

**MWRA Board of Directors Meeting
March 12, 2014
Voting Summary Sheet**

Item Name	Type	Notes	Vote	Discussion Highlights
Approval of Minutes	n/a	n/a	Unanimous	
Report of the Chair	n/a	n/a	n/a	
Report of the Executive Director	n/a	n/a	n/a	*
Acceptance of Grant of Easement from the Commonwealth of Massachusetts, Waterworks Operations, Ware Disinfection Facility	Approval	<ul style="list-style-type: none"> Permanent exclusive easement for land in Ware, Massachusetts to support Waterworks Operations MWRA will continue funding watershed protection activities for DCR 	Unanimous	*
Final CSO Annual Progress Report 2013	Approval	<ul style="list-style-type: none"> Authorized submission of report to the Federal District Court by March 15, 2014 Complies with Schedule Seven of the Boston Harbor Case 	Unanimous	*
PCR Amendments – March 2014	Approval	<ul style="list-style-type: none"> Eliminated vacant position in H/R 3 title and grade changes 2 title changes 	Unanimous	*
Appointment of Laboratory Manager	Approval	<ul style="list-style-type: none"> Appointed Mark T. Lambert Salary: \$99,462.06 (Unit 9, Grade 30) Effective: March 15, 2014 	Unanimous	
Appointment of Director, Western Operations and Maintenance	Approval	<ul style="list-style-type: none"> Appointed Guy M. Foss Salary: \$123,977.00 (Non-Union, Grade 15) Effective: Date designated by the Executive Director 	Unanimous	
Appointment of Manager, Maintenance, Operations	Approval	<ul style="list-style-type: none"> Appointed Edward J. Regan Salary: \$121,431.00 (Unit 6, Grade 14) Effective: Date designated by the Executive Director 	Unanimous	
LabWare LIMS Developer – Staff Augmentation: Atlantic Associates, Inc., WRA-3772Q, State Blanket Contract ITS53 Cat 1	Contract Award	<ul style="list-style-type: none"> Not to exceed \$179,000.00 Not to exceed 12 months 	Unanimous	*
Thermal and Hydro Power Plant Maintenance, Deer Island Treatment Plant: Contract S526	Contract Award	<ul style="list-style-type: none"> Awarded: O'Connor Corporation Amount: \$3,273,607.00 Term: 730 days from NTP 	Unanimous	*
Rehabilitation of Anaerobic Digesters, Primary Clarifiers, and New Influent Gates at Clinton Wastewater Treatment Plant: Contract 7277A	Contract Award	<ul style="list-style-type: none"> Awarded: R.H. White Construction Co., Inc. Amount: \$4,347,571.00 Term: 730 calendar days from NTP 	Unanimous	*
Engineering Services During Construction for Rehabilitation of Anaerobic Digesters, Primary Clarifiers and New Influent Gates at Clinton Wastewater Treatment Plant: Contract 7277B	Contract Award	<ul style="list-style-type: none"> Awarded: Fay, Spofford & Thorndike, LLC Amount: \$387,343.85 Term: 1,095 calendar days from NTP 	Unanimous	*
Remote Headworks Upgrade: Contract 7206, Amendment 3	Contract Amendments /Change Orders	<ul style="list-style-type: none"> Change in consultant's name from Malcolm Pirnie, Inc. to ARCADIS U.S., Inc. Amendment Amount: \$957,600.00 No increase in contract term 		*
Memorandum of Understanding with City of Quincy	Other Business	<ul style="list-style-type: none"> Quincy mitigation agreement extended from January 1, 2014 to June 30, 2015 To be paid in 3 payments of \$350,000.00 Quincy & Winthrop must provide data and financial burden of MWRA sites prior to any future mitigation payments. 	Unanimous	*
Delegated Authority Report – February 2014	Information	<ul style="list-style-type: none"> Please see related staff summary 	Unanimous	
Preliminary Financial Update and Summary as of February 2014	Information	<ul style="list-style-type: none"> YTD expenses lower than budget by \$806,000 \$1.2 million transferred to Defeasance Account Defeasance Account balance: \$8.6 million Projected \$16.5 million balance at year-end CIP underspending: \$16.5 million 	Unanimous	*
Local Pipeline and Water System Assistance Program Update	Information	<ul style="list-style-type: none"> Through Feb, \$283 million in interest-free loans distributed to finance 328 community projects 38 of 45 eligible member communities have participated 	Unanimous	

MWRA Board of Directors Meeting

March 12, 2014

Voting Summary Sheet

Administration and Finance Wastewater Water Personnel * Link to Advisory Board position



MWRA Advisory Board Summary
of the
MWRA Board of Directors Meeting
Wednesday, March 12, 2014

A meeting of the Board of Directors of the Massachusetts Water Resources Authority was held on March 12, 2014 at the Charlestown Navy Yard. **Present:** Chair Richard Sullivan, Joel Barrera and Jennifer Wolowicz, Gubernatorial Appointees; John Carroll, Andrew Pappastergion and Joseph Foti, Advisory Board Representatives; Henry Vitale and Brian Swett, City of Boston Representatives; Jack Walsh, City of Quincy Representative; Paul Flanagan, Town of Winthrop Representative. **Absent:** Kevin Cotter, City of Boston Representative.

Report of the Chair

No Report.

Report of the Executive Director

MWRA Executive Director Fred Laskey noted that there will be a delay in the Northern Intermediate Pipeline project through Stoneham and Reading due to a reconfiguration of the pipeline alignment. MWRA Chief Operating Officer Michael Hornbrook provided the Board with an [overview](#) of the Spot Pond Covered Storage Tanks and Emergency Pump Station project.

Mr. Laskey stated that he and Mr. Favaloro met with the Mayor of Weymouth and her key staff last week. Weymouth is interested in the MWRA's water. There was discussion about running a line to Braintree, Holbrook and Randolph (Tri-Town) and that would get water to Southfield. Weymouth wants to take water from a Quincy line or let the MWRA service the northern section of Weymouth so they can feed Southfield.

Staff provided a PowerPoint [presentation](#) to update the Board on co-digestion.

Approvals

Acceptance of Grant of Easement from Commonwealth of Massachusetts, Waterworks Operations, Ware Disinfection Facility

The Board voted to authorize the Executive Director, on behalf of the Authority, to accept a permanent exclusive easement for land in Ware, Massachusetts, as presented and filed with the records of the meeting, from the Commonwealth of Massachusetts acting through its Division of Capital Asset Management and Maintenance to support waterworks operations. The consideration for the easement shall be continued funding by MWRA of watershed protection activities of the Department of Conservation and Recreation.

Mr. Laskey stated that there was a lapse in documentation on this space. This vote clarifies that the MWRA has care, control and custody of this land in perpetuity. It would revert to the Commonwealth if the MWRA no longer needed it.

Final CSO Annual Progress Report 2013

The Board voted to authorize staff to submit the *Combined Sewer Overflow Annual Progress Report 2013* to the Federal District Court by March 15, 2014, in compliance with Schedule Seven of the Boston Harbor Case, as presented and filed with the records of the meeting.

Board Members Andrew Pappastergion and Jack Walsh applauded staff's efforts on the Final CSO Annual Progress Report for 2013.

PCR Amendments – March 2014

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

Mr. Laskey noted that while waiting for the National Pollutant Discharge Elimination System (NPDES) permit to be issued, the Authority did not want to hire full time staff for monitoring and, therefore, had contract employees for five years. The MWRA is now making them permanent employees.

Board Member Henry Vitale asked when adjustments to personnel are made, does staff talk to the unions. Human Resources Director Robert Donnelly responded in the affirmative; staff works with the unions on new job descriptions and the unions sign-off on these positions.

Appointment of Laboratory Manager

The Board voted to approve the Executive Director's recommendation to appoint Mr. Mark T. Lambert to the position of Laboratory Manager in the Operations Division (Unit 9, Grade 30) at an annual salary of \$99,462.06, to be effective March 15, 2014.

Appointment of Director, Western Operations and Maintenance

The Board voted to approve the Executive Director's recommendation to appoint Mr. Guy M. Foss to the annual salary of \$123,977.00 to be effective on the date designated by the Executive Director.

Appointment of Manager, Maintenance, Operations

The Board voted to approve the Executive Director's recommendation to appoint Mr. Edward J. Regan to the position of Manager, Maintenance, Operations Division (Unit 6, Grade 14) at an annual salary of \$121,431.00 to be effective on the date designated by the Executive Director.

Contract Awards

Labware LIMS Developer – Staff Augmentation: Atlantic Associates, Inc., WRA-3772Q, State Blanket Contract ITS53 Cat1

The Board voted to approve the award of a purchase order contract for the provision of LabWare Laboratory Information Management System Development Services to Atlantic Associates, Inc., under State Blanket Contract ITS53 Cat1, and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said purchase order contract in an amount not to exceed \$179,000.00 for a period not to exceed 12 months.

Board Member Joel Barrera noted that he didn't see the MWRA buying off state contracts very much; does the Authority still get quotes on procurement contracts. MIS Director Russ Murray stated in some cases Massachusetts requires one to three quotes; this contract required two quotes but the Authority got three.

Board Member Jack Walsh asked if this contract requires the services of just one person. Mr. Murray stated that the vendor has proposed one individual; however, the company will provide someone else at the same rate if something happens with this individual.

Thermal and Hydro Power Plant Maintenance, Deer Island Treatment Plant: O'Connor Corporation, Contract S526

The Board voted to approve the award of Contract S526, Thermal and Hydro Power Plant Maintenance, Deer Island Treatment Plant, to the lowest eligible and responsible bidder, O'Connor Corporation, and to authorize the Executive Director, on behalf of the Authority, to execute and deliver said contract in the bid amount of \$3,273,607.00 for a term of 730 calendar days from the Notice to Proceed.

Staff provided a PowerPoint [presentation](#) on thermal and hydro power plant maintenance for the Deer Island Treatment Plant.

Mr. Walsh, in noting that this bid was \$2.4 million less than the engineer's estimate, stated that he wants to ensure that the value is there. He stated that, from his perspective, he wants to see what the MWRA is getting for its money, noting that this is an expensive contract. Staff stated that the contract covers two annual maintenances for two boilers and steam turbines for a crew of about 40 people working over a four-week timeframe, in addition to lump sum items such as bypass piping and pumps.

Rehabilitation of Anaerobic Digesters, Primary Clarifiers, and New Influent Gates at Clinton Wastewater Treatment Plant: R.H. White Construction Co., Inc., Contract 7277A

The Board voted to approve the award of Contract 7277A, Rehabilitation of Anaerobic Digesters, Primary Clarifiers, and New Influent Gates at the Clinton Wastewater Treatment Plant, to the lowest eligible and responsible bidder, R.H. White Construction Co., Inc., and to authorize the Executive Director, on behalf of the

Authority, to execute and deliver said contract in the bid amount of \$4,347,571.00 for a term of 730 calendar days from the Notice to Proceed.

Staff provided the Board with a [presentation](#) on the rehabilitation of anaerobic digesters, primary clarifiers, and new influent gates at the Clinton Wastewater Treatment Plant.

Board Member Andrew Pappastergion stated that he was disturbed that there was only one bidder on this project. Staff contacted O'Connor to see why they did not bid this job. O'Connor said that because the job was in central Massachusetts, they did not feel that they could be cost-competitive. There are non-union contractors in this area.

Mr. Pappastergion noted that the low bid was 8% under the engineer's estimate. Staff stated that the prevailing wages were 10% lower than the engineer's estimate.

MWRA Advisory Board Executive Director Joseph Favaloro stated that the Clinton Plant is 22 years old; the Advisory Board does not have an issue with making repairs. This is a \$4.2 million necessary rehabilitation, which is probably going to be followed by a \$2 to \$3 million phosphorous removal project. Now we are at \$7 million. This was a gift of the Commonwealth that we are paying for; a plant that is not the MWRA ratepayer's responsibility. We may want to rethink having the Commonwealth back up its responsibility. Another \$7 million borne by our ratepayers and not by the state. We may need to revisit how to engage the Commonwealth.

Engineering Services During Construction for Rehabilitation of Anaerobic Digesters, Primary Clarifiers and New Influent Gates at Clinton Wastewater Treatment Plant: Fay, Spofford & Thorndike, LLC, Contract 7277B

The Board voted to approve the recommendation of the Consultant Selection Committee to select Fay, Spofford & Thorndike, LLC to provide Engineering Services During Construction for Rehabilitation of Anaerobic Digesters, Primary Clarifiers and New Influent Gates at Clinton Wastewater Treatment Plant, and to authorize the Executive Director, on behalf of the Authority, to execute Contract 7277B with Fay, Spofford & Thorndike, LLC in an amount not to exceed \$387,343.85 for a term of 1,095 calendar days from the Notice to Proceed.

Board Member Andrew Pappastergion said there was only one bid for this project from the firm that designed it; nobody wants to work in Clinton?

Board Member Henry Vitale asked how much business the Authority does with Fay, Spofford & Thorndike (FST). Deputy Chief Operating Officer John Vetere said over seven years, FST has done a substantial amount of design work in the range of \$100 million.

Board Member Jack Walsh asked if it is typical that one firm does the design work then gets the contract. Mr. Vetere said this happened to be the design we used as FST worked as a technical, as-needed consultant. Staff is going to be examining how we do business; we would rather have it bid than use an as-needed consultant.

Mr. Walsh asked if design would be part of the bid process. Mr. Hornbrook said the MWRA uses different models and it has been project specific.

Mr. Laskey said, like many companies, FST has done good work for us. They have very low overhead rates. I am reassured that we are getting a good price for what we are paying.

Contract Amendments / Change Orders

Remote Headworks Upgrade: Malcolm Pirnie, Inc. (ARCADIS, U.S., Inc.), Contract 7206, Amendment 3

The Board voted to authorize the Executive Director, on behalf of the Authority, to approve Amendment 3 to increase the amount of Contract No. 7206 with Malcolm Pirnie, Inc., Remote Headworks Upgrade, in an amount not to exceed \$957,600.00, with no increase in contract term. Further, to approve a change in the Consultant's name for Contract 7206 from Malcolm Pirnie, Inc. to ARCADIS U.S., Inc.

Mr. Vitale asked if the Authority tracks change orders by contractor; do you see a trend with certain contractors? Mr. Hornbrook said staff does track change orders by contractor and some do submit more change orders than others.

Please click [here](#) to see staff's PowerPoint presentation on the Remote Headworks upgrade.

Other Business

Memorandum of Understanding with the City of Quincy

The Board voted that:

Whereas, the Town of Winthrop and its citizens had been adversely impacted by noise, odor and traffic during and after construction of the Deer Island Wastewater Treatment Plant,

Whereas, the City of Quincy and its citizens had been adversely impacted by noise, odor and traffic during and after the construction of a Pelletizing Plant and other facilities related to the aforementioned Deer Island Wastewater Treatment Plant,

Whereas previous Boards of Directors of the Authority had recognized the aforementioned impacts on these two communities, and, to a lesser extent, Braintree, Charlestown and Barnstable,

Whereas, during the period of heavy construction the Authority made payments to Winthrop totaling \$38 million and to Quincy totaling \$33 million for various construction impacts which severely impacted each community in various adverse ways,

Whereas, at the present time, MWRA only has financial agreements with two communities, Quincy and Winthrop, that fall into the categories of providing community compensation for impacts and for establishing operation arrangement and constraints,

Whereas, since FY2002* the Authority has made \$8.7 million in mitigation payments to Quincy – an annual average of \$727,000,

Whereas, since FY2006* the Authority has made \$7 million in mitigation payments to Winthrop – an annual average of \$700,000,

Whereas, Winthrop’s current agreement expires on June 30, 2015 and Quincy’s agreement expired on December 31, 2013,

**Note: Quincy’s payments are calendar years and Winthrop’s are fiscal years.*

Whereas, it is now apparent that there are no longer any major construction impacts on either community,

Whereas, however, Winthrop provides police and fire services to the entire Deer Island Treatment Plant,

Whereas, however, Quincy provides police and fire services to a number of MWRA facilities, but mainly to the pelletizing plant,

Whereas, it is apparent that Winthrop’s responsibilities under its mitigation agreement substantially exceed those of Quincy,

Whereas, this Board of Directors wishes to continue Quincy’s mitigation agreement,

Whereas, this Board of Directors believes there is value in having the expiration dates in both agreements be the same,

Now, therefore, the MWRA Board of Directors agrees to extend Quincy’s mitigation agreement by making the following schedule of payments:

- January 1, 2014 to June 30, 2014 \$350,000.00
- July 1, 2014 to December 31, 2014 \$350,000.00
- January 1, 2015 to June 30, 2015 \$350,000.00

Voted that the City of Quincy and the Town of Winthrop shall provide the Board of Directors data and financial cost information enumerating the financial burden of these MWRA sites on the City of Quincy and the Town of Winthrop prior to any further mitigation payments after June 30, 2015.

Voted to authorize the Executive Director to begin looking into future mitigation payments now.

Information

Delegated Authority Report – February 2014

Director of Administration and Finance Rachel Madden highlighted the February 2014 delegated authority purchases. There were no critical need purchases made; all purchases were planned and budgeted.

Preliminary Financial Update and Summary as of February 2014

Staff provided the Board with a preliminary financial update and summary as of February 2014.

Mr. Vitale asked how much the Authority contributes to the watersheds. Director of Administration and Finance Rachel Madden said \$27 million of the indirect costs go to the watersheds; of that, \$5.6 million is for debt service in addition to \$7.8 million in payments in lieu of taxes (PILOT).

Board Member Joel Barrera said it might be worth talking about for new board members that DCR has gone from purchasing lands to buying conservation restrictions; with this method, the Authority does not have to pay PILOT payments.

Local Pipeline and Water System Assistance Program Annual Update

Carl Leone and Elaine Donahue updated the Board with a [presentation](#) on the Local Pipeline and Water System Assistance Programs.

This summary does not include every item discussed by the Board, nor the full extent of the discussions. Please contact Mary Ann McClellan at the Advisory Board office with questions, comments