

VOTES EXTRACTS
JUNE 9, 2010 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' meetings of May 6, May 12, and May 26, 2010, as presented and filed with the records of the meeting.

IV. ADMINISTRATION & FINANCE COMMITTEE

B. Approvals

1. **MWRA FY11 Insurance Program Renewal**

Voted to authorize the Executive Director, on behalf of the Authority, to award to the lowest eligible and responsive bidders, insurance policies, bonds and contracts for services for MWRA's FY11 Insurance Program, for the period beginning July 1, 2010, through June 30, 2011, for the premiums and fees described below for a total program amount not to exceed \$1,667,162.

- (1) Workers' Compensation Excess Policy with N.Y. Marine, submitted by broker Willis of MA, with a \$25 million limit and a \$500,000 self-insured retention, for a premium of \$91,545;
- (2) Property Policy (including Boiler & Machinery) with FM Global Insurance Co., with various limits of coverage with a \$2.5 million self-insured retention, for a premium of \$638,072;
- (3) General Liability Policy (including Automobile Liability, Protection and Indemnity, Wharfingers, Limited Pollution and Employment Practice Liability) with Everest Insurance Co., Star Indemnity and Markel American Insurance Co., submitted by broker William Gallagher Associates, with a \$35 million limit with a \$2.5 million self-insured retention, for a combined premium of \$568,252;
- (4) Excess/Umbrella Liability Policies with Westchester, Great American and Axis Insurance companies, submitted by broker William Gallagher Associates, providing a combined total of \$65 million of coverage excess of primary coverages for a total combined premium of \$214,566;
- (5) Public Official's Liability Policy with State National Insurance Co., submitted by broker Wells Fargo, with a \$5 million limit with a \$1 million deductible, for a premium of \$49,001;
- (6) Fiduciary Liability Policy with Chubb Insurance Co., submitted by broker Wells Fargo, with a \$5 million limit with \$1 million deductible, for a premium of \$7,125;

- (7) Public Official's/Crime Bond with The Hartford Insurance Co., submitted by broker William Gallagher Associates, with a limit of \$1 million with a \$25,000 deductible for a premium (including commission) of \$6,151;
- (8) Treasurer's Bond with a \$1 million limit with a vendor to be determined in an amount not to exceed \$3,500; and
- (9) Broker contracts with William Gallagher Associates for an amount of \$70,000; Willis of Massachusetts for an amount of \$10,250; and Wells Fargo Insurance Services for an amount of \$8,700.

2. Bond Defeasance of Future Debt Service

Voted to authorize the Executive Director or his designee, on behalf of the Authority, to enter into and execute all necessary agreements and other instruments to escrow up to \$55,000,000.00 of outstanding MWRA debt to maturity.

C. Contract Awards

1. Maintenance and Support Agreement for Lawson Management System Suite: Lawson Software, Inc.

Voted to authorize the Executive Director, on behalf of the Authority, to approve a sole source annual maintenance and support agreement for the Lawson Management System Suite with Lawson Software, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said agreement with Lawson Software, Inc. in the amount of \$541,280.96 for the period of June 1, 2010 through May 31, 2011.

2. Security Guard Services Various MWRA Facilities: ABM Security Services: Contract EXE-030

[withdrawn]

V. WASTEWATER POLICY & OVERSIGHT COMMITTEE

A. Approvals

1. Contract for Wastewater Advisory Committee

Voted to authorize the Executive Director to execute a contract, substantially in the form presented and filed with the records of the meeting, with the Wastewater Advisory Committee for a one-year period beginning on July 1, 2010 at a cost of \$58,500.00.

B. Contract Awards

1. Braintree-Weymouth Relief Facilities - Rehabilitation of Section 624: Spiniello Companies, Contract 5310

Voted to approve the award of Contract No. 5310, Braintree-Weymouth Relief Facilities - Rehabilitation of Section 624, to the lowest eligible and responsible bidder, Spiniello Companies, and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$2,489,000.00 for a term of 180 calendar days from the Notice to Proceed.

C. Contract Amendments/Change Orders

1. Emergency Sewer Repair, Section 659A – Quincy: Barletta Heavy Division, Contract S485, Change Order 3

Voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order No. 3 to increase the amount of Contract No. S485 with Barletta Heavy Division, Emergency Sewer Repair, Section 659A - Quincy, in the amount of \$47,907.00.

VI. WATER POLICY & OVERSIGHT COMMITTEE**B. Approvals**

1. Local Water System Assistance Program – Approval of Loan Program Guidelines

[Postponed – referred to 6/30/10 Water Policy and Oversight Committee meeting]

2. Contract for Water Supply Citizens Advisory Committee

Voted to authorize the Executive Director to execute a contract with the Water Supply Citizens Advisory Committee for a one-year period beginning July 1, 2010, at a total cost of \$96,432.00, which includes funds for a part-time administrative assistant position and consultant services.

VII. PERSONNEL COMMITTEE**A. Approvals**

1. June PCR Amendments - FY10

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

2. Appointment of Manager, Labor Relations and Workers' Compensation, Human Resources

Voted to approve the Executive Director's recommendation to appoint Steven Perry to the position of Manager, Labor Relations & Workers' Compensation in the Human Resources Department, Administration & Finance Division (Non-Union Grade 14), at an annual salary of \$85,500.00 to be effective on the date designated by the Executive Director.

3. Extension of Employment Contract, Administrative Assistant, Clinton Wastewater Treatment Plant

Voted to approve the extension of the part-time employment contract for Ms. Jane Densmore, Administrative Assistant, Clinton Wastewater Treatment Plant, Operations Division, for a period of one year, from July 1, 2010 to June 30, 2011 at the current hourly rate of \$21.00, for an annual compensation not to exceed \$21,840.00.

IX. OTHER BUSINESS

A. Executive Director's Performance Review and Contract Extension

Voted to rate the performance of Frederick A. Laskey, Executive Director, as excellent, and to extend the term of the Executive Director's employment agreement and appointment as Executive Director by one year to June 3, 2013, subject to his consent.

B. Extension of Contract for Chief Operating Officer

Voted to extend the term of the employment agreement with Michael J. Hornbrook, Chief Operating Officer, by one year to May 31, 2013, subject to his consent.

C. Amendment to Votes of May 6, 2010 and May 26, 2010 regarding Independent Panel to Review and Investigate the May 1, 2010 Water Main Break

Voted to amend the votes of the Board of Directors taken at its 5/6/10 and 5/26/10 meetings relative to the appointment of an independent expert panel to indicate that the Executive Director will delegate his existing investigative authority with respect to cost recovery relative to the May 1, 2010 water main break to a panel of independent experts, and that the Executive Director will appoint such panel members, including its chairperson Zorica Pantić, as are deemed appropriate to the needs of the investigation, said panel to be charged by the Executive Director with the tasks of: (i) identifying the probably causes of the water main break and loss of the insulating coupling on May 1, 2010; (ii) preparing and submitting a report to the Board of Directors and to the Executive Director of the panel's independent findings and recommendations with respect to the identification of any design, construction or other defects or deficiencies in any aspect of the work, services, components, or materials furnished for the affected section of the MetroWest Water Supply Tunnel,

any of which may allow the Authority to pursue cost recovery efforts; and (iii) making any other general recommendations that will assist the authority with respect to the design, installation and testing of pipe coupling systems, whether past or future and, further, that the Executive Director, on behalf of the Authority, employ his delegated authority to retain and engage such legal counsel and such consultants as the panel believes are necessary to carry out the tasks with which it has been charged.