

MASSACHUSETTS WATER RESOURCES AUTHORITY

Meeting of the Board of Directors

March 15, 2017

A meeting of the Board of Directors of the Massachusetts Water Resources Authority was held on March 15, 2017 at the Authority headquarters in Charlestown. Vice-Chair Carroll presided. Present from the Board were Messrs. Blackmon, Cotter, Flanagan, Foti, Pappastergion, Peña, Vitale and Walsh. Ms. Wolowicz and Mr. Beaton were absent. Among those present from the Authority staff were Frederick Laskey, Executive Director, Steven Remsberg, General Counsel, Michael Hornbrook, Chief Operating Officer, Thomas Durkin, Director of Finance, Michele Gillen, Director of Administration, Carl Leone, Senior Program Manager, John Vetere, Deputy Chief Operating Officer, David Duest, Director, Deer Island Treatment Plant, Karen Gay-Valente, Director of Human Resources, Anandan Navanandan, Chief Engineer, and Bonnie Hale, Assistant Secretary. The meeting was called to order at 1:00 p.m.

APPROVAL OF MINUTES

Upon a motion duly made and seconded, it was

Voted to approve the minutes of the Board of Directors' meeting of February 15, 2017, as presented and filed with the records of the meeting.

REPORT OF THE EXECUTIVE DIRECTOR

Mr. Laskey congratulated Board member Austin Blackmon on being named as a "Harbor Hero" by Save the Harbor/Save the Bay to be honored at its annual gala on March 29th.

APPROVALS

Amendments to Investment Policy

Upon a motion duly made and seconded, it was

In compliance with the State Finance and Governance Board's regulations (976 CMR 2.03), voted to adopt amendments to the Investment Policy substantially in the form presented and filed with the records of the meeting.

Approval of the Seventy-fifth Supplemental Resolution

Upon a motion duly made and seconded, it was

Voted to adopt the Seventy-Fifth Supplemental Resolution authorizing the issuance of up to \$391,415,000 of Massachusetts Water Resources Authority General Revenue Bonds and Massachusetts Water Resources Authority General Revenue Refunding Bonds and the supporting Issuance Resolution, as presented and filed with the records of the meeting.

Approval of Advisory Board Recommended Modifications to the Program Guidelines and Annual Update for the Infiltration/Inflow Local Financial Assistance Program

Upon a motion duly made and seconded, it was

Voted to approve modifications to the Infiltration/Inflow Local Financial Assistance Program Guidelines to expand project funding eligibility, substantially as detailed in the MWRA Advisory Board's summary presented and filed with the records of the meeting as Attachment 1; modifications to the Program Guidelines are recommended to be retroactively effective as of January 1, 2017.

Delegation of Authority to Execute a Contract for Temporary Back-up Generators for the Deer Island Treatment Plant

Staff gave a presentation and there was detailed discussion and question and answer, including grave concerns about the potential costs of ensuring back-up power during the harbor dredging scheduled to begin in July 2017 by NSTAR and opposition to

MWRA and its rate payers bearing the responsibility for those costs. Board members requested that staff return with an alternate recommendation to that contained in the staff summary for consideration later in the meeting.

PCR Amendments – March 2017

Upon a motion duly made and seconded, it was

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

CONTRACT AWARDS

Combustion Turbine Generator Maintenance – Deer Island Treatment Plant: O'Connor Corporation, Contract S549

Upon a motion duly made and seconded, it was

Voted to approve the award of Contract S549, Combustion Turbine Generator Maintenance, Deer Island Treatment Plant, to the lowest responsible and eligible bidder, O'Connor Corporation, and to authorize the Executive Director, on the behalf of the Authority, to execute and deliver said contract in an amount not to exceed \$2,125,700, for a term of 1,096 calendar days.

Reading Extension Sewer and Metropolitan Sewer Rehabilitation (Sections 73/74/75/46): Green Mountain Pipeline Services, Contract 7164

Board member Walsh suggested that consideration of this late-distributed staff summary be postponed as there had not been sufficient time to review it; the Board concurred and the item was postponed.

Dorchester Interceptor Sewer (Sections 240/241/242) Rehabilitation Design, Construction Administration and Resident Engineering/Inspection Services: CDM Smith Inc., Contract 7512

Staff gave a presentation on the project and there was considerable discussion and question and answer, particularly on the Selection Committee rankings, as well as the costs, levels of effort, key personnel, and technical approaches submitted by the

bidders. An initial vote to approve the contract award failed to pass due to lack of a six affirmative votes, and there was further discussion and question and answer. Mr. Laskey suggested that the Board consider forming a sub-Committee to review the Authority's consultant selection guidelines and/or that staff be directed to prepare a summary that would elaborate on the MWRA procurement policy. Board member Vitale strongly affirmed CDM Smith's knowledge and experience working on complex sewer projects in congested urban areas and BWSC's endorsement of its selection.

A motion to reconsider was approved, and upon a subsequent motion duly made and seconded, it was

Voted to approve the recommendation of the Consultant Selection Committee to select CDM Smith Inc. to provide Design, Construction Administration and Resident Engineering/Inspection Services for the Dorchester Interceptor Sewer (Sections 240/241/242) Rehabilitation project, and to authorize the Executive Director, on behalf of the Authority, to execute Contract 7512 with CDM Smith in the amount of \$1,496,354, for a term of 54 months from the Notice to Proceed.

Western Operations Maintenance Facility – Marlborough: E. A. Colangeli Construction Company, Inc., Contract 6650B

Upon a motion duly made and seconded, it was

Voted to approve the award of Contract 6650B, Western Operations Marlborough Maintenance Facility, to the lowest responsible and eligible bidder, E.A. Colangeli Construction Co., Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the bid amount of \$3,367,000 for a term of 365 calendar days from the Notice to Proceed.

CONTRACT AMENDMENTS/CHANGE ORDERS

Wachusett Aqueduct Pumping Station: BHD/BEC JV 2015, A Joint Venture: Contract 7157, Change Order 9

Upon a motion duly made and seconded, it was

Voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order 9 to increase the amount of Contract 7157 with BHD/BEC JV 2015, A Joint Venture, Wachusett Aqueduct Pumping Station, in a lump sum amount of \$100,079.80, with no increase in contract term; further, to authorize the Executive Director to approve additional change orders as may be needed to Contract 7157 in an amount not to exceed the aggregate of \$250,000, in accordance with the Management Policies and Procedures of the Board of Directors.

Delegation of Authority to Execute a Contract for Temporary Back-up Generators for the Deer Island Treatment Plant

Upon a motion duly made and seconded, it was

Voted to direct staff to negotiate with the parties involved in the Boston Harbor dredging project to obtain flexibility in the dredging schedule so as to not require temporary backup generators on Deer Island which might add \$43M to the project and to seek alternative funding sources.

EXECUTIVE SESSION

It was moved to enter executive session for litigation and security.

Upon a motion duly made and seconded, it was, upon a roll call vote in which the members were recorded as follows:

Yes

No

Abstain

Blackmon
Cotter
Flanagan
Foti
Pappastergion
Peña
Vitale
Walsh
Carroll

Voted to enter executive session for the purpose of discussing strategy with respect to litigation, in that such discussion may have a detrimental effect on the litigating position of the Authority, and to consider the deployment of security personnel or devices, or strategies with respect to security.

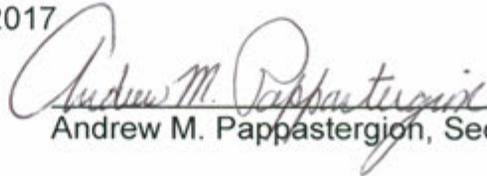
It was stated that the meeting would return to open session for the possible consideration of additional business.

EXECUTIVE SESSION

The meeting returned to open session at 2:25 p.m. and adjourned.

Approved: April 12, 2017

Attest:



Andrew M. Pappastergion, Secretary