

STAFF SUMMARY

TO: Board of Directors
FROM: Frederick A. Laskey, Executive Director
DATE: April 15, 2026
SUBJECT: Metropolitan Water Tunnel Program
Contract 8153, Owner’s Representative Services
Arup US, Inc.



COMMITTEE: Water Policy and Oversight

 INFORMATION
 X VOTE


Michele S. Gillen

Director of Administration


Kathleen M. Murtagh, P.E.

Chief Operating Officer

Paul V. Savard, P.E., Acting Director, Tunnel Department
Preparer/Title

RECOMMENDATION:

To approve the recommendation of the Consultant Selection Committee to award Contract 8153, Metropolitan Water Tunnel Program Owner’s Representative Services, to Arup US, Inc. and to authorize the Executive Director, on behalf of the Authority, to execute said Contract in an amount not to exceed \$6,000,000 for a contract term of 120 months from the Notice to Proceed.

DISCUSSION:

As detailed below, this staff summary seeks Board approval to award Contract 8153 for Owner’s Representative services for the Metropolitan Water Tunnel Program (Tunnel Program). A separate but related staff summary, which includes an update on the Tunnel Program, is included in the materials for this Board meeting and seeks authorization to award Contract 7356 for Construction Management services for the Tunnel Program.

Pursuant to G.L. c. 30, §39M½, the Commonwealth or any agency or authority thereof is required to engage and maintain an Owner’s Representative to provide professional project oversight with regard to any “major contract.”¹ The statute defines “major contract” as a project by which “the Commonwealth or any of its public agencies or authorities is to procure the construction, repair or rehabilitation of a publicly-owned highway, railway, bridge, tunnel, building platform or any component thereof...” with an estimate of construction cost exceeding \$50,000,000. Because the construction of the two tunnels qualifies as a major contract, the Tunnel Program is the first MWRA project statutorily required to engage an Owner’s Representative. The Authority’s Owner’s Representative contract amount not to exceed \$6,000,000 was estimated based on an assumed level of effort over the duration of the contract. This level of effort was determined to be comparable to other projects in Massachusetts requiring an Owner’s Representative.

¹ Regulations have been promulgated by the Office of the Inspector General under 945 CMR 4.00 *et seq.*

Under the law, the selected Owner’s Representative must be wholly independent of the designer, general contractor or any subconsultant involved in the public works project. Its sole responsibility is to the Commonwealth and the authority that retained it. The Owner’s Representative will be tasked with conducting a peer review of engineering elements, serving as the primary manager of value engineering, and filing annual reports on the project with the Inspector General. The Owner’s Representative may also participate in cost recovery activities. Given that the statute requires the Owner’s Representative to be selected and retained prior to the award of a major contract, and because the Owner’s Representative’s duties include peer review and value engineering of the overall design, staff request approval to award Contract 8153 to retain an Owner’s Representative for the Tunnel Program.

Procurement Process

A one-step procurement process was used for this contract. A Request for Qualifications Statements/Proposals (RFQ/P) was publicly advertised. A total of 26 firms accessed the documents on the MWRA Supplier Portal. A Selection Committee consisting of five voting members, with support from five non-voting members, was formed to evaluate, score, and rank proposals.

The RFQ/P, which was issued on December 19, 2025, included the following evaluation criteria and points: Qualifications/Key Personnel (40 points); Experience/Past Performance on Similar Projects (30 points); and Capacity/Organization, Management and Technical Approach (30 points). Unlike most MWRA professional services procurements, the RFQ/P could not solicit cost information because the law requires that the selection process be qualifications-based and, further, agencies are prohibited by statute from awarding the work on a cost-plus basis.² On February 5, 2026, MWRA received proposals from two firms; Arup USA, Inc. and Boscardin Consulting Engineering, Inc.

The Selection Committee met on February 24, 2026, to review the proposals. The following is a summary of scores and ranking for each firm.

Proposer	Total Final Score	Ranking
Arup US, Inc.	439	1
Boscardin Consulting Engineering, Inc.	365.5	2

The Selection Committee voted unanimously to recommend award of the contract to the first-ranked firm, Arup US, Inc. Key factors supporting this recommendation include:

- Arup’s proposal offered an Owner’s Representative with impressive experience in major heavy civil tunnel projects, supported by an industry-wide tunneling expert;
- Arup proposed additional personnel that are well-qualified with experience on similar major tunnel projects, such as the New York City Department of Environmental Protection Water Tunnel No. 3 Shafts Project and Kensico-Eastview Project; and
- Arup’s proposal showed capacity to ensure qualified staffing over the duration of the contract.

Members of the Selection Committee noted Boscardin Consulting Engineers, Inc. offered a team of two engineers who are well-qualified with construction management experience and locally

² See M.G.L. c.30 § 39M½(n).

located in western Massachusetts. Boscardin's proposed Owner's Representative is well regarded within the civil engineering industry and the two individuals have extensive tunnel and heavy civil project backgrounds. However, the Selection Committee ranked the firm second due to the following comparative disadvantages:

- Boscardin's proposal did not include experience with water systems projects; and
- concern with continuity of staffing over the duration of the contract period because Boscardin's team is small, with only two key personnel and support staff.

The Selection Committee reasoned that Arup's deeper bench with additional water systems expertise would serve the role better.

After the Selection Committee identified Arup as first-ranked, staff met with Arup personnel to negotiate compensation as allowed by the Owner's Representative regulations (945 CMR 4.00). Arup agreed to a billing structure based on single hourly rates for each of the Arup personnel, plus reimbursable other direct costs. MWRA's Internal Audit Department reviewed Arup's financial documents establishing the audited indirect cost rate and approved the compensation structure as meeting the Authority's requirements. Arup will only be compensated for services actually furnished at the direction of the Tunnel Department.

Based on the qualifications of Arup and the appropriateness of the single hourly rate billing structure, staff recommend the award of this contract to Arup US, Inc. for a not-to-exceed amount of \$6,000,000 and a contract term of 120 months.

BUDGET/FISCAL IMPACTS:

The FY26 CIP includes \$6,263,400 for Contract 8153. The recommended contract award amount is \$6,000,000.

MBE/WBE PARTICIPATION:

Due to the specialized nature of this work and limited opportunities for subcontracting, no minimum Minority Business Enterprise (MBE) or Women Business Enterprise (WBE) participation was established for this contract.



Presentation to

MWRA Board of Directors

Metropolitan Water Tunnel Program

***Owner's Representative Services
Contract 8153***

April 15, 2026



Owner's Representative Services (8153) Requirements

- M.G.L. c. 30, §39M½, requires MWRA to engage an Owner's Representative for any "major contract."
 - Construction of the two tunnels qualifies as a major contract (construction exceeds \$50M)
 - First MWRA project statutorily required to engage an Owner's Representative
- Owner's Representative must:
 - Be wholly independent of designer, contractor or any subconsultant
 - Solely responsible to the Commonwealth and the authority (MWRA) retaining it



Owner's Representative Services (8153) Scope of Work

- Contract is to be awarded for a term of 10 years
- Pre-Construction Services
 - Peer Review of Design (60%, 90%, Bid) – Industry Standard of Care
 - Value Engineering
 - Bid Review
- Construction Services
 - Attend Site Visits & Meetings
 - May participate in cost recovery activities
 - File Annual Reports to the Inspector General



One Step Procurement Process

- RFQ/P – Received Proposals from two firms
 - Arup US, Inc
 - Boscardin Consulting Engineering, Inc
- Proposals were evaluated based on following evaluation criteria
 - Qualifications/Key Personnel (40 points)
 - Experience/Past Performance on Similar Projects (30 points)
 - Capacity/Organization, Management and Technical Approach (30 points)
- Per M.G.L. c. 30, §39M½, the selection process must be qualifications-based and further, awarding the work on a cost-plus basis is prohibited
- Accordingly, cost was not a selection criteria



Selection Committee Proposal Evaluation

Proposer	Total Final Score	Ranking
Arup	439	1
Boscardin	365.5	2



- Negotiated Method of Compensation
 - Follow regulations 945 CMR 4.00
 - Professional services contract with a not to exceed amount \$6,000,000
 - Single Hourly Rates (Internal Audit accepted) and reimbursable other direct costs
 - Compensated for actual work performed



- Extensive experience on similar water tunnel projects
- Demonstrated experience with design, construction management, and owner's representative
- Larger firm with capacity to ensure skilled personnel are engaged over the long duration contract
- Best qualified

**Selection Committee recommends award of
Contract 8153 to Arup US, Inc**