

VOTES EXTRACTS
MARCH 11, 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 February 11, 2009, as presented and filed with the records of the meeting.

IV. BOARD ACTIONS

A. Approvals

1. Participation in the New England Power Pool (ref. A&F B.1)

Voted that the Massachusetts Water Resources Authority shall apply to become a Participant in the New England Power Pool under the New England Power Pool Agreement, dated as of September 1, 1971, as amended, (the "Agreement") and that the Executive Director is authorized to execute the application, in substantially the form presented and filed with the records of the meeting, and a counterpart of the Agreement on behalf of the Massachusetts Water Resources Authority and to cause the Massachusetts Water Resources Authority to perform its obligations under the Agreement upon the effectiveness of its membership; and further that the Authority shall apply to ISO-New England to become a participant in its Forward Capacity Market program and that the Executive Director is further authorized to execute and submit all additional documentation and financial information, including a Market Participant Service Agreement, in substantially the form presented and filed with the records of the meeting, necessary to qualify the Authority to participate in the Forward Capacity Market.

2. Final CSO Annual Progress Report 2008 (ref. WW A.1)

Voted to authorize staff to submit the *Combined Sewer Overflow Annual Progress Report 2008* to the Federal District Court by March 16, 2009, in compliance with Schedule Seven of the Boston Harbor Case.

3. March 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.

4. Appointment of Program Manager, SCADA Engineering, Field Operations (ref. P A.2)

Voted to approve the Executive Director's recommendation to appoint Augustin A. Serino to the position of Program Manager, SCADA Engineering in the Field Operations Department (Unit 9, Grade 29) at an annual salary of \$89,963.00 effective March 14, 2009.

5. Extension of Employment Contract, Administrative Assistant, Clinton (ref. P A.3)

Voted to approve the extension of the employment contract for Ms. Jane Densmore, Administrative Assistant, Operations Division (Clinton), for four and one half months from March 11, 2009 to June 30, 2009 at the current rate of \$21.00/hour.

6. Review of Authority's Non-Union Salary Continuation Benefits

Voted pursuant to a written procedure as presented to and filed with the records of the meeting, the Board hereby appoints the current members of the Personnel Committee (the "Committee") to: (i) undertake a review of the Authority's current non-union salary continuation benefit plan offered to those employees with short-term disabilities in comparison to the current sick leave bank benefit offered to union employees with short-term disabilities; (ii) appoint the Executive Director to head a fact-finding panel of MWRA staff of his choosing to assist the Committee in its review and to provide the Committee with a report of its findings, without recommendations; and (iii) make such recommendations to the full Board regarding changes to the non-union benefit, if any, as it deems appropriate.

B. Contract Awards

1. Residuals Processing Facility Condition Assessment: AECOM USA, Inc., Contract 7147 (ref. WW B.1)

Voted to approve the recommendation of the Consultant Selection Committee to select AECOM USA, Inc. to perform a condition assessment of the Residuals Processing Facility and to authorize the Executive Director, on behalf of the Authority, to execute a contract with AECOM USA, Inc. in the amount of \$459,771.00 for a term of 270 calendar days from the Notice to Proceed.

2. Technical Assistance Consultant Services, Hazardous Materials: Geosphere Environmental Management, Inc., Contract 589TA and EnviroSense, Inc., Contract 590TA (ref. WW B.2)

Voted to approve the recommendation of the Consultant Selection Committee to select Geosphere Environmental Management, Inc. and EnviroSense, Inc. to provide Technical Assistance Consulting Services for hazardous materials assessment and abatement and to authorize the Executive Director, on behalf of the Authority, to execute Contract 589TA with Geosphere Environmental Management, Inc. and Contract 590TA with EnviroSense, Inc., each in an amount not to exceed \$450,000.00 for a term of three years, and to authorize a Notice to Proceed for the first year of each contract in an amount not to exceed \$150,000.00. Further, to authorize the Executive Director to approve separate Notices to Proceed, if recommended by staff, to commence the second and third year terms of each contract for the same yearly not-to-exceed amounts.

C. Contract Amendments/Change Orders

1. Rehabilitation of Water Pumping Stations: Barletta Engineering Corp., Contract 6375, Change Order 18 (ref. W B.1)

Voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order No. 18 to increase the amount of Contract No. 6375 with Barletta Engineering Corp., Rehabilitation of Water Pumping Stations, in an amount not to exceed \$822,379.24.

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.

2. Rehabilitation of Water Pump Stations 2: Black & Veatch, Inc., Contract 6980, Amendment 4 (ref. W B.2)

Voted to authorize the Executive Director, on behalf of the Authority, to approve Amendment 4 to increase the amount of Contract No. 6980 with Black & Veatch, Inc., Rehabilitation of Water Pumping Stations 2, in an amount not to exceed \$496,000.00 and to extend the time for completion by 240 calendar days to June 4, 2011.

3. Modifications to Existing Waterworks Facilities: Earth Tech, Inc., Contract 6951, Amendment 1 (ref. W B.3)

Voted to authorize the Executive Director, on behalf of the Authority, to approve Amendment No. 1 to increase the amount of Contract No. 6951 with Earth Tech, Inc., Modifications to Existing Waterworks Facilities, in an amount not to exceed \$249,554.00 and to extend the time for completion by 39 months to March 31, 2012; and further, to approve the name change of the consultant from Earth Tech, Inc. to AECOM Technical Services, Inc.

VI. OTHER BUSINESS

A. MWRA Water System Expansion

Voted to authorize the Executive Director and staff to prepare, in conjunction with EOEAA staff, additional detail concerning proposed streamlined water system expansion permitting and smart growth criteria for the Board of Directors' consideration. The Board further directed staff to prepare an outline of a Memorandum of Understanding (MOU) between the Authority and regulatory agencies.

- B. North Dorchester Bay CSO Facilities: Fay, Spofford & Thorndike, LLC, Contract 7013, Amendment 4 Authorization

Voted to delegate authority to the Executive Director to proceed with and execute Amendment No. 4 to Contract 7013, North Dorchester Bay CSO Facilities, with Fay, Spofford & Thorndike, LLC for the design of an underground odor control facility.