

MASSACHUSETTS WATER RESOURCES AUTHORITY

Meeting of the Board of Directors

November 18, 2020

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law the November 18, 2020 meeting of the Board of Directors of the Massachusetts Water Resources Authority was conducted by remote participation. Vice Chair Carroll presided. Present remotely from the Board, in addition to Vice Chair Carroll, were Ms. Wolowicz and Messrs. Cook, Cotter, Flanagan, Foti, Pappastergion, Peña, Vitale and Walsh. Secretary Theoharides was absent. MWRA staff participants included Frederick Laskey, Executive Director, Carolyn Francisco Murphy, General Counsel, David Coppes, Chief Operating Officer, Carolyn Fiore, Deputy Chief Operating Officer, Thomas Durkin, Director of Finance, Michele Gillen, Director of Administration, Steven Rhode, Director of Laboratory Services, Valarie Moran, Director of Waterworks, Stephen Estes-Smargiassi, Director of Planning and Sustainability, Ethan Wenger, Deputy Director, Deer Island Treatment Plant, Robert Huang, Program Manager, Energy, John Colbert, Chief Engineer, David Duest, Deer Island Treatment Plant Director, Andrea Murphy, Director of Human Resources, and Assistant Secretaries Ria Convery and Kristin MacDougall. Senator Stephen Brewer, Vandana Rao, EOEEA, and Joseph Favaloro, MWRA Advisory Board, also participated. The meeting was called to order at 1:00 p.m. All motions were individually made and presented for discussion and deliberation. After any discussion and deliberation, motions for which there were no objections were then consolidated for one omnibus roll call vote.

APPROVAL OF OCTOBER 14, 2020 MINUTES

A motion was duly made and seconded to approve the minutes of the Board of Directors' meeting of October 14, 2020.

Vice Chair Carroll called for any discussion or objections. Hearing none, the Vice Chair referred the motion to an omnibus roll call vote.

REPORT OF THE EXECUTIVE DIRECTOR

Staff presented an update to Board members on Biobot's Covid-19 wastewater tracking data and MWRA's ongoing efforts to promote staff safety during the pandemic. Staff also presented an update on Section 19 water main repairs. Mr. Laskey thanked the Town of Brookline for their cooperation and commended MWRA staff for their work to repair the break.

Finally, Mr. Laskey updated Board members on the Section 111 Redundancy Pipeline Project and correspondence received regarding public access on Thompson Island under a Conservation Restriction.

Documents used for this meeting, referenced above, can be found here:

<http://www.mwra.com/monthly/bod/boardmaterials/2020/OS-2020-11-18BoardMaterials.pdf>

(Messrs. Cook and Flanagan joined the meeting during the report.)

WATER POLICY AND OVERSIGHT
INFORMATION

Update on the Status of Water Supply Protection Efforts

A motion was duly made and seconded to move the informational update on the Status of Water Supply Protection Efforts to the first item of business on the agenda.

Staff provided a verbal summary. Senator Stephen Brewer and Mr. Favaloro also provided information. There was discussion and questions and answers. (ref. V A.2)

WASTEWATER POLICY AND OVERSIGHT
CONTRACT AWARDS

Power Purchase Agreement and Site License for a Photovoltaic System and Battery Storage at the Deer Island Treatment Plant: Distributed Solar Projects, LLC, Contract S591

A motion was duly made and seconded to approve the award of Contract S591, Power Purchase Agreement and Site License for a Photovoltaic System and Battery Storage at Deer Island Treatment Plant, to Distributed Solar Projects, LLC, and to authorize the Executive Director, on behalf of the Authority, to execute Contract S591 with Distributed Solar Projects, LLC's special purpose entity, 190 Tafts Avenue Solar Project 2020, LLC, to include a not-to-exceed price of \$0.0798 per kilowatt-hour for the purchase of electricity generated and a contract term from the Notice to Proceed until the twentieth anniversary of the system Commercial Operation Date.

Staff made a presentation. There was discussion and questions and answers. Messrs. Cook and Pappastergion commended MWRA staff for promoting environmental stewardship and cost-savings for the ratepayers.

Vice Chair Carroll called for any discussion or objections. Hearing none, the Vice Chair referred the motion to an omnibus roll call vote. (ref. IV A.1)

CONTRACT AMENDMENTS/CHANGE ORDERS

Agency-Wide Technical Assistance Consulting Services: Kleinfelder Northeast, Inc., Contract 7604 Amendment 2

A motion was duly made and seconded to postpone this agenda item.

Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. IV B.1)

Chelsea Creek Headworks Upgrade: BHD/BEC JV 2015, A Joint Venture, Contract 7161, Change Order 43

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Change Order 43 to Contract 7161, Chelsea Creek Headworks Upgrade, with BHD/BEC 2015, A Joint Venture, for an amount not to exceed \$1,000,000, increasing the contract amount from \$83,280,801.06 to

\$84,280,801.06, and extending the contract term by 120 calendar days from December 5, 2020 to April 4, 2021;

Further, a motion was duly made and seconded to 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.

Vice Chair Carroll called for any discussion or objections. Hearing none, the Vice Chair referred the motion to an omnibus roll call vote. (ref. IV B.2)

Prison Point CSO Facility Improvements – Design, CA and RE Services: Arcadis, US, Contract 7359, Amendment 4

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Amendment 4 to Contract 7359, Prison Point CSO Facility Improvements Design, Construction Administration and Resident Engineering Services with Arcadis U.S., Inc. to increase the contract amount by \$1,159,259, from \$3,390,100 to \$4,549,359, and extend the contract term by 854 calendar days, from November 11, 2021 to March 14, 2024.

There were questions and answers. Staff provided a verbal summary.

Vice Chair Carroll called for any further discussion or objections. Hearing none, the Vice Chair referred the motion to an omnibus roll call vote. (ref. IV B.3)

Piping Relocation at the Pelletizing Plant: Walsh Construction Company II, LLC Contract 7173, Change Order 2

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Change Order 2 to Contract 7173, Piping Relocation at the Pelletizing Plant, with Walsh Construction Company II, LLC, for a lump sum amount of \$227,168.63, increasing the contract amount from \$4,304,460.90 to \$4,531,629.53, with no increase in contract term;

Further, a motion was duly made and seconded to authorize the Executive Director to approve additional change orders as may be needed to Contract 7173, in an amount not to exceed the aggregate of \$100,000, in accordance with the Management Policies and Procedures of the Board of Directors.

Staff made a presentation. There was discussion and questions and answers.

Vice Chair Carroll called for any further discussion or objections. Hearing none, the Vice Chair referred the motion to an omnibus roll call vote. (ref. IV B.4)

WATER POLICY AND OVERSIGHT INFORMATION

Update on Lead and Copper Rule Compliance – Fall 2020

Staff made a presentation. There was discussion and questions and answers. (ref. V A.1)

(Mr. Pappastergion briefly left and returned to the meeting.)

CONTRACT AWARDS

Quabbin Maintenance Building Design, Construction Administration and Resident Engineering Services: The Robinson Green Beretta Corporation, Contract 7677

A motion was duly made and seconded to postpone this agenda item.

Vice Chair Carroll referred the motion to an omnibus roll call vote. (ref. V B.1)

Steel Water Storage Tank Painting and Improvements – Design and Engineering Services During Construction: Hazen and Sawyer, Contract 6832

A motion was duly made and seconded to approve the recommendation of the Consultant Selection Committee to award Contract 6832, Steel Water Storage Tank Painting and Improvements - Design and Engineering Services During Construction, to Hazen and Sawyer, P.C. and to authorize the Executive Director, on behalf of the Authority, to execute said contract in an amount not to exceed \$2,779,122.28 for a contract term of 57 months from the Notice to Proceed.

Staff made a presentation.

Vice Chair Carroll called for any discussion or objections. Hearing none, the Vice Chair referred the motion to an omnibus roll call vote. (ref. V B.2)

CONTRACT AMENDMENTS/CHANGE ORDERS

Supply and Delivery of Carbon Dioxide the John J. Carroll Water Treatment Plant: Messer, LLC, Bid WRA-4818, Amendment 2

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Amendment 2 to purchase order contract WRA-4818 for the supply and delivery of carbon dioxide with Messer, LLC, increasing the contract amount by \$216,389, from an amount not to exceed of \$417,470 to \$633,859, and extending the contract term by an additional four months.

Staff provided a verbal summary.

Vice Chair Carroll called for any discussion or objections. Hearing none, the Vice Chair referred the motion to an omnibus roll call vote. (ref. V C.1)

PERSONNEL AND COMPENSATION

APPROVALS

PCR Amendments – November 2020

A motion was duly made and seconded to approve amendments to the Position Control Register as presented, on a date to be determined by the Executive Director.

Staff provided a verbal summary. There was discussion and questions and answers.

Vice Chair Carroll called for any further discussion or objections. Hearing none, the Vice Chair referred the motion to an omnibus roll call vote. (ref. VI A.1)

Appointment of Senior Staff Counsel (Labor/Employment), Law Division

A motion was duly made and seconded to approve the appointment of Ms. Hilary K. Detmold as Senior Staff Counsel Labor/Employment (Confidential 6 Grade 13) in the Law Division at an annual salary of \$124,984.08, commencing on a date to be determined by the Executive Director.

There were questions and answers.

Vice Chair Carroll called for any further discussion or objections. Hearing none, the Vice Chair referred the motion to an omnibus roll call vote. (ref. VI A.2)

Appointment of Manager, Western Maintenance

A motion was duly made and seconded to approve the appointment of Mr. Steven Schmitt to the position of Manager, Western Maintenance, Operations Division, (Non-Union, Grade 14), at an annual salary of \$136,000, commencing on a date to be determined by the Executive Director.

Vice Chair Carroll called for any discussion or objections. Hearing none, the Vice Chair referred the motion to an omnibus roll call vote. (ref. VI A.3)

Appointment of Program Manager, Operations Engineering

A motion was duly made and seconded to approve the appointment of Mr. Nathan Little to the position of Program Manager, Operations Engineering (Unit 9, Grade 29), in the Operations Engineering Department, at an annual salary of \$101,288.42, commencing on a date to be determined by the Executive Director.

Vice Chair Carroll called for any discussion or objections. Hearing none, the Vice Chair referred the motion to an omnibus roll call vote. (ref. VI A.4)

Appointment of Deputy Director, Design and Construction, Tunnel Redundancy Department

A motion was duly made and seconded to approve the appointment of Mr. Paul V. Savard to the position of Deputy Director of Design and Construction, Tunnel Redundancy Department (Non-Union, Grade 15) at an annual salary of \$147,000, commencing on a date to be determined by the Executive Director.

Staff provided a verbal summary.

Vice Chair Carroll called for any discussion or objections. Hearing none, the Vice Chair referred the motion to an omnibus roll call vote. (ref. VI A.5)

Appointment of Senior Program Manager, Geology, Tunnel Redundancy Department

A motion was duly made and seconded to approve the appointment of Mr. Bradford Miller to the position of Senior Program Manager, Geology, Tunnel Redundancy Department (Unit 9, Grade 30) at an annual salary of \$134,318.08, commencing on a date to be determined by the Executive Director.

Staff provided a verbal summary. There was brief discussion.

Vice Chair Carroll called for any discussion or objections. Hearing none, the Vice Chair referred the motion to an omnibus roll call vote. (ref. VI A.6)

ADMINISTRATION, FINANCE AND AUDIT
INFORMATION

FY16-FY20 Strategic Business Plan Annual Update for FY20

Staff provided a verbal summary. There was discussion and questions and answers. Messrs. Vitale and Pappastergion commended the MWRA staff for preparing an informative and useful report. (ref. VII A.1)

FY2021 First Quarter Orange Notebook

Staff made a presentation.

Committee Chair Vitale called for any discussion or objections. Hearing none, Mr. Vitale proceeded to the next agenda item. (ref. VII A.2)

Delegated Authority Report – October 2020

Committee Chair Vitale called for any discussion or objections. Hearing none, Mr. Vitale proceeded to the next agenda item. (ref. VII A.3)

FY2021 Financial Update and Summary as of October 2020

Staff provided a verbal summary. There were questions and answers.

Vice Chair Carroll called for any discussion or objections. Hearing none, the Vice Chair proceeded to the next agenda item. (ref. VII A.4)

(Ms. Wolowicz left the meeting.)

CONTRACT AMENDMENTS/CHANGE ORDERS

Automated Vehicle Locator Tracking System: Newnetworkfleet, Inc., Contract A606,
Amendment 2

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Amendment 2 to Contract A606, Automated Vehicle Locator Tracking System with Verizon Connect NWF, Inc., in the amount of \$93,708, exercising the second option to renew and increasing the contract amount from \$521,188 to an amount not to exceed \$614,906, and increasing the contract term by 12 months from December 28, 2020 to December 28, 2021.

Staff provided a verbal summary. There was brief discussion.

Vice Chair Carroll called for any further discussion or objections. Hearing none, the Vice Chair referred the motion to an omnibus roll call vote (ref. VII B.1)

OMNIBUS ROLL CALL VOTE

Vice Chair Carroll called for an omnibus roll call vote on the motions made and seconded.

An omnibus roll call vote was taken in which the members were recorded as follows:

| <u>Yes</u> | <u>No</u> | <u>Abstain</u> |
|---------------|-----------|----------------|
| Carroll | | |
| Cook | | |
| Cotter | | |
| Flanagan | | |
| Pappastergion | | |
| Peña | | |
| Vitale | | |
| Walsh | | |

Voted: to approve the minutes of the Board of Directors' meeting of October 14, 2020 (ref. I);

Further, voted: to approve the award of Contract S591, Power Purchase Agreement and Site License for a Photovoltaic System and Battery Storage at Deer Island Treatment Plant to Distributed Solar Projects, LLC, and to authorize the Executive Director, on behalf of the Authority, to execute Contract S591 with Distributed Solar Projects, LLC's special purpose entity, 190 Tafts Avenue Solar Project 2020, LLC, to include a not-to-exceed price of \$0.0798 per kilowatt-hour for the purchase of electricity generated and a contract term from the Notice to Proceed until the twentieth anniversary of the system Commercial Operation Date (ref. IV A.1);

Further, voted: to postpone agenda item IV.B.1 (ref. IV B.1);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Change Order 43 to Contract 7161, Chelsea Creek Headworks Upgrade, with BHD/BEC 2015, A Joint Venture, for an amount not to exceed \$1,000,000, increasing the contract amount from \$83,280,801.06 to \$84,280,801.06, and extending the contract term by 120 calendar days from December 5, 2020 to April 4, 2021; further voted: to 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 (ref. IV B.2);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 4 to Contract 7359, Prison Point CSO Facility Improvements Design, Construction Administration and Resident Engineering Services with Arcadis U.S., Inc. to increase the contract amount by \$1,159,259, from \$3,390,100 to \$4,549,359, and extend the contract term by 854 calendar days, from November 11, 2021 to March 14, 2024 (ref. IV B.3);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Change Order 2 to Contract 7173, Piping Relocation at the Pelletizing Plant, with Walsh Construction Company II, LLC, for a lump sum amount of \$227,168.63,

increasing the contract amount from \$4,304,460.90 to \$4,531,629.53, with no increase in contract term; further, voted: to authorize the Executive Director to approve additional change orders as may be needed to Contract 7173, in an amount not to exceed the aggregate of \$100,000, in accordance with the Management Policies and Procedures of the Board of Directors (ref. IV B.4);

Further, voted: to postpone agenda item V.B.1 (ref. V B.1);

Further, voted: to approve the recommendation of the Consultant Selection Committee to award Contract 6832, Steel Water Storage Tank Painting and Improvements - Design and Engineering Services During Construction, to Hazen and Sawyer, P.C. and to authorize the Executive Director, on behalf of the Authority, to execute said contract in an amount not to exceed \$2,779,122.28 for a contract term of 57 months from the Notice to Proceed (ref. V B.2);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 2 to purchase order contract WRA-4818 for the supply and delivery of carbon dioxide with Messer, LLC, increasing the contract amount by \$216,389, from an amount not to exceed of \$417,470 to \$633,859, and extending the contract term by an additional four months (ref. V C.1);

Further, voted: to approve amendments to the Position Control Register as presented, on a date to be determined by the Executive Director (ref. VI A.1);

Further, voted: to approve the appointment of Ms. Hilary K. Detmold as Senior Staff Counsel Labor/Employment (Confidential 6 Grade 13) in the Law Division at an annual salary of \$124,984.08, commencing on a date to be determined by the Executive Director (ref. VI A.2);

Further, voted: to approve the appointment of Mr. Steven Schmitt to the position of Manager, Western Maintenance, Operations Division, (Non-Union, Grade 14), at an annual salary of \$136,000, commencing on a date to be determined by the Executive Director (ref. VI A.3);

Further, voted: to approve the appointment of Mr. Nathan Little to the position of Program Manager, Operations Engineering (Unit 9, Grade 29), in the Operations Engineering Department, at an annual salary of \$101,288.42, commencing on a date to be determined by the Executive Director (ref. VI A.4);

Further, voted: to approve the appointment of Mr. Paul V. Savard to the position of Deputy Director of Design and Construction, Tunnel Redundancy Department (Non-Union, Grade 15) at an annual salary of \$147,000, commencing on a date to be determined by the Executive Director (ref. VI A.5);

Further, voted: to approve the appointment of Mr. Bradford Miller to the position of Senior Program Manager, Geology, Tunnel Redundancy Department (Unit 9, Grade 30) at an annual salary of \$134,318.08, commencing on a date to be determined by the Executive Director (ref. VI A.6); and,

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 2 to Contract A606, Automated Vehicle Locator Tracking System

with Verizon Connect NWF, Inc., in the amount of \$93,708, exercising the second option to renew and increasing the contract amount from \$521,188 to an amount not to exceed \$614,906, and increasing the contract term by 12 months from December 28, 2020 to December 28, 2021 (ref. VII B.1).

ADJOURNMENT

The meeting returned to open session and adjourned at 2:59 p.m.

Approved: December 16, 2020

Attest:

A handwritten signature in blue ink that reads "Krislin MacDonnell".

for

Andrew M. Pappastergion, Secretary