

**VOTE EXTRACTS**  
**APRIL 15, 2009 BOARD OF DIRECTORS' MEETING**  
(Subject to final Board approval of meeting minutes)

**I. APPROVAL OF MINUTES**

Voted to approve the minutes of the Board of Directors' meeting of March 11, 2009, as presented and filed with the records of the meeting.

**IV.A. Approvals**

1. Memorandum of Understanding between MWRA and the Town of Winthrop Related to Security Improvements at the Deer Island Treatment Plant (ref. A&F B.1)

Voted to authorize the Executive Director, on behalf of the Authority, to execute a Memorandum of Understanding with the Town of Winthrop, substantially in the form presented and filed with the records of the meeting, to provide the Town with rescue/emergency response equipment related to the U.S. Department of Homeland Security's Buffer Zone Protection Plan for the Deer Island Treatment Plant, in an amount not to exceed \$35,600.00, with an expiration date of September 30, 2009.

2. Delegation of Authority to Execute a Contract for the Purchase and Supply of Electric Power for the Deer Island Treatment Plant (ref. A&F B.2)

Voted to authorize the Executive Director, on behalf of the Authority, to execute a contract for the supply of electric power to the Deer Island Treatment Plant, with the lowest responsive and responsible bidder, for the period and pricing structure selected, as determined by staff to be in MWRA's best interest (for a term not to exceed 36 months). This delegation of authority is necessary because MWRA will be required to notify the selected bidder within a few hours of bid submittal to lock-in the bid prices in a constantly changing market.

3. Changes in the Administration and Management of Construction Change Orders (ref. A&F B.3)

[postponed]

4. Admission of Town of Wilmington to MWRA Water System (ref. W B.1)

Voted to approve the Town of Wilmington's application to become a member of the MWRA waterworks system, conditioned upon Wilmington Town Meeting approval and approval of the Legislature and Governor, and to authorize the Executive Director, on behalf of the Authority, to execute a water supply agreement with the Town stipulating the terms and conditions of service, substantially in the form presented and filed with the records of the meeting, including a twenty-year payment schedule for Wilmington's Net Entrance Fee of \$2,809,320.00. In addition, to allocate an additional \$73,000.00 in interest-free loans to Wilmington under the Local Pipeline Assistance Program.

5. Emergency Water Supply Agreement with the Town of Wilmington (ref. W B.2)

Voted to authorize the Executive Director, on behalf of the Authority, to execute a six-month Emergency Water Supply Agreement with the Town of Wilmington if and for so long as the Town has not approved its admission to the MWRA water system on or after May 2, 2009, substantially in the form presented and filed with the records of the meeting.

6. April PCR Amendments – FY09 (ref. P A.1)

Voted to approve an amendment to the Position Control Register, as presented and filed with the records of the meeting.

#### **IV.B. Contract Awards**

1. Renewable Energy Technical Assistance Consulting Services: Fay, Spofford & Thorndike, LLC, Contract 7274 and Contract 7274A; Zapotec Energy, Inc., Contract 7274B; GZA GeoEnvironmental, Inc., Contract 7274C; and Boreal Renewable Energy Development, Contract 7274D (ref. A&F C.1)

Voted to approve the recommendation of the Consultant Selection Committee to select the following four firms to provide technical assistance in four renewable energy categories and authorize the Executive Director, on behalf of the Authority, to execute the following contracts for a term of three years: Contract 7274 (Solar), Fay, Spofford & Thorndike, LLC, in an amount not to exceed \$385,000.00; Contract 7274A (Energy Efficiency), Fay, Spofford & Thorndike, LLC, in an amount not to exceed \$500,000.00; Contract 7274B (Solar), Zapotech Energy, Inc., in an amount not to exceed \$380,000.00; Contract 7274C (Emerging Technologies), GZA GeoEnvironmental, Inc., in an amount not to exceed \$200,000.00; and Contract 7274D (Wind), Boreal Renewable Energy Development, in an amount not to exceed \$750,000.00. Further, to authorize Notices to Proceed for the first two years of each contract and to authorize the Executive Director to approve separate Notices to Proceed, if recommended by staff, to commence the third-year term of each contract.

2. East Boston Branch Sewer Relief Project - Replacement Sewer by Pipebursting: P. Caliacco Corp., Contract 6841 (ref. WW B.1)

Voted to approve the award of Contract No. 6841, East Boston Branch Sewer Relief Project - Replacement Sewer by Pipebursting, to the lowest eligible and responsible bidder, P. Caliacco Corp., and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$7,344,285.84 for a term of 440 calendar days from the Notice to Proceed.

3. Technical Assistance Consulting Services, Deer Island Treatment Plant: AECOM USA, Inc., Contract 6721 and Fay, Spofford & Thorndike, Inc., Contract 6722 (ref. WW B.2)

Voted to approve the recommendation of the Consultant Selection Committee to select AECOM USA, Inc. and Fay, Spofford & Thorndike, Inc. to provide as-needed technical assistance consulting services for the Deer Island Treatment Plant and to authorize the Executive Director, on behalf of the Authority, to execute Contract 6721 with AECOM USA, Inc. and Contract 6722 with Fay, Spofford & Thorndike, Inc., each in an amount not to exceed \$2,250,000.00 for a term of three years from the Notice to Proceed.

4. Heat Loop Construction 3 – Deer Island Treatment Plant: Interstate Engineering Corp., Contract 7063 (ref. WW B.3)

Voted to approve the award of Contract No. 7063, Heat Loop Construction 3 at the Deer Island Treatment Plant, to Interstate Engineering Corp., and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in an amount not to exceed \$10,800,000.00 for a term of 480 calendar days from the Notice to Proceed.

5. Heat Loop Construction 3 – Engineering Services during Construction and Resident Engineering Inspection Services: Fay, Spofford & Thorndike, Inc., Contract 7063A (ref. WW B.4)

Voted to approve the recommendation of the Consultant Selection Committee to select Fay, Spofford & Thorndike, Inc. to provide engineering services during construction and resident engineering inspection for the Heat Loop Construction 3 project at the Deer Island Treatment Plant and to authorize the Executive Director, on behalf of the Authority, to execute Contract 7063A with Fay, Spofford & Thorndike, Inc. in an amount not to exceed \$426,631.00 for a term of 20 months from the Notice to Proceed.

6. Grit and Screenings Hauling and Disposal: W.L. French Excavating Corp., Contract OP-107 (ref. WW B.5)

Voted to approve the award of Contract OP-107, Grit and Screenings Hauling and Disposal, to the lowest eligible and responsible bidder, W.L. French Excavating Corp., and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$1,780,559.80 for a term of 730 calendar days from the Notice to Proceed.

7. North Dorchester Bay CSO Pumping Station and Sewers: Walsh Construction Company, Contract 6245 (ref. WW B.6)

Voted to approve the award of Contract No. 6245, North Dorchester Bay CSO Pumping Station and Sewers, to the lowest eligible and responsible bidder, Walsh Construction Company, and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$25,871,994.00 for a term of 730 calendar days from the Notice to Proceed.

**IV.C. Contract Amendments/Change Orders**

1. Security Equipment Maintenance and Repair Services: Viscom Systems, Inc., Contract EXE-026, Change Order 1 (ref. A&F D.1)

Voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order No. 1 to increase the amount of Contract No. EXE-026 with Viscom Systems Inc., Security Equipment Maintenance and Repair Services, in an amount not to exceed \$259,000.00.

Voted to authorize the Executive Director to approve additional change orders as may be needed to Contract No. EXE-026 in amounts not to exceed the aggregate of \$250,000.00 and 180 days, in accordance with the Management Policies of the Board of Directors.

2. North Dorchester Bay CSO Storage Tunnel: Shank/Balfour Beatty/Barletta JV, Contract 6244, Change Order 12 (ref. WW C.1)

Voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order No. 12 to decrease the amount of Contract No. 6244 with Shank/Balfour Beatty/Barletta JV, North Dorchester Bay CSO Storage Tunnel, in a net credit amount of 272,980.00.

Voted to authorize the Executive Director to approve additional change orders as may be needed to Contract No. 6244 in amounts not to exceed the aggregate of \$250,000.00 and 180 calendar days, in accordance with the Management Policies of the Board of Directors.

3. East Boston Branch Sewer Relief: Barletta Heavy Division, Inc.: Contract 6257, Change Order 2 (ref. WW C.2)

Voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order No. 2 to increase the amount of Contract No. 6257 with Barletta Heavy Division, Inc., East Boston Branch Sewer Relief Project, in an amount not to exceed \$794,939.00.

Voted to authorize the Executive Director to approve additional change orders as may be needed to Contract No. 6257 in amounts not to exceed the aggregate of \$250,000.00 and 180 days, in accordance with the Management Policies of the Board of Directors.

**VI. OTHER BUSINESS**

- A. MWRA Water System Expansion

Voted to support the suggestion outlined in John Carroll's March 24, 2009 letter to convene a forum, with the assistance of a professional facilitator, to allow concerned parties to consider the various issues related to MWRA water system expansion.