls to reduce energy consumption, reduce maintenance requirements, and improve facility/equipment performance and reliability.
- Manages the performance of facility audits to ensure automation, alarming functions, and emergency safeguards are functioning as designed and documented.
- Develops consultant engineering scope of services, participates in consultant procurement efforts and manages consultant teams as necessary.
- Manages the development of standard operating procedures (SOPs), facility manuals and emergency contingency plans for water and wastewater facilities and associated systems.
- Oversees staff productivity monitoring and continual improvement through staff skill development, strategic planning, SOP improvements, and research and implementation of technology advances.
- Manages and oversees process control and operational engineering issues during construction and start-up of new and rehabilitated facilities to ensure new equipment and automation meet MWRA operational requirements.
- Manages and monitors system performance during wet weather events and system reconfigurations to support construction and maintenance activities. Participates in Emergency Operations Center (EOC) staffing as required. Acts as a back-up to and assists the Managers of Water and Wastewater Operations during emergencies and as needed.
- Assists as directed with maintenance service contracts to support various MWRA needs.

SECONDARY DUTIES:

- Performs related duties as required

MINIMUM QUALIFICATIONS:

Education and Experience:

- (A) Knowledge of Engineering and Construction as normally attained through a Bachelor’s degree in civil, environmental, chemical or mechanical engineering or related field; and

- (B) Demonstrated knowledge of engineering, design, equipment, methods and practices related to the operations of large water and/ or wastewater facilities and systems as acquired by eight (8) to ten (10) years experience in the field of water resources; and
- (C) Three (3) years of experience managing employees, consultants, projects, or programs; and
- (D) Experience in the design, rehabilitation or startup of contemporary automation systems used for water/wastewater facilities; or
- (E) Any combination of education or experience.

Necessary Knowledge, Skills, and Abilities:

- (A) Demonstrated ability to supervise technical staff
- (B) Demonstrated understanding of process design, system hydraulics and mechanical equipment integral to pumping and treatment systems typically found in water and wastewater facilities.
- (C) Demonstrated abilities to work productively and maintain working relationships with external parties.
- (D) Proficient in the use of personal computers and associated Microsoft Office Suite and use of software used to store, manipulate and analyze historical data (such as OSISoft PI System).
- (E) Experience with GIS, Arcmap, Telog, SCADA, and hydraulic modeling software is preferred.

SPECIAL REQUIREMENTS:

Must be available to respond to emergencies as needed. Required to be part of an on-call rotation with other Operations Engineering staff twenty-four (24) hours a day, seven (7) days a week.

Required to provide support during planned off-hour operational events, including wet weather events.

A valid Massachusetts Class D Motor Vehicle Operators License.

A valid Grade 6 Wastewater Operator's license or 4D Drinking Water Supply Facilities Operators license preferred.

Registered Professional Engineer license preferred.

TOOLS AND EQUIPMENT USED:

Office equipment as normally associated with the use of telephone and personal computer.

PHYSICAL DEMANDS:

The physical demands here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, feel or operate objects, including office equipment or controls and reaches with hands and arms. The employee must frequently lift and or move up to 10 pounds, occasionally lift/or move up to 25 pounds. Specific vision abilities required by this job include close vision, distance vision, depth perception and the ability to focus.

WORK ENVIRONMENT:

The work environment characteristics here are representative of those an employee encounters while performing the essential functions of this job.

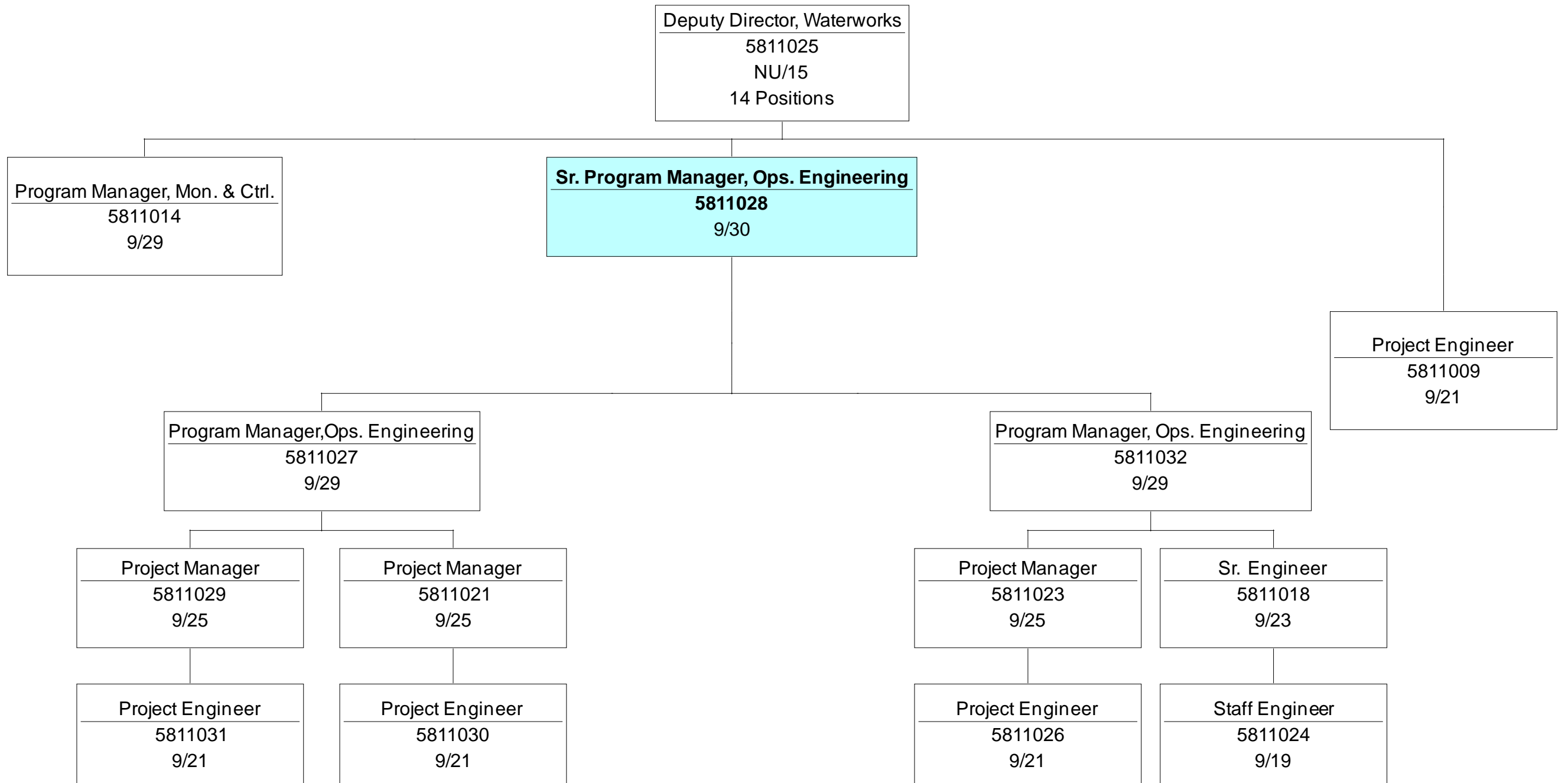
While performing the duties of this job, the employee regularly works in an office environment. The employee will also be exposed to outdoor weather conditions. The employee is occasionally exposed to fumes and airborne particles.

The noise level in the work environment is a moderately quiet setting.


September 2021

Operations Engineering

December, 2021




STAFF SUMMARY

TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director 
DATE: December 15, 2021
SUBJECT: Appointment of Senior Program Manager, Master Planning

COMMITTEE: Personnel & Compensation

INFORMATION
 VOTE

Stephen Estes-Smargiassi, Director, Planning and Sustainability
Andrea Murphy, Director, Human Resources
Carolyn Fiore, Deputy Chief Operating Officer
Preparer/Title


David W. Coppes, P.E.
Chief Operating Officer

RECOMMENDATION:

To approve the appointment of Michael O’Keefe to the position of Senior Program Manager, Master Planning (Unit 9, Grade 30) in the Planning and Sustainability Department at an annual salary of \$119,503.32 commencing on a date to be determined by the Executive Director.

DISCUSSION:

The Senior Program Manager, Master Planning position became vacant in October 2021 upon the retirement of the previous incumbent. Organizationally, this position reports to the Director of Planning and Sustainability within the Planning Department. The Senior Program Manager, Master Planning is responsible for managing the development of MWRA’s water and wastewater master plans and coordinating the associated prioritization of capital projects. The position also oversees emergency preparedness and planning, and coordinates production of MWRA’s performance indicator reports (Yellow and Orange Notebooks) and the annual water quality report (Consumer Confidence Report). In cooperation with staff from other departments, the position routinely works with community and environmental groups to advance MWRA’s projects and interests, and assists in environmental review of MWRA projects. The Senior Program Manager, Master Planning oversees a staff of six.

Selection Process

MWRA posted the position of Senior Program Manager, Master Planning both internally and externally. A total of seven candidates applied for the position including six internal applicants. One external and three internal candidates were determined to be qualified and were referred for an interview. The Director of Planning and Sustainability, the Director of Waterworks, and the Associate Special Assistant for Affirmative Action conducted the interviews. Upon completion of the interviews, Michael O’Keefe was determined to be the best candidate based on his experience, knowledge, skills and education.

Mr. Michael O’Keefe is currently the Deputy Chief Financial Officer for the New York City Department of Environmental Protection (DEP), New York City’s water and wastewater agency.

Prior to that, he was the Unit Head at the New York City Department of Management and Budget's DEP Oversight Unit, and worked for several energy and environmental groups. He has over a decade of professional experience, most of which has been in leadership roles that are both supervisory and public-facing in nature.

In his current position, Mr. O'Keefe oversees New York City DEP's capital infrastructure planning functions (coordinating across all divisions within DEP for its \$20 billion capital budget), energy efficiency and greenhouse gas reduction efforts, performance metric tracking, and the agency's emergency response planning. He has broad knowledge of the principles of planning and analysis, and direct experience in water and wastewater capital planning. He has worked within DEP to create a uniform project prioritization system for capital project approval. During the COVID-19 pandemic, he has been responsible for coordinating the agency's internal response actions across all of DEP, working successfully with state and federal regulators to reschedule major mandated capital improvements due to the COVID related reduction in revenue. From this, he demonstrated excellent experience in collaborative management and negotiation. He is providing strategic direction to New York City DEP's climate resiliency and social equity efforts. He has been deeply engaged with the agency's work to collaborate with other city agencies on city-wide infrastructure initiatives and greenhouse gas reductions. His work in New York City clearly demonstrates the ability to lead interdisciplinary teams and to build and maintain effective working relationships with regulators and environmental groups.

Mr. O'Keefe has a Bachelor of Arts degree in Environmental Studies and Philosophy from Tufts University, and a Master of Public Administration in Environmental Science and Policy from Columbia University.

BUDGET/FISCAL IMPACT:

There are sufficient funds for this position in the FY22 current expense budget.

ATTACHMENTS:

Resume of Michael O'Keefe
Position Description
Organization Chart

Michael O'Keefe

Strategic and analytical thinker, effective manager, skilled communicator, and committed collaborator with ten years of experience in municipal finance and water and infrastructure policy in New York City. Relocating to Boston and actively looking for opportunities in the Boston metro area. Demonstrated success in evaluating and implementing public initiatives, managing complex and sizable budgets, cooperating with diverse stakeholders, and navigating bureaucracy to realize cost-effective programs. Significant experience working within and across teams, both as a manager and trusted advisor, as well as using quantitative analysis to support data-driven recommendations. Track record of promotion and taking on increasing responsibilities.

CURRENT ROLE

NYC Department of Environmental Protection (DEP), Queens, NY

Deputy Chief Financial Officer (CFO) and Senior Advisor to the Commissioner

8/2019 – present

- Serve on the senior leadership team of one of the country's largest municipal water and wastewater systems, driving DEP's programs, public policy, and budget development and management
- Direct strategy for DEP's \$20+ billion capital infrastructure program as well as our annual \$1 billion operating budget – balancing immediate needs, cost effectiveness, risk, long-term sustainable investment, climate resiliency, social equity across NYC neighborhoods, and political commitments with increasingly limited resources
- Collaborate with senior staff across all areas of DEP, managing relationships and serving as a nexus between operations, legal, procurement, budget, information technology, and public affairs to resolve problems and execute critical initiatives
- Manage a staff of over 70 in two main areas: 1) facilities and real estate management and 2) data analysis and planning, focusing on agency performance metrics and emergency preparation and response
- Institute process efficiencies to support operational bureaus in delivery of water, treatment of wastewater, management of storm water, and enforcement of air and noise pollution regulations
- Advise Commissioner and CFO on strategies to deliver on DEP's priorities, effective messaging within City government, and addressing time sensitive issues
- Represent DEP in communication with City Hall, advocating for DEP's agenda among the City's competing needs
- Coordinate DEP's overall response to COVID-19, including chairing the agency's return to work committee, guiding the realignment of the capital budget due to the pandemic's fiscal impacts on NYC, and negotiating with NYS Department of Environmental Conservation and the EPA for mandate relief
- Partner with City agencies, predominantly the departments of transportation, resiliency, design and construction, parks, city planning, and sustainability on implementing Citywide infrastructure projects and GHG reduction initiatives
- Work closely with CFO to oversee a staff of over 900 in the areas of customer service, information technology, procurement, budgeting, auditing, and the NYC Water Board
- Lead DEP's Construction Services and Asbestos Taskforce in building renovation and inspection, environmental health and safety recommendations, and hazardous materials abatement
- Present recommendations and provide updates to Commissioner, DEP senior staff, and City Hall

PREVIOUS EXPERIENCE

NYC Office of Management and Budget: Dept. of Environmental Protection (DEP) Unit, New York, NY

Unit Head

6/2016 – 8/2019

Supervising Budget Analyst

9/2015 – 6/2016

Budget Analyst

7/2013 – 8/2015

- Managed a team of six that reviews, analyzes, and writes detailed funding recommendations for projects and programs concerning New York's water supply, treatment of wastewater, and management of stormwater – focusing on programmatic requirements and goals, cost effectiveness, accurate scheduling, and public impact
- Streamlined processes to make budget review more efficient and developed tools to facilitate detailed analysis
- Collaborated with DEP staff and other City agencies on how best to fund, plan, and prioritize current and upcoming capital and expense projects
- Oversaw a fluctuating \$2 billion annual capital budget and reviewed new needs for \$1 billion operating budget
- Balanced the priorities of DEP with those of several City agencies by reviewing funding agreements and facilitating clear communication in order to establish mutually beneficial and successful initiatives
- Evaluated and monitored progress of DEP's major programs, including Green Infrastructure, the sewer build out of Southeast Queens, Eastside Coastal Resiliency, and the remediation of the Gowanus Canal Superfund site
- Wrote and edited materials for budget publications, ensuring a clear message and accurate information
- Briefed NYC Budget Director, Deputy Mayor, and senior staff on funding recommendations
- Created and utilized large datasets to formulate data-driven policy recommendations

Michael O'Keefe

Carbon Disclosure Project (CDP), New York NY – *Investor Initiatives Analyst* 9/2012 – 3/2013

- Analyzed the carbon emissions, water use, and climate change plan data of S&P 500 and Global 500 companies, highlighting the connection between long-term sustainable practice and financial stability
- Tracked and assessed companies' emissions data and financial performance over a six year period
- Conducted outreach to investors that were identified as potential partners in CDP's emission surveys to companies

Global Green USA, Coalition for Resource Recovery, New York, NY – *Consultant* 1/2012 – 5/2012

- Co-authored a report detailing a framework for siting organic food waste processing facilities in New York City
- Investigated community concerns with food waste facilities in New York City neighborhoods by conducting interviews with environmental justice organizations and consultants
- Researched organic waste processing in other cities and determined the permitting, siting, and environmental review process of building an anaerobic digester for commercial waste in New York City

New York City Campaign Finance Board (CFB), New York, NY – *Paralegal* 7/2009 – 9/2010

- Coordinated litigation proceedings, entered judgments, filed complaints, and issued motion papers in New York State Supreme Court in an effort to recover money owed to New York City from campaign violations
- Examined and evaluated city, state, and federal election and campaign legislation
- Explained campaign regulations directly to voters and established payment plans with candidates to repay funds
- Assisted attorneys with regularly updating, amending, and writing CFB Rules and Advisory Opinions

Emergent Energy Group, Boston, MA – *Project Assessment Analyst* 6/2008 – 9/2008

Emergent was a renewable energy consulting company focused on community-based development

- Completed a quantitative impact study and wrote an Avian Risk Assessment for a proposed wind turbine in Massachusetts, detailing the expected mortality rate of bird and bat populations

The Riverkeeper, White Plains, NY – *Watershed and Water Quality Intern* 5/2006 – 9/2006

- Authored articles on the impact of suburban sprawl on the Hudson River watershed
- Evaluated and critiqued Municipal Separate Storm Sewer System reports from towns and counties in an effort to maintain watershed integrity and ensure cooperation with the Clean Water Act

EDUCATION

Columbia University, School of International and Public Affairs, New York, NY

Master of Public Administration in Environmental Science and Policy

5/2012

Tufts University, Medford, MA

Bachelor of Arts in Environmental Studies and Philosophy, minor in Political Science

5/2008

**MWRA
POSITION DESCRIPTION**

POSITION: Senior Program Manager (Master Planning)

PCR#: 2130031

DIVISION: Operations

DEPARTMENT: Planning

BASIC PURPOSE:

Manages the Master Planning Section of the Planning Department. Oversees the development of the Operation Division's long-term master planning, operational and business strategies and manages the Division's business planning and reporting efforts. Provides support and analysis to help ensure that Operations Division policy making, planning, engineering, operations, and emergency response activities are completed in compliance with regulatory requirements and approved strategies and procedures.

SUPERVISION RECEIVED:

Works under the general supervision of the Director, Planning and Sustainability.

SUPERVISION EXERCISED:

Exercises direct supervision over staff including engineers, planners, and other professionals. Works extensively with teams from other departments and divisions.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

- Supervises professional master planning efforts, policy analyses, quantitative analyses, of substantial difficulty and importance requiring the application of planning, engineering, administrative, and analytical principles and the exercise of independent judgement.
- Represents the MWRA before regulatory, citizen and other public groups.
- Oversees the development of water and wastewater master plans including recommended prioritization and scheduling of projects for the Authority's annual Capital Improvement Program (CIP) process.
- Oversees public health research, outreach and water quality reporting (including the annual

water quality report).

- Provides support to the Division in environmental review and permitting of projects, including impacts on MWRA facilities from projects of others;
- Coordinates with Massachusetts Department of Conservation and Recreation (DCR) Division of Watershed Management on source water protection.
- Coordinates MWRA compliance with America's Water Infrastructure Act (AWIA) on five-year cycle including oversight of Emergency Action Plan (EAP) preparation and review.
- Oversees MWRA long-term emergency planning and risk reduction activities for MWRA facilities and systems.
- Provides support to engineering and operations on facility improvements necessary to address future climate change and sea level rise scenarios.
- Supports development, tracking, and coordination of Business Plan objectives and coordination of performance measurement reporting within the Operating Division. Oversees MWRA's greenhouse gas (GHG) reporting efforts, and coordinates between MWRA's energy efficiency, green power, and GHG reduction efforts.

SECONDARY DUTIES:

- Participates in preparing for collective bargaining and hears Step-One grievances.
- Performs other related duties as required.

MINIMUM QUALIFICATIONS:

Education and Experience:

- (A) Knowledge of the principles and practices of planning for water and wastewater systems as normally attained through a Bachelor's degree in planning, civil or environmental engineering, or a related field. A graduate degree in planning, engineering or administration preferred; and

- (B) Understanding of master planning, regulatory compliance, and policy development as acquired through eight (8) to ten (10) years of related experience, of which at least four (4) years must be in the water or wastewater utility field and at least three (3) years should be in a managerial or supervisory capacity; or
- (C) Any equivalent combination of education or experience.

Necessary Knowledge, Skills and Abilities:

- (A) Knowledge of the principles and practices of planning and engineering for water and wastewater systems.
- (B) Understanding of master planning, regulatory compliance and policy development.
- (C) Understanding of local, state and federal local, state and federal environmental regulatory programs.
- (D) Demonstrated ability to lead an inter-disciplinary project team and develop and maintain productive working relationships with external parties. Ability to efficiently and productively utilize resources authority wide.
- (E) Excellent interpersonal, oral and written communication skills. Ability to communicate technical information effectively.
- (F) Strong organization skills and the ability to manage multiple priorities with competing demands for resources.
- (G) Excellent analytical and quantitative skills, and attention to detail; and some exposure to financial tracking and monitoring.
- (H) Ability to exercise independent judgment.

SPECIAL REQUIREMENTS:

A valid Massachusetts Class D Motor Vehicle Operators License.

American Institute of Certified Planners (AICP) or Massachusetts Registered Professional Engineer preferred.

TOOLS AND EQUIPMENT USED:

Office equipment as normally associated with the use of telephone, personal computer including word processing and other software, copy and fax machine.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, feel or operate objects, tools or controls and reach with hands and arms. The employee frequently is required to sit and talk or hear. The employee is occasionally required to stand, walk, climb or balance, stoop, kneel, crouch, or crawl, taste or smell.

The employee must frequently lift and/or move up to 10 pounds and occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, depth perception, peripheral vision and the ability to adjust focus.

WORK ENVIRONMENT:

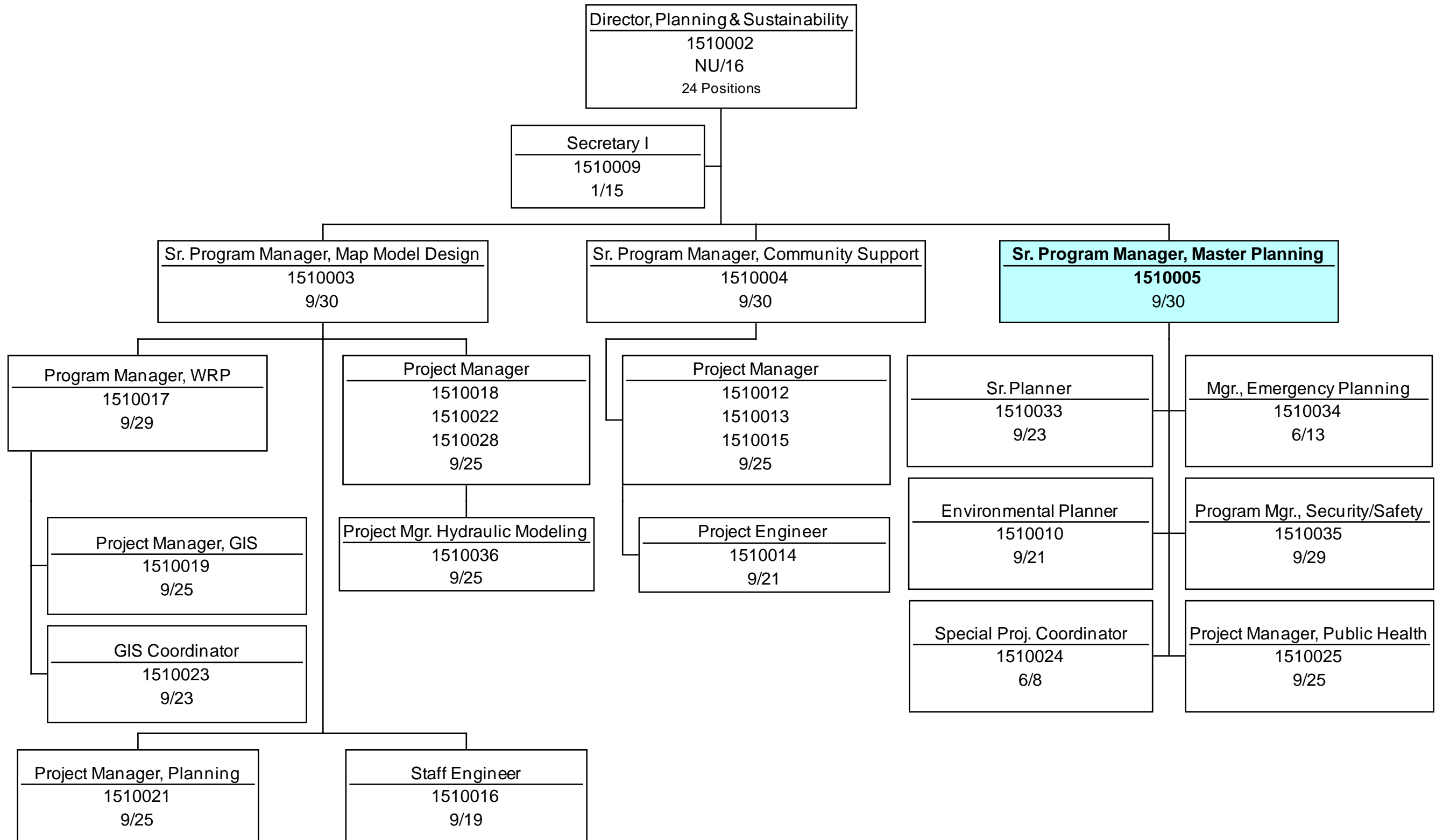
The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job.

While performing the duties of this job, the employee occasionally works in outside weather conditions. The employee occasionally works near moving mechanical parts, and is occasionally exposed to wet and/or humid conditions and vibration. The employee occasionally works in high precarious places and is occasionally exposed to fumes or airborne particles, toxic or caustic chemicals and risk of electrical shock.


The noise level in the work environment is usually loud in field settings and moderately quiet in an office setting.

July 2021

Programs, Policy & Planning
Planning & Sustainability
 November, 2021




STAFF SUMMARY

To: Board of Directors
From: Frederick A. Laskey, Executive Director 
Date: December 15, 2021
Subject: Appointment of Senior Staff Counsel for General Litigation

COMMITTEE: Personnel & Compensation

 INFORMATION
 X VOTE

Andrea Murphy, Director, Human Resources
Meghan L. McNamara, Assoc. General Counsel
Preparer/Title


Carolyn Francisco Murphy
General Counsel

RECOMMENDATION:

To approve the appointment of Mr. Brian A. Schwartz to the position of Senior Staff Counsel, General Litigation, Law Division (Unit 6, Grade 13) at an annual salary of \$127,481.99, commencing on a date to be determined by the Executive Director.

DISCUSSION:

The position of Senior Staff Counsel became vacant in July 2021 after the resignation of the incumbent. The position reports to the Associate General Counsel, Litigation and is responsible for representing the MWRA in both affirmative and defensive litigation efforts by the Authority, including cases which raise a myriad of legal issues in the areas of contract, public construction, real estate and administrative law. Given the continued need for legal representation in these areas, it is necessary to fill the position vacated because of the recent vacancy.

Twenty-one applications were received from which four candidates were interviewed. The Director of the Affirmative Action and Compliance Unit, Associate General Counsel (Environmental/Energy), and Associate General Counsel (Litigation) interviewed these candidates and unanimously selected Mr. Schwartz for a follow-up interview with MWRA's General Counsel. Upon completion of both interviews, Mr. Schwartz was selected as the best candidate for the position based upon his specific qualifications and experience representing large, sophisticated municipalities in various litigation and administrative matters and his strong understanding of public contracts, construction, real estate, and administrative law, which are the areas of law for which this position is directly responsible.

Mr. Schwartz has over 10 years of significant litigation experience and currently serves as an Assistant City Solicitor for the City of Cambridge, where for the past four years he has represented the City in its litigation matters before the state and federal courts, as well as before administrative agencies. During his tenure, Mr. Schwartz has not only represented the City in contractual, tort and real-estate type disputes, he has also successfully defended administrative decisions rendered by the City pursuant to G.L. c. 30A and appeals to the Supervisor of Records. Additionally, Mr. Schwartz regularly drafts and negotiates professional services contracts for the

City and provides legal advice and counsel on a myriad of legal issues related to the City's day-to-day operations.

Prior to his current position, Mr. Schwartz served as an Assistant City Solicitor for the City of Worcester where he litigated cases involving construction, real estate, land use/zoning and personal injury and property damage. Mr. Schwartz has managed all aspects of the litigation matters assigned to him, has taken a number of depositions, and has tried cases before judges in the Superior and Land Courts. Mr. Schwartz began his career first as a judicial law clerk to the Honorable Robert V. Grieco of the Framingham District Court and then as an attorney at Senie & Associates, P.C. where he handled land-use, zoning and real estate disputes in the state and federal courts, including complex litigation related to special DEP permitting for the operation of municipal wind turbines by the Town of Falmouth.

Mr. Schwartz received a Bachelor of Arts degree from McGill University in 2008 and his Juris Doctor from Suffolk University Law School in 2011. He is a member in good standing of the Massachusetts Bar and is admitted to practice before the Massachusetts state and federal courts.

BUDGET/FISCAL IMPACT:

There are sufficient funds for this position in the FY22 CEB.

ATTACHMENTS:

Resume of Brian A. Schwartz
Position Description
Organizational Chart for Law Division

BRIAN A. SCHWARTZ

EXPERIENCE

ASSISTANT CITY SOLICITOR, CITY OF CAMBRIDGE, Cambridge, MA

August 2017 - Present

Represent the City of Cambridge in litigation in state and federal court, as well as before administrative agencies. Advise the City Council, municipal officials, departments (including the Cambridge Water Department), boards, commissions and employees. Review, draft and negotiate municipal contracts. Areas of practice: personal injury, property damage, construction, real estate, contracts, zoning/land-use, licensing, administrative, public records, employment and civil rights.

ASSISTANT CITY SOLICITOR, CITY OF WORCESTER, Worcester, MA

April 2014 - August 2017

Represented the City of Worcester in litigation in state and federal court, as well as in administrative proceedings. Primary areas of practice included personal injury, property damage, contract disputes, construction, real estate, land-use/zoning and firearms licensing. Drafted pleadings, motions and discovery, conducted and defended depositions, filed successful dispositive motions and negotiated favorable settlements. Filed a successful administrative appeal completely dismissing \$200,000 in state elevator fines assessed against the Worcester Public Schools.

ATTORNEY, SENIE & ASSOCIATES, P.C., Westborough, MA

July 2012 - April 2014

Practiced in land-use, zoning and real estate, with primary duties involving litigation and appearances before zoning boards of appeal and planning boards throughout the state, as well as commercial and residential real estate transactions. Conducted two multi-day bench trials in Superior Court and Land Court. Drafted a successful appellant's brief in Drummev v. Town of Falmouth, 87 Mass. App. Ct. 127 (2015), rev. denied, 471 Mass. 1106 (town violated zoning by-laws by failing to obtain a special permit for the operation of a municipal wind turbine).

JUDICIAL LAW CLERK, FRAMINGHAM DISTRICT COURT, Framingham, MA

March 2012 - July 2012

Conducted legal research and prepared draft decisions on motions, bench trials and Appellate Division cases for the Honorable Robert V. Greco. Performed significant work on an appellate decision recognized by Massachusetts Lawyers Weekly as among "The Most Important Opinions of 2012." Hurley v. Sunrise Senior Living Mgmt., 2012 Mass. App. Div. 97 (May 29, 2012) (holding that the implied warranty of merchantability may, in limited circumstances, apply to a complimentary food item).

EDUCATION

Suffolk University Law School, Boston, Massachusetts

J.D., 2011; Dean's List (2009-2011)

McGill University, Montreal, Quebec

B.A., 2008; History and Political Science

BAR ADMISSIONS

Massachusetts, 2011; United States District Court for Massachusetts, 2012

**MWRA
POSITION DESCRIPTION**

POSITION: Senior Staff Counsel (General Litigation)

DIVISION: Law

DEPARTMENT: Law

BASIC PURPOSE:

Provides legal analysis, advice, and representation of the Authority as requested by the General Counsel and Associate General Counsel.

SUPERVISION RECEIVED:

Works under the general supervision of General Counsel or an Associate General Counsel as assigned.

SUPERVISION EXERCISED:

Exercises close supervision of a legal assistant and support staff.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

- Acts as litigation counsel. Represents the Authority at all stages of litigation before state and federal courts and in administrative and arbitration proceedings.
- Handles substantive and procedural legal matters in the following areas: construction, real estate, contracts, administrative, arbitration, and litigation.
- Research and determines the applicability of federal, state and local laws, regulations, and case law.
- Drafts and analyzes pleadings, motions, briefs, legal documents, claim documents, contract documents and memoranda.
- Develops and drafts rules, regulations, policies and procedures.
- Construes and applies the Authority's enabling statute and regulations.
- Analyzes and drafts legislation.

- Conducts legal research as required.

SECONDARY DUTIES:

- Performs related duties as required.

MINIMUM QUALIFICATIONS:

Education and Experience:

- (A) Analytical and writing skills as normally attained through a Bachelor's degree; and
- (B) J.D. from an accredited law school; and
- (C) A minimum of three (3) to six (6) years as an attorney in the field of construction, real estate, and/or contracts; and
- (D) Admittance in good standing to the bar to practice law in Massachusetts state and federal courts; or
- (E) Any equivalent combination of education or experience.

Necessary Knowledge, Skills and Abilities:

- (A) Understanding of construction, real estate, contracts, and/or administrative law. Experience representing clients in litigation, administrative proceedings and arbitrations. Experience drafting and analyzing legal documents, claim documents, contract documents, memoranda, legislation and regulations.
- (B) Strong analytical, research, organizational, and oral and written communications skills.

SPECIAL REQUIREMENTS:

Massachusetts Bar License. (State bar admission must be obtained as of date of hire. Federal bar admission must be obtained no later than 6 months after hire.)

A valid Massachusetts Class D Driver's License

TOOLS AND EQUIPMENT USED:

Office machines as normally associated, with the use of telephone, personal computer including word processing and other software, copy and fax machine.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to sit, talk or hear. The employee is regularly required to use hands to finger, handle, feel or operate objects, including office equipment, or controls and reach with hands and arms. The employee frequently is required to stand and walk.

There are no requirements that weight be lifted or force be exerted in the performance of this job. Specific vision abilities required by this job include close vision, and the ability to adjust focus.

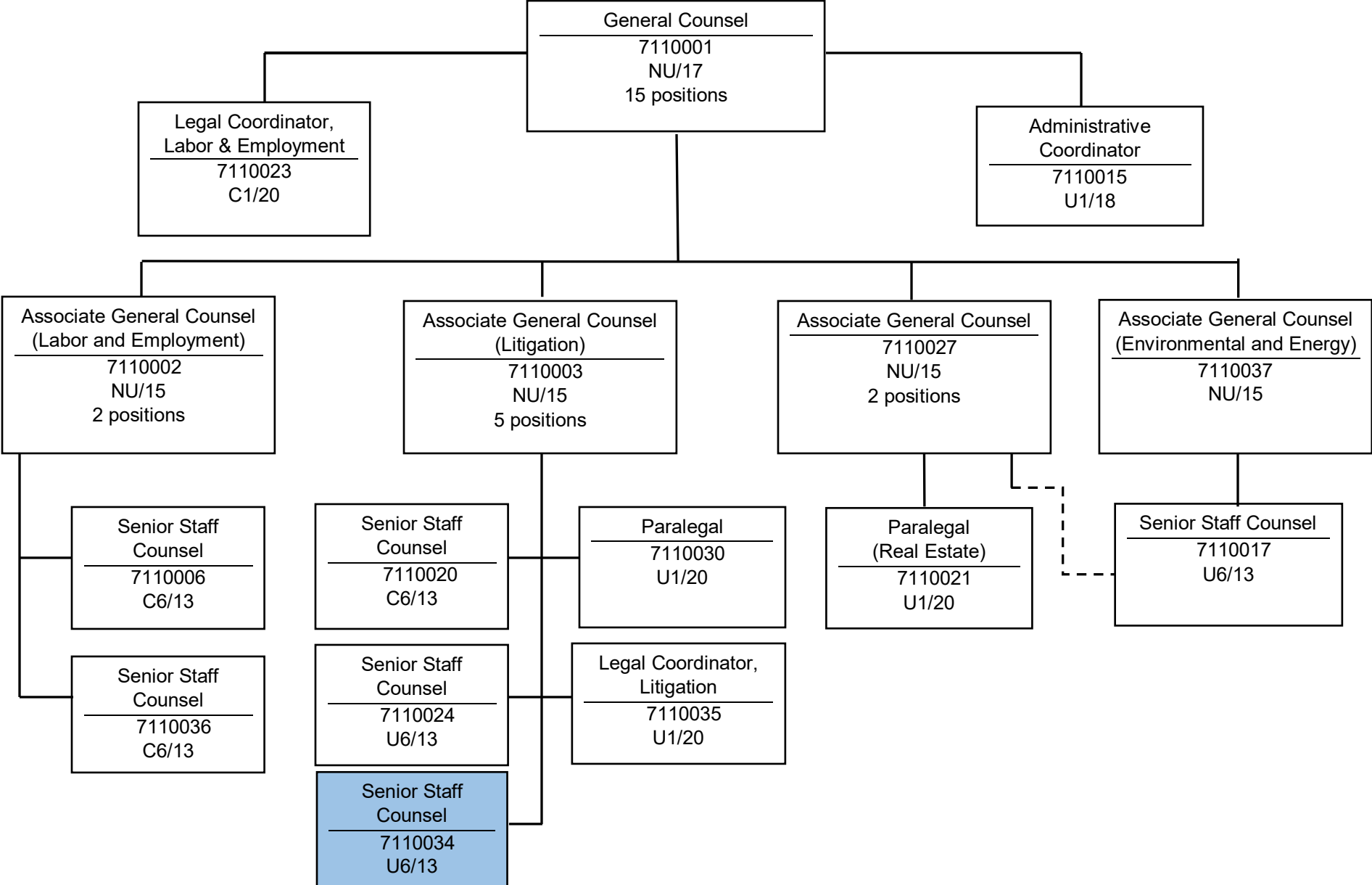
WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. While performing the duties of this job, the employee regularly works in an office environment.


The noise level in the work environment is usually a moderately quiet office setting.

June 2019

**Legal Division
November 2021**



STAFF SUMMARY

TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director 
DATE: December 15, 2021
SUBJECT: Appointment of MBE/WBE Program Manager

COMMITTEE: Personnel & Compensation

 INFORMATION
 X VOTE

Patterson Riley, Special Assistant, AACU
Preparer/Title

RECOMMENDATION:

That the Board approve the appointment of Mr. Kershny Gedeon to position of MBE/WBE Program Manager, (Grade 12, Unit 6) at an annual salary of \$84,625.06 commencing on a date to be determined by the Executive Director.

DISCUSSION:

The position of MBE/WBE Program Manager became vacant upon the retirement of the incumbent. This position reports directly to the Special Assistant and manages the Authority's Minority and Female Business Enterprises Program.

The Affirmative Action and Compliance Unit develops, administers, and monitors compliance of Affirmative Action Programs and Policies by ensuring equal opportunity and non-discrimination in employment and equitable access of Minority Business Enterprises, Women Business Enterprises and Disadvantaged Business Enterprises in Authority procurement activities.

The MBE/WBE Program Manager provides management and oversight of the equitable participation of minority, women and disadvantaged-owned businesses in Authority procurement opportunities, ensuring that minorities and women are represented in the labor force on construction contracts, and meeting regularly with other public entities regarding state and federal program requirements. The MBE/WBE Program Manager assists divisions and departments in the implementation of MBE/WBE/DBE Program Policies and Practices and monitors and reports on contractor compliance and expenditures.

Selection Process

The position was posted internally. There was one internal candidate. The Special Assistant, and the Associate Special Assistant of AACU conducted the interview. Mr. Gedeon was selected as the most qualified candidate for the position based on his experience, education and understanding of the MBE/WBE Program Manager role and responsibilities as demonstrated during the interview.

Mr. Gedeon has worked in the Affirmative Action and Compliance Department for four years as the Senior Compliance Monitor. He has been a significant contributor to the team. Mr. Gedeon has over nine years of experience in project management, client communication, contract administration and program management. Additionally, he has demonstrated experience with compliance monitoring of the MWRA's construction projects and ensures equal opportunity and compliance requirements are being met for Minority Business Enterprises, Women Business Enterprises, and Disadvantaged Business Enterprises.

Mr. Gedeon holds a Master's degree in Public Administration from Suffolk University and Bachelor's degree in Political Science from Providence College.

BUDGET/FISCAL IMPACT:

There are sufficient funds in the FY22 Current Expense Budget for this position.

ATTACHMENTS:

Resume of Kershny Gedeon
Position Description
Organizational Chart

KERSHNY GEDEON, MPA.

SUMMARY

Highly knowledgeable and skilled professional with over nine years of experience working in the public sector. Proficient in managing multiple projects with various internal stakeholders simultaneously both independently and as a team member to meet tight deadline. Proven talent for analyzing problems, developing and simplifying procedures and finding innovative solutions.

PROFESSIONAL EXPERIENCE

Sr. Compliance Monitor

Massachusetts Water Resources Authority – AACU

Aug. 2021 – Pres. / July 2017 – Feb.2021

- Oversee the compliance monitoring of MWRA's funded projects to ensure equal opportunity and compliance requirements are being enforced.
- Monitor construction and professional services projects including MBE/WBE business participation and construction workforce compliance to ensure compliance of all prime contractors, sub-contractors and sub-consultants
- Review all contract documents, draft invitations for bids, and request for proposals to ensure equal opportunity and compliance requirements are implemented.
- Participate in selection committee meeting for all MWRA construction (MGL Chapter 30) and professional service projects (MGL Chapter 149).
- Prepare and present information at pre-bid, bid opening and pre-construction conferences for all assigned projects.
- Review all weekly and monthly reports submitted by general contractors and makes specific recommendations to the MBE/WBE Program Coordinator on issues needing attention.
- Conduct on-site inspections of assigned construction projects and conducts investigations of non-compliance or infractions of established procedures.
- Prepare detailed reports and analysis of program activities and corrective action.

Vendor Diversity Coordinator

Skanska

Mar. 2021 – Aug. 2021

- Conducted both periodic and regular audits of Company projects, departments, offices, and employees to ensure that they are in compliance with Skanska's Vendor Diversity Compliance Program as well as all regulatory requirements;
- Managed compliance with Vendor Diversity reporting requirements;
- Help educate, train, and raise awareness of the Vendor Diversity Compliance Program to ensure a proper understanding by all employees whose work involves participation with DBE firm

Analyst

Mass. Department of Transportation - MBTA Safety Department

Dec. 2016 – July 2017

- Managed bus safety oversight system wide for the MBTA
- Drafted specialized accident/incident reports, root cause analysis, system safety assessments to agencies such as the Massachusetts Department of Public Utilities (DPU), Federal Transit Authority (FTA), and the National Transit Database (NTD).

- Worked closely with the operating departments of the Authority to document and track accidents and incidents.
- Participated in the evaluation of new and existing project plans, a part of the MBTA's Management of Change Program.
- Worked closely with field representatives from the Department of Public Utilities (DPU) to resolve identified safety issues.
- Assisted with identifying trends for purposes of developing mitigation strategies to reduce the frequency and severity of these occurrences.

Asset Management and Safety Coordinator

Mass. Department of Transportation – MassDOT Rail and Transit

May 2015 – Dec. 2016

- Assisted in the management and coordination of MassDOT Rail and Transit Community Transit Grant Program and the MassDOT BusPlus program.
- Responsible for implementing, maintaining, and managing all federal and state procured capital assets procured by the Rail and Transit Division of MassDOT.
- Documented, tracked, and managed all MassDOT owned asset records to ensure compliance with the Federal Transit Authority and the Massachusetts Department of Public Utilities rules and regulations.
- Collaborated with Regional Transit Authorities, Private non-profits, Municipalities, and Private for-profits to update and maintain accurate asset records and publish an asset inventory outlook.
- Performed onsite compliance and safety visits on grant sub recipients.
- Worked with consultants and internal offices to improve the existing asset inventory list, and to implement the transit portion of the MassDOT enterprise-wide asset management system.
- Created and implemented a MassDOT Rail & Transit Division sub-recipient asset management guide and provide technical assistance workshops and support.
- Administered contracts of vendors and consultants used by MassDOT Rail and transit.
- Prepared and submitted compliance reports for the Federal Transit Authority and the Massachusetts Department of Public Utilities
- Assisted MBTA's RIDE and Department of Transportation Innovation in their On Demand Paratransit Pilot services.
- Developed and finalized the pilot program and app.
- Worked directly with Transportation Network Companies (UBER and LYFT).
- Assisted the Procurement Department with reviewing RFP's and selection of participants in Pilot Program.
- Lead various stakeholder management duties, like scheduling and facilitating meetings

Program Compliance Officer

City of Somerville

July 2013 – May 2015

- Undertook monitoring duties for assigned construction projects/programs funded by US Department of Housing and Urban Development (CDBG), state, and federal grant programs.
- Served as Davis-Bacon act compliance officer (responsible for preparing the semi-annual Labor Standards Enforcement Report).
- Prepared contracts with vendors; prepares and submits compliance reports to HUD.
- Participated in pre bid and post bid meeting with contractors and other vendors.
- Conducted onsite interviews with vendors, construction workers, engineers etc.
- Assisted in the writing of the HUD Annual Action Plan
- Monitored and enforced Equal Opportunity/Affirmation Action goals on CDBG funded projects

- Reviewed Request for Proposals, Pre Bid, and Post Bid documents ensuring that they are compliant with HUD regulations.
- Monitored sub-recipient budgets and expenditures; coordinate project performance with Community Development Block Grant (CDBG) sub-recipients to ensure timely spending of funds.
- Worked to assure project/program compliance with US Department of Housing and Urban Development regulations.
- Responsible for the data input, maintenance management of information in the US Department of Housing and Urban Development IDIS program and MUNIS.
- Prepared, approved and submitted bill rolls.

Program Coordinator

UMASS Medical School - Commonwealth Medicine

Oct. 2012 - July 2013

- Managing MassHealth's Insurance Provider Overpayment Disclosure Program.
- Maintain communications with insurance providers, hospitals and MassHealth Officials.
- Working knowledge of Medicaid, Medicare, and Medicaid Management Information System (MMIS).
- Process medical claims and manage account receivables.

Administration and Finance Analyst II

Massachusetts Treasury Department - State Board of Retirement

Sept. 2010 – Oct 2012

- Supported both active and retired members on retirement plans.
- Completed all verification processes of retirement contributions from state agencies and other participating entities with retirement system.
- Remained current with changes to applicable retirement laws, regulations and Board policies
- Data entered and reviewed sensitive information from retirees and active employee forms
- Reviewed initial payments and ongoing maintenance of pension payroll

EDUCATION

Sept. 2010 - May 2012	Suffolk University Sawyer School of Business, Master's Degree in Public Administration	Boston, MA
Sept. 2006 - May 2010	Providence College Bachelors of Arts Degree in Political Science	Providence, RI

**MWRA
POSITION DESCRIPTION**

POSITION: MBE/WBE Program Manager

PCR#: 8410002

DIVISION: Affirmative Action

DEPARTMENT: Affirmative Action and Compliance Unit (AACU)

BASIC PURPOSE:

Develops, implements and manages all aspects of the Authority's Minority (MBE), Women (WBE), and Disadvantaged Business Enterprise (DBE) programs to ensure equal access and opportunity for participation in all MWRA contract procurement activities.

SUPERVISION RECEIVED:

Works under the general supervision of the Special Assistant for Affirmative Action.

SUPERVISION EXERCISED:

Exercises close supervision of a Senior Compliance Monitor.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

- Oversees the development and implementation of the Authority's M/W/DBE Program policies and procedures; monitors Authority-wide compliance to ensure equal access and opportunities for participation by M/W/DBEs in the Authority's procurement activities.
- Coordinates the implementation of the Authority's Affirmative Purchasing Plan; assists divisions to establish projected annual M/W/DBE spending goals, and monitors divisions' progress in meeting established goals.
- Supervises the on-site monitoring activities for all Authority projects involving M/W/DBEs to ensure compliance with MWRA contract and Supplemental Provision requirements including minority and female workforce utilization goals.
- Assists the Associate Special Assistant in the development of the department's budget as it pertains to the implementation of the M/W/DBE program, including APPO variance reports.

- Maintains working relationships and affiliations with external state and federal agencies, professional organizations, M/W/DBE associations and community groups as appropriate.
- Directs the development and implementation of workshops to inform and assist Authority divisions/departments staff to better understand their role and function in facilitating compliance with the Authority's M/WBE Program.
- Represents the Special Assistant for Affirmative Action on all M/W/DBE Program-related matters.

SECONDARY DUTIES:

- Performs related duties as required.

MINIMUM QUALIFICATIONS:

Education and Experience:

- (A) A Bachelor's degree in public administration, management or business-related field; and
- (B) Six (6) to eight (8) years experience in procurement, contracts administration, human resources, or affirmative action including at least three (3) years administering a MBE/WBE program, preferably in the public sector, of which one (1) year should be in a supervisory capacity; or
- (C) Any equivalent combination of education or experience.

Necessary Knowledge, Skills and Abilities:

- (A) General knowledge of construction and professional contract administrations principles and practices and applicable state, federal and local laws and regulations relative to affirmative action and equal opportunity.
- (B) Excellent oral and written communication skills.
- (C) Excellent analytical writing skills.

SPECIAL REQUIREMENTS:

A valid Class D Massachusetts Motor Vehicle Operators License or equivalent.

TOOLS AND EQUIPMENT USED:

Office equipment as normally associated with the use of telephone, personal computer including word processing and other software, copy and fax machine.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee is regularly required to use hands to finger, handle, feel or operate objects, including office equipment or controls and reach with hands and arms. The employee frequently is required to sit and talk or hear. The employee is occasionally required to stand and walk; climb or balance; stoop, kneel, crouch, or crawl; taste or smell.

The employee must frequently lift and/or move up to 10 pounds, occasionally lift/or move up to 25 pounds. Specific vision abilities required by this job include close vision, distance vision, depth perception and the ability to adjust focus.

WORK ENVIRONMENT:

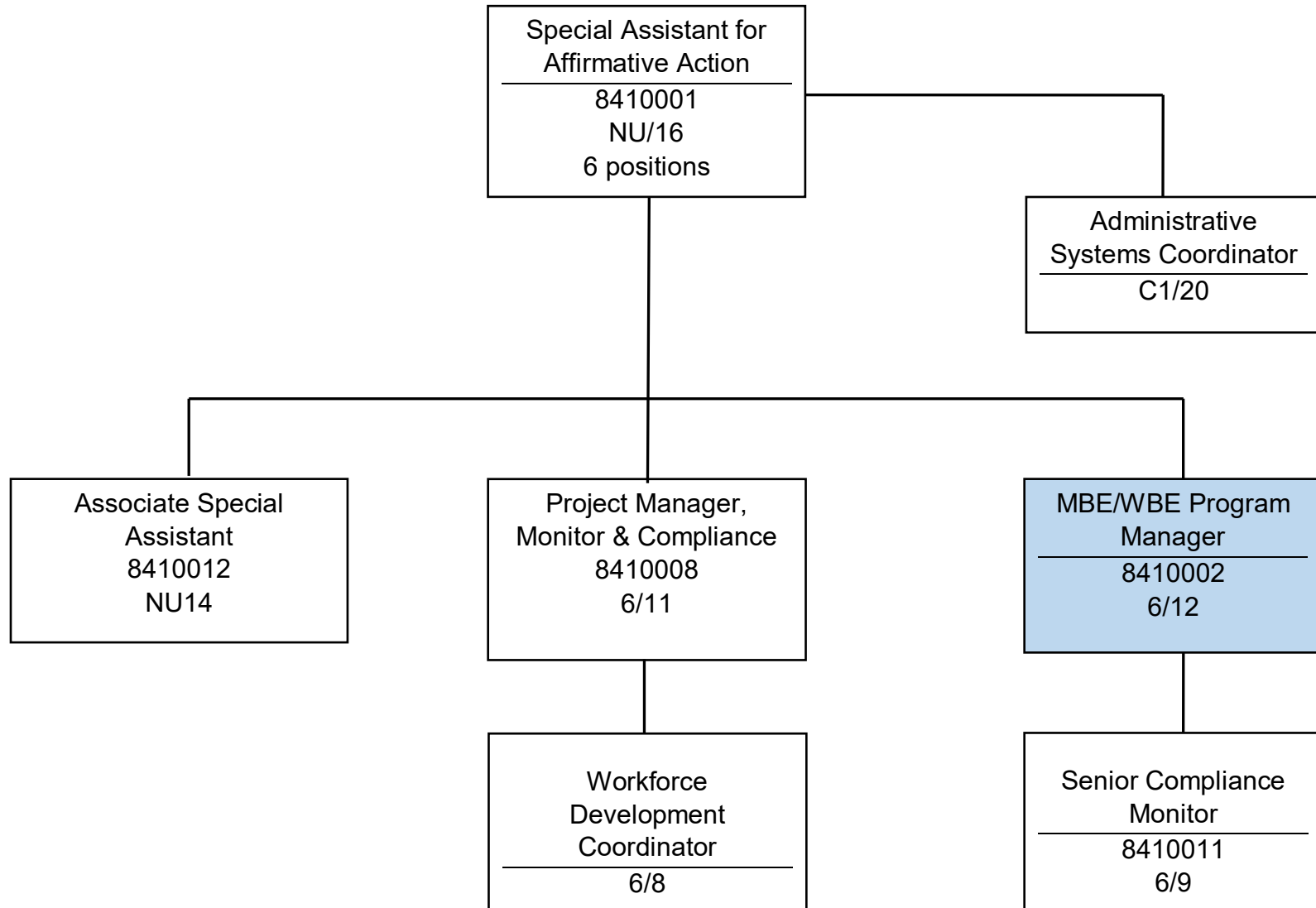
The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job.

While performing the duties of this job, the employee regularly work in an office environment. The employee occasionally exposed to outdoor weather conditions. The employee is occasionally exposed to fumes and airborne particles.


The noise level in the work environment is a moderately quiet in office setting.

Affirmative Action

November 2021




STAFF SUMMARY

TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director 
DATE: December 15, 2021
SUBJECT: Appointment of Business Applications Manager, MIS, Administration

COMMITTEE: Personnel and Compensation

 INFORMATION
 X VOTE

Paula Weadick, Director, MIS
Andrea Murphy, Director, Human Resources
Preparer/Title


Michele S. Gillen
Director of Administration

RECOMMENDATION:

To approve the appointment of Mr. Paul Fentross to the position of Business Applications Manager, MIS (Non-Union, Grade 14), at an annual salary of \$136,000.00 commencing on a date to be determined by the Executive Director.

DISCUSSION:

The position of Business Applications Manager MIS became vacant upon the resignation of the incumbent. The Business Applications Manager leads a staff of 14, overseeing the MIS Applications Support and Development teams composed of the Enterprise Resource Planning (ERP) Support unit, Commercial-Off-The-Shelf Support unit and Custom Application Development unit. The Business Applications Manager is responsible for the development, implementation and support of commercially available and internally developed application software solutions. This position supports over 300 applications and modules that support various business functions across the Authority such as Infor/Lawson, Maximo and LIMS. In addition, this position is responsible for developing and administering protocols and procedures that address the timely and cost effective delivery of applications services and managed the budgetary functions for the Applications team.

Selection Process

This position was posted both internally and externally. A total of six candidates applied. Two candidates were determined to be qualified and were referred for an interview. The Deputy Chief Operating Officer, the Associate Special Assistant for Affirmative Action and the Director of MIS conducted the interviews. Upon completion of the interviews, Mr. Fentross was determined to be the best candidate based on his experience, knowledge, skills and education.

Mr. Fentross has over 20 years of experience in information technology with increased roles of responsibility managing teams of up to 21 staff. For the past eight months, Mr. Fentross has served as Business Systems Analyst II within MIS where he has been involved heavily with the Enterprise Content Management (ECM) system design and implementation. He has shown an outstanding level of technical competency, attention to detail, problem solving skills, and an ability to grasp technical concepts. Mr. Fentross has worked well with a wide range of MWRA users, IT staff and the ECM vendor, and has been outstanding in communicating across the project team on his findings and recommendations. His strong technical background including hands on experience with code development and communication skills will be great assets in this position.

Prior to joining the MWRA, Mr. Fentross was a Sr. Business Systems Analyst at Noralogic and State Street Corp. where he facilitated the identification and documentation of system requirements for banking programs and tools and assisted throughout the project lifecycle.

Prior to his work as a Sr. Business Systems Analyst, Mr. Fentross held the position of VP Senior Group Manager Production Control, Release Engineering and Operations at MFS Investment Management, Inc. where he managed 21 staff and was responsible for the development of enterprise application integrations and several industry standard ITIL processes such as release management, problem management, change management, and continuous improvement. In his role as VP Senior Group Manager, Mr. Fentross was responsible for applications support and infrastructure.

Mr. Fentross possesses a Bachelors of Arts from Boston University and a certification in ITIL Foundations. Based on his experience with enterprise application support, background in application development, knowledge of IT infrastructure and his ability to manage technical staff to successful solution implementations, Mr. Fentross is recommended for the position of Business Applications Manager, Management Information Systems.

BUDGET/FISCAL IMPACT:

Sufficient funds are included in the FY22 CEB for this position.

ATTACHMENTS:

Resume of Paul Fentross
Position Description
MIS Organization Chart

Paul Fentross

I am an experienced, hands on Development Manager that has a good understanding of people, teams, technology and enterprise functionality. I have managed software development teams that deliver high quality, cost effective solutions that meet stakeholder expectations. In addition to meeting organizational goals, coaching a team to perform at a high level while making the important work fun is an indicator of success and is what my target as a manager would be.

Professional Experience

Massachusetts Water Resources Authority

Chelsea, MA

Business Systems Analyst

Mar 2021 – present

- Performed data analysis on the Enterprise Content Management project. The MWRA is implementing OpenText to manage enterprise content and I am responsible for the analysis and migration of the legacy InfoStar document and records management data to the new application. Many departmental Access databases were also analyzed as part of this data migration.
- Hosted data migration meetings with end users to identify important requirements from the current state. Utilized SQL queries to extract and categorize table data and relationships. Reviewed the extraction spreadsheets with end users to give them confidence that the migration analysis captured the important aspects of the current state.
- Participated in requirements gathering meetings with the implementation consultant (Cadence) and MWRA personnel. Where necessary I offered insight into how the current state data and functionality could be handled in the future state.

Noralogic Inc.

Cheyenne, WY

for UST Global Inc. at State Street Corp.

Quincy, MA

Sr. Business Systems Analyst (contract)

Nov 2018 – July 2019

- Performed business analysis on the Global Banking Modernization program at State Street Corporation.
- Hosted requirements gathering meetings with end users and wrote functional and technical specifications for the bank in the Global Cash and Payments group. The application is a centralized tool to ensure accounts are properly funded so that trade clearing and settlements can occur.
- Provided the analytical support for an offshore development team. We utilized a combination of Agile and Waterfall techniques and I hosted daily meetings to explain the user stories to the programmers. I also defined integrations to the payments and reconciliation systems and have a good understanding of the relevant accounting and SWIFT transactions.

MFS Investment Management, Inc.

Boston, MA

VP, Senior Group Mgr. Production Control, Release Engineering, Operations

Nov 2009 –

Jul 2018

- Hands on management of the Production Control, DevOps and Operations groups at MFS with a team of 21.
- The teams I managed were responsible for the development of enterprise application integrations, continuous integration and continuous deployment, release management, change management, problem management, workload automations and orchestrations and managed file transfers.
- Regularly and successfully managed and delivered on-time and on-budget projects critical to the business plan.
- Aligned and managed my departmental plans, projects and budget to the strategic goals of the business.
- Experience with the SDLC and Agile, as well as other Project Management Methodologies including Waterfall.
- Adept at writing communications, plans, specifications, reports and summaries.
- Our team used C, Perl, VB, Java, shell scripting and many other tools and utilities on the Windows and Linux platforms to develop integrations to critical enterprise applications.
- Developed applications using embedded SQL, PL/SQL and stored procedures on Oracle, Sybase and SQL Server. I am familiar with constructing complex and optimized queries and am expert at using SQL for data analysis, reporting, testing and troubleshooting.
- Performed integration and data analysis and have participated in countless projects that facilitated integrations for enterprise crown jewel applications.
- Understand and have performed testing at all levels including unit, system, acceptance and end to end testing.
- Supported the enterprise Managed File Transfer function by administering and using Axway Secure Transport and the SSH, SFTP and HTTPS protocols.
- DevOps tools used include IBM Udeploy and related Dev/Ops tools such as Jenkins, AppScan, Sonar, Nexus and GitHub.
- Extensive production scheduling experience using IBM IWS Workload Automation.
- Managed the departmental business continuity plans and testing exercises.
- Have worked with offshore development teams to deliver quality solutions and service to business partners.

VP, Fixed Income Development Manager

Apr 2000 – Nov 2009

Investment Systems Development

- Managed a Fixed Income development team focusing on the backend integrations to enterprise applications including trading, order management, quantitative solutions, trade compliance, risk management, performance attribution, portfolio accounting, market data and exposure reporting.
- Was responsible for the backend coding of data flows for the Fixed Income trading applications. We utilized SQL and stored procedures on Oracle and Sybase as well as C, VB, Perl, Java and shell scripting.

- Worked directly with the investment professionals and managed many successful development projects. Developed integrations to ITG, FI trading and order management (FITS), Pacer, FAME, Datastream, Barra, ACS, Yield Book, Bloomberg, Factset, MSCI, Reuters, Ratings agencies, Matlab, pre and post trade compliance, valuation and exposure reporting and many other investment operations applications.

Financial Software Engineer

May 1995 – Apr 2000

- Was a developer in Fixed Income working on applications used within the department including trading, order management, quantitative solutions, compliance, risk management, performance attribution, portfolio accounting, market data and valuation and exposure reporting.
- Was focused on the backend and database procedure development. This is where most of the business functionality was implemented.
- This role included typical investment application development responsibilities including collecting requirements, defining the specification, designing and coding the database queries and application code and then scripting, testing and implementation.
- Tools that I utilized included SQL and Stored Procedures on Oracle and Sybase, C, C++, Java, Sybase, Win32, Cognos, VMS, DCL, and Scheduler.
- I worked directly with the investment professionals to gather requirements and managed many successful projects while in this role. Worked with integrations to ITG, home grown FI trading (FITS), Pacer, Yield Book, FAME, Datastream, Barra, Bloomberg, Factset, MSCI, Reuters, Ratings agencies, internal pre and post trade compliance and many investment operations applications.

Independent Contract Consultant

Digital Equipment Corporation, Maynard, MA

Technical Consultant

Mar 1984 – May 1995

I worked many contract consulting jobs at Digital Equipment Corporation from 1984 to 1995 at many of their sites in MA and NH. I was a developer on many different corporate applications using languages and tools including Fortran, C, Basic, COBOL, PL/1, DCL, SQL, Rdb, DBMS and Cognos.

New England Power Service Co

Westborough, MA

Programmer/Analyst

Mar 1982 – Mar 1984

This was my first job after college. I worked in a small group that supported corporate departments such as load forecasting and transmission and distribution reporting. I developed in Fortran and helped with production control and computer operations tasks.

Education

Boston University Bachelor of Arts

Certifications

ITIL 4 certified

**MWRA
POSITION DESCRIPTION**

POSITION: Business Applications Manager

DIVISION: Administration

DEPARTMENT: Management Information Systems (MIS)

BASIC PURPOSE:

Responsible for overseeing the administration of third party and custom-developed Line of Business applications. Ensures that business applications comply with company security policies and meet business goals. Oversees establishment and adherence to protocols and procedures for the administration and support of applications. Leads a team of IT professionals and manages budget and human resources for the Application and Systems Development team.

SUPERVISION RECEIVED:

Works under the general supervision of the Director, MIS.

SUPERVISION EXERCISED:

Manages IT Supervisors, professional, and technical employees.

ESSENTIAL DUTIES AND RESPONSIBILITIES:

- Develops rollout/release plans for both new applications and upgrades to existing applications.
- Develops feasibility studies and proposals for senior management.
- Develops criteria to evaluate third party vendors and applications.
- Manages all aspects of implementation planning and coordination.
- Adheres to agreed upon service levels (i.e. project schedules, system availability, etc.)
- Sets technical direction for business applications and maintenance initiatives.
- Identifies emerging trends/best practices and ensures proposed solutions optimize business operations and meet Authority goals.
- Develops detailed plans and accurate estimates for the design, build, and implementation of IT projects.

- Manages all aspects of development and support for internally created or purchased application software, including: the development methodologies, technologies (language, databases, and support tools), development and testing environments, and management of the application development staff and project workload for the Authority.
- Plans and maintains work systems, procedures, and policies that enable and encourage the optimum performance of the staff and other resources within the Application & System Development section.
- Troubleshoots software failures for systems to determine root causes and to implement solutions.
- Reviews performance of application programs to ensure efficiency, documentation, and to ensure that output meets the needs of user departments.
- Manages the budgetary functions for the Business Applications team. Provides technical information required in the preparation of annual budget figures for the Applications and System Development Section
- Provides oversight and direction to the employees in the Applications & System Development Section, in accordance with the organization's policies and procedures. Identifies needed improvements to work practices and works with the Director of MIS and Labor Relations staff to bring about changes.
- Manages the preparation and maintenance of reports necessary to carry out the functions of the section. Prepares periodic reports for management, as necessary or requested, to track strategic goal accomplishments.
- Provides recommendation on staffing levels. Works with Human Resources staff to recruit, interview, select, hire, and employ an appropriate number of employees.
- Mentors and develops staff, including overseeing new employee on-boarding and providing career development planning and opportunities. Encourages employees to take responsibility for their jobs and goals. Delegates responsibility as appropriate and expects accountability and regular feedback.
- Manages the Department in a manner that is consistent with MWRA's goals of Diversity, Equity, and Inclusion.
- Fosters a spirit of teamwork that allows for disagreement over ideas, conflict resolution, as well as the appreciation of diversity. Communicates organizational information through department meetings, one-on-one meetings, and appropriate email, and regular interpersonal communication.
- Leads employees using a performance management and development process that

provides an overall context and framework to encourage employee contribution and includes goal setting, feedback, and performance development planning. Leads employees to meet the organization's expectations for productivity, quality, and goal accomplishment.

- Maintains employee work schedules including assignments, job rotation, training, vacations and approved leaves. Ensures coverage for absenteeism, and overtime scheduling as needed.
- Assist in maintaining harmonious labor management relations through proper applications of collective bargaining agreement provisions and established personnel policies.
- Prepare for and hears Step-One grievances and pre-disciplinary hearings.

SECONDARY DUTIES:

- Performs related duties as required.

MINIMUM QUALIFICATIONS:

Education and Experience:

- (A) A Bachelor's degree in computer science, technical education, or related field is required. Advanced degree preferred; and
- (B) Seven (7) to nine (9) years of experience in application support, product development, and IT support, of which three (3) years must be in a supervisory capacity; or
- (C) Any equivalent combination of education and/or experience.

Necessary Knowledge, Skills and Abilities:

- (A) Excellent analytical and technical skills.
- (B) Effective communicator both verbally and in writing. Exceptional interpersonal skills in areas such as teamwork, facilitation and negotiation.
- (C) Knowledge of formal Project Management methods.
- (D) Strong leadership skills.
- (E) Demonstrated skill in developing automated business systems.
- (F) Knowledge of all components of a technical architecture; understanding of network architecture, service oriented architecture and object-oriented analysis and design.
- (G) Skill with CSS, HTML, one or more JavaScript frameworks, and AJAX, Python, C# and Microsoft's .Net Framework and/or current industry standard development tools.

SPECIAL REQUIREMENTS:

- A valid Massachusetts Class D Motor Vehicle Operators License.
- May be required to be on call or provide after hours or weekend coverage in case of an emergency.
- ITIL Foundations Certification version 3.

At least two certifications from the following list or the ability to obtain within one year.

- IPRC - ITIL Practitioner - Release and Control
- MCSE - Microsoft Certified Solution Expert
- MCSD - Microsoft Certified Solution Developer
- PMP - Project Management Professional
- MPM – Master Project Management
- IBM Certified Infrastructure Deployment Professional – Maximo Asset Management v7.6
- Infor Professional Certification

TOOLS AND EQUIPMENT USED:

Office equipment as normally associated with the use of telephone, personal computers including word processing and other software, copy and fax machines.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform essential functions.

While performing the duties of this job, the employee is regularly required to use hands to finger, handle, feel or operate objects, tools or controls and reach with hands and arms. The employee frequently is required to sit and talk or hear. The employee is occasionally required to walk and stand.

The employee must occasionally lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision and color vision, and the ability to adjust focus.

WORK ENVIRONMENT:

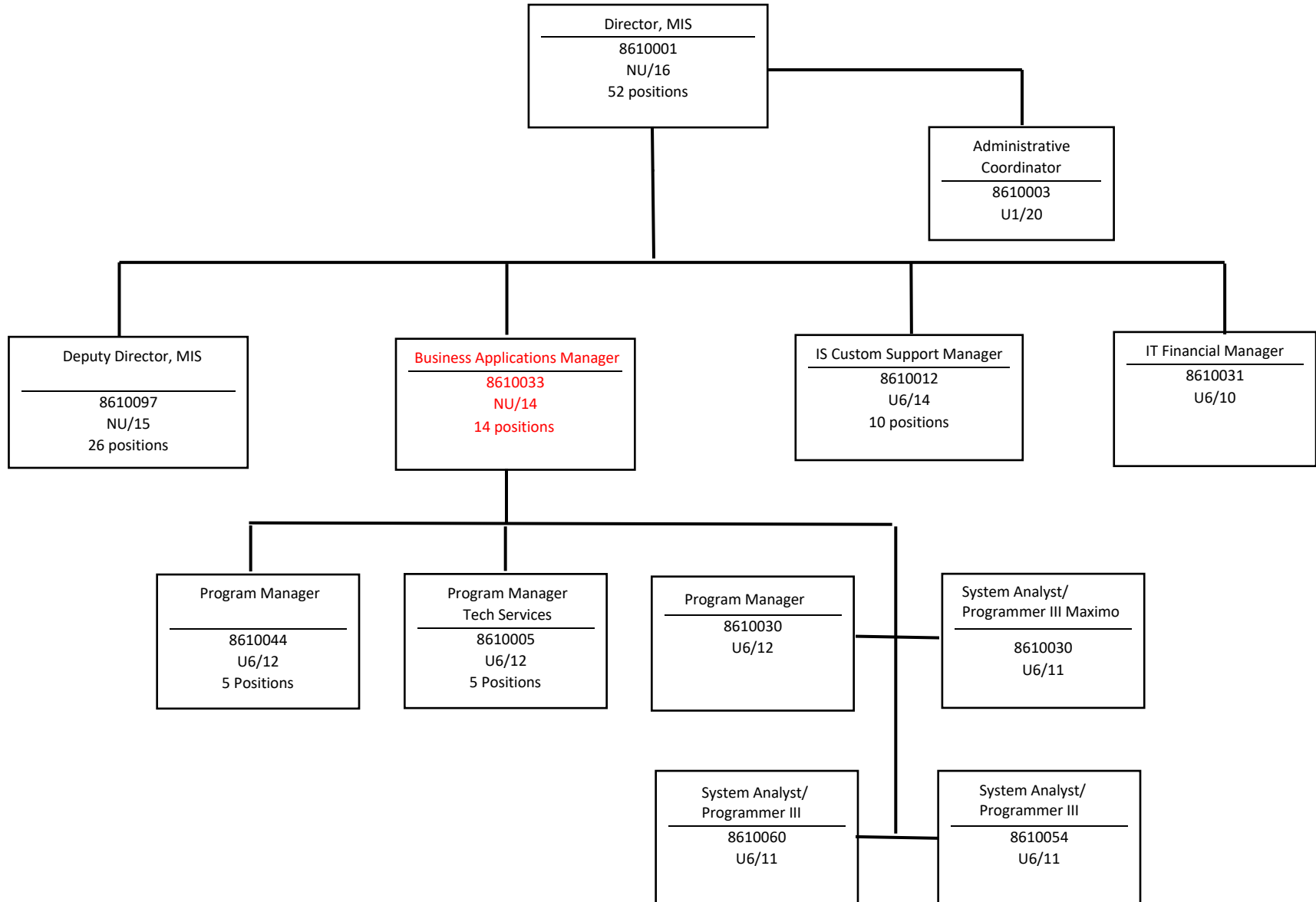
The work characteristics described here are representative of those an employee encounters while performing the essential functions of this job.

While performing the duties of this job, the employee works in an office environment. The noise level in the work environment is a moderately quiet office setting.


Administration Division

MIS Department

December 2021




STAFF SUMMARY

TO: Board of Director
FROM: Frederick A Laskey, Executive Director 
DATE: December 15, 2021
SUBJECT: Extension of Employment Contract Copy and Supply Clerk, Administration

COMMITTEE: Personnel and Compensation

 INFORMATION
 X VOTE

Andrea Murphy, Director of Human Resources
Preparer/Title


Michele S. Gillen
Director, Administration

RECOMMENDATION:

To approve the extension of an employment contract for Mr. Ward Merithew, Copy and Supply Clerk, Facilities Management Department, for a period of 12 months from January 1, 2022 to December 31, 2022, at the current hourly rate of \$15.76 per hour for an annual compensation not to exceed \$12,300.00.

DISCUSSION:

MWRA's Facilities Management Department is responsible for management of the Charlestown facility, mail service, transportation services and security at the front desk. Mr. Ward Merithew has been working at MWRA since July 2, 2018 on a part-time contract basis. Mr. Merithew provides coverage when there are gaps in staffing and provides daily administrative support. Those duties include coverage for the mailroom and front desk, stocking paper for copies and printers, distributing mail, emptying recycling bins, as well as assisting with the preparations and copying of documents and manuals for staff in the Administration Division. Mr. Merithew's more recent duties include assisting in the large decluttering effort at the Charlestown facility.

BUDGET/FISCAL IMPACT:

There are sufficient funds in the FY22 Current Expense Budget for this position.