

MASSACHUSETTS WATER RESOURCES AUTHORITY

Meeting of the Board of Directors

May 30, 2018

A meeting of the Board of Directors of the Massachusetts Water Resources Authority was held on May 30, 2018 at the Authority headquarters in Charlestown. Vice Chair Carroll presided. Present from the Board were Ms. Wolowicz and Messrs. Blackmon, Cotter, Flanagan, Foti, Pappastergion, Peña, Vitale and Walsh. Chair Beaton was absent. Among those present from the Authority staff were Frederick Laskey, Executive Director, Steven Remsberg, General Counsel, David Coppes, Chief Operating Officer, John Vetere, Deputy Chief Operating Officer, Thomas Durkin, Director of Finance, Michele Gillen, Director of Administration, Karen Gay Valente, Director of Human Resources, Susan Brazil, Human Resources, Associate General Counsel John Chinian, Ria Convery, Assistant Secretary and Kristin MacDougall Assistant to the Board of Directors. The meeting was called to order at 1:29 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 April 18, 2018, as presented and filed with the records of the meeting.

OTHER BUSINESS

Performance Review and Extension of Contract for Executive Director

Upon a motion duly made and seconded, it was

Voted: to (1) rate the performance of Frederick A. Laskey, Executive Director, for Fiscal Year 2018 as excellent; (2) extend the term of the Executive Director's employment agreement and his appointment as the Executive Director by one year through June 30, 2021; (3) increase his current salary by 4.5% effective July 1, 2018 (with Messrs. Blackmon and Foti opposed); and, (4)

authorize the inclusion in the Executive Director's annual salary the sum of \$8,400 as salary rather than as an allowance for the use of the Executive Director's personal vehicle for Authority business.

APPROVALS

Lease Extension with Springfield Water and Sewer Commission

Upon a motion duly made and seconded, it was

Voted: to authorize the Executive Director, on behalf of the Authority, to execute a 10-year option to extend a lease between the Massachusetts Water Resources Authority (MWRA) and the Springfield Water and Sewer Commission beginning November 2, 2018 at a cost of \$4,067.67.

Bond Defeasance of Future Debt Service

Upon a motion duly made and seconded, it was

Voted: to authorize the Executive Director or his designee, on behalf of the Authority, to enter into, execute and deliver all necessary agreements and other instruments and to take such other actions necessary to effectuate the redemption and defeasance of an aggregate principal amount of \$29,420,000 of outstanding MWRA senior bonds including to cause the escrow of cash and/or securities in an amount necessary to fund such redemption and defeasance, in order to reduce the debt service requirement by \$33,962,600 in the FY19 through FY22 timeframe.

MWRA FY19 Insurance Program Renewal

Upon a motion duly made and seconded, it was

Voted: to approve awards to the lowest eligible and responsive proposers for insurance policies, bonds, and related broker services for MWRA's FY19 Insurance Program, and to authorize the Executive Director, on behalf of the Authority, to execute contracts for broker services, for the terms, premiums, and fees described below, and incorporated by reference for the record, resulting in a total program amount not to exceed \$1,640,762 for FY19:

- (1) Workers' Compensation Excess Policy with New York Marine

Insurance Co., submitted by broker Willis of Massachusetts, Inc., for the period beginning July 1, 2018 through June 30, 2019, with a \$25 million limit and a \$500,000 self-insured retention, for a premium of \$187,870;

(2) Property Policy (including Boiler & Machinery coverage) with FM Global Insurance Co., for the second year of the two-year policy, from July 1, 2018 through June 30, 2019, with various limits of coverage and a \$2.5 million self-insured retention, resulting in a FY19 premium of \$842,745;

(3) General Liability Policy (including Automobile Liability, Marine Liability, Wharfingers, Limited Pollution, and Employment Practice Liability) with Lexington Insurance Company submitted by broker Richards Robinson Sheppard Insurance, LLC, for the period beginning July 1, 2018 through June 30, 2019, with a \$25 million limit and a \$2.5 million self-insured retention, for a premium of \$248,000;

(4) Excess General Liability Policies with insurance companies to be determined and submitted by broker Richards Robinson Sheppard Insurance, LLC, for the period beginning July 1, 2018 through June 30, 2019, providing a combined total of \$75 million of excess liability coverage for a total combined premium not to exceed \$237,250;

(5) Public Official's Liability Policy with Chubb/ACE USA Insurance Co., submitted by broker Arthur J. Gallagher Risk Management Services Inc., for the period beginning July 1, 2018 through June 30, 2019, with a \$5 million limit and a \$1 million self-insured retention, for a premium of \$51,043, including broker commission;

(6) Fiduciary Liability Policy with Chubb/ACE USA Insurance Co., submitted by broker Arthur J. Gallagher Risk Management Services Inc., for the period beginning July 1, 2018 through June 30, 2019, with a \$5 million limit and a \$1 million retention, for a premium of \$6,604, including broker commission;

(7) Public Official's/Crime Bond with Great American Insurance Co., submitted by broker Richards Robinson Sheppard Insurance LLC, for the period beginning July 1, 2018 through June 30, 2019, with a \$1 million limit and a \$25,000 deductible for a premium of \$4,500;

(8) Treasurer's Bond with a \$1 million limit with an insurance company to

be determined in an amount not to exceed \$2,500, with a one-year term beginning January 2019; and

(9) Broker contracts with Richards Robinson Sheppard Insurance LLC for an amount of \$40,000, Willis of Massachusetts, for an amount of \$20,250 and Arthur J. Gallagher for the commissions included within the policy premiums, from notice of award through June 30, 2019.

Delegation of Authority to Execute a Contract for the Purchase and Supply of Electric Power for the Deer Island Treatment Plant

Upon a motion duly made and seconded, it was

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 determined by staff to be in the MWRA's best interest, and for a contract supply term not to exceed 36 months for the Deer Island Account.

Wastewater Advisory Committee Contract

Upon a motion duly made and seconded, it was

Voted: to authorize the Executive Director, on behalf of the Authority, to execute a contract, substantially in the form presented and filed with the records of the meeting, with the Wastewater Advisory Committee for a term of one year from July 1, 2018 to June 30, 2019, for a total contract cost of \$72,757.92.

Approval of One New Member of the Wastewater Advisory Committee

Upon a motion duly made and seconded, it was

Voted: to approve the addition of one new member, Mr. George Atallah, P.E., to the Wastewater Advisory Committee.

Water Supply Citizens Advisory Committee Contract

Upon a motion duly made and seconded, it was

Voted: to authorize the Executive Director, on behalf of the Authority, to execute a contract, substantially in the form attached hereto, with the Water

Supply Citizens Advisory Committee for a one-year period beginning July 1, 2018 to June 30, 2019, with a total contract cost of \$107,299.76.

PCR Amendments – May 2018

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.

Appointment of Superintendent, Clinton Wastewater Treatment Plant

Upon a motion duly made and seconded, it was

Voted: to approve the appointment of Mr. Larry Thomas to the position of Superintendent at the Clinton Advanced Wastewater Treatment Plant (Non-Union, Grade 14), at an annual salary of \$120,000, commencing on a date to be determined by the Executive Director.

FY2019 Non-Union Compensation

Upon a motion duly made and seconded, it was

Voted: that the Board of Directors take the following actions for MWRA's FY19 non-union compensation review (1) authorize the Executive Director to implement a 3% across-the-board compensation adjustment for non-union managers effective with the first FY19 payroll; and (2), approve a revision to the non-union salary ranges for FY19 as presented in Attachment A and filed with the records of the meeting.

CONTRACT AWARDS

Award of Main Line Adjustment Project, Fore River Railroad: J. F. White Contracting Co., Contract FRR32

Upon a motion duly made and seconded, it was

Voted: to approve the award of Contract FRR32, Main Line Adjustment Fore River Railroad, to the lowest responsible and eligible bidder, J.F. White Contracting Co., and to authorize the Executive Director, on behalf of the Authority, to execute said

contract in the bid amount of \$2,437,700, with a contract term of 190 calendar days from the Notice to Proceed.

Supply and Delivery of Sodium Hypochlorite for the John J. Carroll Water Treatment Plant and the William A. Brutsch Treatment Facility, Univar USA, Inc., Bid WRA-4523

Upon a motion duly made and seconded, it was

Voted: to approve the award of Purchase Order Contract WRA 4523, a one-year contract for the supply and delivery of sodium hypochlorite to the lowest responsive bidder, Univar USA, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said purchase order contract in an amount not to exceed \$1,612,080.00 for a period of one year, from July 17, 2018 through July 16, 2019.

Technical Assistance Consulting Services for John J. Carroll WTP, Hazen and Sawyer P.C., Contract 7543, and Stantec Consulting Services, Inc., Contract 7544

Upon a motion duly made and seconded, it was

Voted: to approve the recommendation of the Consultant Selection Committee to award two separate contracts to provide Technical Assistance Consulting Services for the John J. Carroll Water Treatment Plant, and to authorize the Executive Director, on behalf of the Authority, to execute Contract 7543 with Hazen and Sawyer and Contract 7544 with Stantec Consulting Services, Inc. each in an amount not to exceed \$1,000,000, with a contract term of twenty-four months from the Notice to Proceed.

Low Service Pressure Reducing Valve Improvements – Boston/Medford, Design and Engineering Services During Construction, CDM Smith, Inc. Contract 7575

Upon a motion duly made and seconded, it was

Voted: to approve the recommendation of the Consultant Selection Committee to award Contract 7575, Low Service Pressure Reducing Valve Improvements – Boston/Medford, Design and Engineering Services During Construction, to CDM Smith, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in an amount not to exceed \$2,849,332 for a contract term of 57 months from the Notice to Proceed.

Southern Extra High Pipeline – Section 111 – Dedham South, RJV Construction Corp., Contract 7505

Upon a motion duly made and seconded, it was

Voted: to approve the award of contract 7505, Southern Extra High Pipeline Section 111 - Dedham South, to the lowest responsible and eligible bidder, RJV Construction Corp., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the amount of \$19,375,000 for a contract term of 820 calendar days from the Notice to Proceed.

Chelsea Creek Headworks Upgrade, BHD/BEC 2015, A Joint Venture, Contract 7161, Change Order 12

Upon a motion duly made and seconded, it was

Voted: to (1) authorize the Executive Director, on behalf of the Authority, to approve Change Order 12 to Contract 7161, Chelsea Creek Headworks Upgrade, with BHD/BEC 2015, A Joint Venture, for an amount not to exceed \$1,000,000.00, increasing the contract amount from \$77,653,065.46 to \$78,653,065.46, with no increase in contract term; and (2) authorize the Executive Director to approve additional change orders as may be needed to Contract 7161 in an amount not to exceed the aggregate of \$250,000, in accordance with the Management Policies and Procedures of the Board of Directors.

Section 14 Pipeline Relocation, Malden: Albanese Brothers, Inc., Contract 6957, Change Order 5

Upon a motion duly made and seconded, it was

Voted: to (1) authorize the Executive Director, on behalf of the Authority, to approve Change Order 5 to Contract 6957, Section 14 Water Pipeline Relocation – Malden, with Albanese Brothers, Inc., for an amount not to exceed \$152,777.72, increasing the contract amount from \$1,524,243.79 to \$1,677,021.51, and no extension of contract term; and (2) authorize the

Executive Director to approve additional change orders as may be needed to Contract 6957 in an amount not to exceed the aggregate of \$75,000, in accordance with the Management Policies and Procedures of the Board of Directors.

Wachusett Aqueduct Pumping Station, BHD/BEC 2015, A Joint Venture, Contract 7157, Change Order 32

Upon a motion duly made and seconded, it was

Voted: to authorize the Executive Director, on behalf of the Authority, to (1) approve Change Order 32 to Contract 7157, Wachusett Aqueduct Pumping Station, with BHD/BEC JV 2015, A Joint Venture, for a lump sum amount of \$292,910.00, increasing the contract amount from \$48,966,286.29 to \$49,259,196.29, with no increase in contract term; and (2), 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.

EXECUTIVE SESSION

It was moved to enter executive session to discuss collective bargaining and a litigation settlement.

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>
Blackmon		
Carroll		
Cotter		
Flanagan		
Foti		
Pappastergion		
Peña		
Vitale		
Walsh		
Wolowicz		

Voted: to enter executive session for the purpose of discussing strategy with respect to collective bargaining and litigation, in that such discussions may have a detrimental effect upon the negotiating positions of the Authority.

It was stated that the meeting would return to open session to report on any actions taken regarding collective bargaining and then to adjourn.

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EXECUTIVE SESSION

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The meeting returned to open session at 2:08 p.m.

OTHER BUSINESS (cont'd.)

Approval and Ratification of Collective Bargaining Agreement for Unit 6

It was reported that the Board had voted in Executive Session to approve and ratify the collective bargaining agreement with Unit 6.

The meeting adjourned at 2:09 p.m.

Approved: (June 20, 2018)

Attest:

Andrew M. Pappastergion, Secretary