

VOTE EXTRACTS
JUNE 24, 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 June 3, 2009, as presented and filed with the records of the meeting.

IV.A. Approvals

1. Contract for Water Supply Citizens Advisory Committee

Voted to authorize the Executive Director, on behalf of the Authority, to execute a contract with the Water Supply Citizens Advisory Committee, substantially in the form presented and filed with the records of the meeting, for a one-year period beginning July 1, 2009 with a total cost of \$106,487.00.

2. Memorandum of Understanding with the Department of Public Safety for Electrical Inspections, Amendment 1 (ref. A&F B.1)

Voted to authorize the Executive Director, on behalf of the Authority, to execute Amendment 1 to the Memorandum of Understanding with the Department of Public Safety, substantially in the form presented and filed with the records of the meeting, to provide electrical inspection services for Authority projects and operations in an amount not to exceed \$50,000.00 for a term of twenty-four months from July 1, 2009 through June 30, 2011.

3. FY10 Insurance Program Renewal (ref. A&F B.2)

Voted to authorize the Executive Director, on behalf of the Authority, to award to the lowest eligible and responsive bidders, insurance policies, bonds and contracts for services for MWRA's FY10 Insurance Program, for the period beginning July 1, 2009 through June 30, 2010, for the premiums and fees described below for a total program amount not to exceed \$1,729,801:

(1) Workers' Compensation Excess Policy with N.Y. Marine, with a \$25 million limit and a \$500,000 self-insured retention, for a premium of \$94,431;

(2) Property Policy (including Boiler & Machinery) with FM Global Insurance Co., with various limits of coverage with a \$2.5 million self-insured retention, for a premium of \$687,435;

(3) General Liability Policy (including Automobile Liability, Protection and Indemnity, Wharfingers, Pollution Liability and Employment Practice Liability) with Everest Insurance Co. with a \$35 million limit with a \$2.5 million self-insured retention, for a premium of \$568,252;

(4) Excess/Umbrella Liability Policies with ACE, Great American and Axis Insurance companies, submitted by broker William Gallagher Associates, providing a combined total of \$65 million of excess coverage over and above General Liability primary coverages for a total premium of \$217,670;

(5) Public Official's Liability Policy with State National Insurance Co., with a \$5 million limit with a \$1 million deductible, for a premium of \$56,608;

(6) Fiduciary Liability Policy with Chubb Insurance Co., with a \$5 million limit with \$1 million deductible, for a premium of \$7,125;

(7) Public Official's/Crime Bond with The Hartford Insurance Co., through William Gallagher Associates, with a limit of \$1 million with a \$25,000 deductible for a premium (including commission) of \$6,280;

(8) Treasurer's Bond with a \$1 million limit with a vendor to be determined in an amount not to exceed \$3,000; and

(9) Broker contracts with each of William Gallagher Associates for an amount of \$70,000; Willis/HRH for an amount of \$10,000; and Wells Fargo Insurance Services for an amount of \$9,000.

4. Final FY10 Current Expense Budget (ref. A&F B.3)

Voted to adopt: (1) the FY10 Current Expense Budget set forth in Attachment A and B with current revenue and expenses of \$596.3 million; and (2) the FY10 Operating Budget (Trustee's Budget) set forth in Attachment C, all as presented and filed with the records of the meeting.

5. Final FY10 Water and Sewer Assessments (ref. A&F B.4)

Voted to adopt the following effective July 1, 2009: (1) Water system assessments of \$170,090,225 and sewer system assessments of \$382,340,775 for Fiscal Year 2010 allocated to communities in accordance with Attachment 1 (Final FY10 Water and Sewer Assessments), as presented and filed with the records of the meeting; (2) FY10 sewer assessments of \$500,000 for the Town of Clinton and \$176,286 for the Lancaster Sewer District; (3) FY10 charge to the City of Worcester of \$126,536 which represents approximately 7.9% of the direct operating expenses for the Clinton Wastewater Treatment Plant; (4) FY10 water assessments of \$2,929,743 for the City of Chicopee, \$627,306 for South Hadley Fire District #1, and \$548,585 for the Town of Wilbraham; (5) A wholesale water rate of \$2,660.73 per million gallons; and (6) A retail sewer rate of \$5,750.02 per million gallons.

6. Final FY10 Capital Improvement Program (ref. A&F B.5)

Voted to approve the FY10 Capital Improvement Program, with a budget of \$252 million and five-year spending for FY09-13 of \$1,141.7 million, including contingency of \$13.8 million and \$52 million, respectively, as presented as Attachments A and B and filed with the records of the meeting.

IV.B. Contract Awards

1. Checking, Testing, Cleaning and Calibration Services for Continuous Emissions Monitoring System Equipment, Deer Island Treatment Plant: CK Environmental, Inc., Contract S476 (ref. WW B.1)

Voted to approve the award of Contract S476, Checking, Testing, Cleaning and Calibration Services for Continuous Emissions Monitoring System Equipment, Deer Island Treatment Plant, to the lowest eligible and responsible bidder, CK Environmental, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$76,320.00 for a term of 730 calendar days from the Notice to Proceed.

2. Design and Installation of Roof-Mounted Photovoltaic System at the Deer Island Treatment Plant: Your Electrical Solution, Inc., Contract 7292 (ref. WW B.2)

Voted to approve the award of Contract 7292, Design and Installation of Roof-Mounted Photovoltaic System at the Deer Island Treatment Plant, to the lowest eligible and responsible bidder, Your Electrical Solution, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the lump sum design and installation bid amount of \$1,119,000.00 for a term of 150 calendar days from the Notice to Proceed.

IV.C. Contract Amendments/Change Orders

1. Electrical Equipment Upgrade - Construction 3: City Lights Electrical Co., Inc.: Contract 6855, Change Order 2 (ref. WW C.1)

Voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order No. 2 to increase the amount of Contract No. 6855 with City Lights Electrical Co., Inc., Electrical Equipment Upgrade - Construction 3, in a lump sum amount of \$206,319.00.

Voted to authorize the Executive Director to approve additional change orders as may be needed to Contract No. 6855 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.

2. Technical Assistance Consulting Services, Power Engineering, Deer Island Treatment Plant: Metcalf & Eddy, Inc., Contract 7060, Amendment 2 (ref. WW C.2)

Voted to authorize the Executive Director, on behalf of the Authority, to approve Amendment No. 2 to extend the term of Contract No. 7060 with Metcalf & Eddy, Inc., Technical Assistance Consulting Services, Power Engineering, Deer Island Treatment Plant, by 180 calendar days to July 22, 2009. Further, to approve the assignment of Contract 7060 from Metcalf & Eddy, Inc. to AECOM USA, Inc.

3. Technical Assistance Consulting Services – Deer Island Treatment Plant: Metcalf & Eddy, Inc., Contract 7090, Amendment 1 (ref. WW C.3)

Voted to authorize the Executive Director, on behalf of the Authority, to approve Amendment No. 1 to increase the amount of Contract No. 7090 with Metcalf & Eddy, Inc., Technical Assistance Consulting Services – Deer Island Treatment Plant, in an amount not to exceed \$150,000.00. Further, to approve the assignment of Contract 7090 from Metcalf & Eddy, Inc. to AECOM USA, Inc.

4. Rehabilitation of Water Pumping Stations: Barletta Engineering Corp., Contract 6375, Change Order 20 (ref. W A.1)

Voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order No. 20 to increase the amount of Contract No. 6375 with Barletta Engineering Corp., Rehabilitation of Water Pumping Stations, in an amount not to exceed \$317,274.00.

Voted to authorize the Executive Director to approve additional change orders as may be needed to Contract No. 6375 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.

5. Walnut Street & Fisher Hill Pipe Rehabilitation Phase 1: J. D'Amico, Inc., Contract 6586, Change Order 7 (ref. W A.2)

Voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order No. 7 to decrease the amount of Contract No. 6586 with J. D'Amico, Inc., Walnut Street & Fisher Hill Pipe Rehabilitation Phase 1, by a lump sum credit amount of \$97,677.10.