

MASSACHUSETTS WATER RESOURCES AUTHORITY

Meeting of the Board of Directors

June 23, 2021

A meeting of the Massachusetts Water Resources Authority ("MWRA") Board of Directors was held on June 23, 2021. The meeting was conducted at MWRA's headquarters at 100 First Avenue, Boston, Massachusetts, and also virtually pursuant to Chapter 20 of the Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency. Chair Theoharides (remote participation) presided. Also present from the Board, in addition to the Chair, were Ms. Wolowicz (remote participation) and Messrs. Carroll, Cook (remote participation), Foti, Pappastergion, Peña (remote participation), J. Walsh and P. Walsh. Messrs. Flanagan and Vitale were absent. MWRA staff participants at MWRA's headquarters 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; Patterson Riley, Special Assistant, Affirmative Action and Assistant Secretaries Ria Convery and Kristin MacDougall. Joseph Favaloro, MWRA Advisory Board, was also present at MWRA headquarters. MWRA staff in attendance virtually included: Matthew Horan, Deputy Director, Finance/Treasurer; Paula Weadick, Director, MIS; Sean Navin, Director, Intergovernmental Affairs; David Duest, Director, Deer Island; Marty McGowan, Construction Coordinator, Engineering and Construction; John Colbert, Chief Engineer; and, Andrea Murphy, Director, Human Resources. Vandana Rao, EEA, and WSCAC representatives Lexi Dewey and Whitney Beals were also in attendance virtually.

Chair Theoharides called the meeting to order at 12:03pm. MWRA General Counsel Francisco Murphy took roll call of Board Members in attendance. Board members who were participating virtually indicated such during the roll call. The Chair announced that with the exception of Executive Session, the meeting was open to the public either at MWRA's headquarters or virtually, via a link posted on MWRA's website (www.mwra.com). She also announced that the meeting would be recorded, and that the agenda and meeting materials were available on MWRA's website.

All motions were individually made and presented for discussion and deliberation. MWRA General Counsel Francisco Murphy explained that all motions would be individually presented and given an opportunity for discussion and deliberation; further, that after discussion and deliberation, any Board member could request an individual roll call vote on that motion, where Board Members could vote affirmatively or in the negative, or abstain from voting. She also said that if no request for an individual vote were made or concerns raised, the motion would advance for an omnibus roll call vote at the conclusion of all the presentations.

APPROVAL OF MAY 26, 2021 MINUTES

A motion was duly made and seconded to approve the minutes of the Board of Directors' meeting of May 26, 2021. Chair Theoharides called for any questions, discussion or objections. Hearing none, the Chair referred the motion to an omnibus roll call vote. (Ref. I)

REPORT OF THE CHAIR

Chair Theoharides reported on the Commonwealth's drought conditions, which had been improving with the exception of groundwater in certain regions, including Cape Cod. She then updated Board Members on American Rescue Plan Act (ARPA) funding, noting that Governor Baker submitted his spending plan for ARPA federal stimulus money to the legislature. Chair Theoharides announced that Baker-Polito administration's funding proposal includes \$800 million for critical environmental initiatives including clean water infrastructure, recreation and open spaces (including watershed protection lands), and climate resilient infrastructure. (Ref. II)

REPORT OF THE EXECUTIVE DIRECTOR

Mr. Laskey announced that MWRA won the American Water Works Association's "Best of the Best" drinking water taste test award for 2021. He updated Board Members on the MWRA's Metropolitan Water Tunnel Program and invited Board Members to attend a dedication ceremony for the Deer Island Fishing Pier on June 24, 2021. (Ref. III)

ADMINISTRATION, FINANCE AND AUDIT

(In Committee Chair Vitale's absence, Chair Theoharides temporarily led the items for presentation.)

Information

Delegated Authority Report – May 2021

MWRA Director of Administration Michele Gillen invited questions or comments from Board Members. Hearing none, Chair Theoharides proceeded to the next agenda item. (ref. IV A.1)

FY21 Financial Update and Summary as of May 2021

MWRA Finance Director Tom Durkin summarized financial results and variance highlights through May 2021, comparing actual spending to the budget. Highlights included direct and indirect expenditures, observations and predictions about variable rate debt stability, and unexpected expenditures for computer hardware needed for remote work during the COVID-19 pandemic. The Board requested additional financial information about the HEEC Cross-Harbor Cable replacement. Mr. Durkin replied that the MWRA budget includes funds and reserves for HEEC-related costs. Mr. Laskey advised that MWRA staff would prepare a staff summary for a future meeting. (Ref. IV A.2)

(Board Member Cook assumed the role of Acting Committee Chair.)

Approvals

FY22 Capital Improvement Program

A motion was duly made and seconded to approve the FY22 Final Capital Improvement Program with a total budget of \$207.8 million for FY22, including \$164.8 million in project spending and \$43.0 million in community assistance.

MWRA Finance Director Tom Durkin summarized the proposed FY22 Capital Expense Budget for Board Members, including a description of the budget preparation and approval process;

actual FY19 and FY20 spending; projected FY21 spending and proposed FY22 spending. He thanked MWRA Advisory Board staff for their comments and recommendations.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. IV B.1)

Final FY22 Current Expense Budget

A motion was duly made and seconded to adopt the Final FY22 Current Expense Budget set forth in Attachments A and B to the June 23, 2021 Staff Summary as presented and filed with the records of the meeting, with current revenue and expense of \$812,997,202.00; and, further, to adopt the Final FY22 Operating Budget (Trustee's Budget) set forth in Attachment C to the June 23, 2021 Staff Summary presented and filed with the records of the meeting.

MWRA Finance Director Tom Durkin summarized the proposed FY22 Current Expense Budget (CEB) for Board Members, including a proposed increase of 2.95% to expenses and related factors such as revenue, community assessments, rate stabilization and reserves.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. IV B.2)

Final FY22 Water and Sewer Assessments

A motion was duly made and seconded to adopt the following, effective July 1, 2021: water system assessments of \$277,415,068.00 and sewer system assessments of \$514,668,932.00 for FY22; FY22 sewer assessments of \$500,000.00 for the Town of Clinton and \$443,883.00 for the Lancaster Sewer District; an FY22 charge to the City of Worcester of \$190,780.00 representing approximately 7.9% of the direct operating expenses for the Clinton Wastewater Treatment Plant; FY22 water assessments of \$3,600,383.00 for the City of Chicopee; \$797,235.00 for South Hadley Fire District #1, and \$872,559.00 for the Town of Wilbraham; a wholesale water rate of \$4,387.28 per million gallons; and, a retail sewer rate of \$7,784.31 per million gallons.

MWRA Finance Director Tom Durkin summarized the process and strategies used to develop proposed FY22 water and sewer assessments, including the year-over-year increase to the assessment on a combined basis; and further detailed the projected combined rates, at a utility level, through FY26 at under 4%.

Board Member Carroll noted that the proposed motion should be more specific regarding individual communities' assessments. MWRA Executive Director Laskey recommended that the motion be amended for clarity. MWRA General Counsel Francisco Murphy recommended that the motion be amended to add the following:

further to adopt the FY22 Water and Sewer Assessment, Charges, and Rates, effective July 1, 2021, as described and set forth in the June 23, 2021 Staff Summary, including Attachments 1, 2 and 3 thereto, as presented to the Board and filed with the records of the meeting.

A motion was duly made and seconded to approve the amendment to the motion as read.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the amended motion as read to an omnibus roll call vote. (ref. IV B.3)

Contract Awards

Investment Banking Services: MWRA Contract F263

A motion was duly made and seconded to approve the recommendation of the Consultant Selection Committee to select the investment banking firms fees, as identified and listed in the June 23, 2021 Staff Summary presented and filed with the records of the meeting, to serve as underwriters for fixed rate bond issues and to authorize the Executive Director, on behalf of the Authority, to enter into agreements with the selected firms; and, further, to approve the recommendation of the Consultant Selection Committee that Citigroup Global Markets, Inc., as first ranked, serve as senior manager for the next fixed rate bond transaction and, for subsequent transactions; it is the intent to assign senior managers in rotation based on the Selection Committee's ranking order, provided there are no material changes to the firm or in markets conditions.

MWRA Finance Director Tom Durkin outlined the MWRA's use of banking services in Authority borrowing through the issuance of bonds. MWRA Deputy Director of Finance/Treasurer Matthew Horan summarized the proposed contract's scope and the procurement process including a short listing of the 25 proposals received, and the basis for selection and recommendation by the Section Committee. Mr. Horan also noted that the team should give MWRA access to institutional and retail markets and a strong ability to place MWRA bonds going forward.

(Board Members Foti and Wolowicz joined the meeting during the summary.)

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. IV C.1)

Maximo Lawson Interface Enhancements: Starboard Consulting, LLC, Contract 7649

A motion was duly made and seconded to approve the recommendation of the Consultant Selection Committee to award Contract 7649, Maximo Lawson Interface Enhancements, to Starboard Consulting, LLC, and to authorize the Executive Director, on behalf of the Authority, to execute said contract in an amount not to exceed \$1,184,000.00, for a contract term of 18 months from the Notice to Proceed.

MWRA MIS Director Paula Weadick summarized the procurement selection process for the Board and the scoring by the Section Committee members, noting that the recommended firm, Starboard Consulting, LLC, at the highest proposed cost, was selected because it was expected to provide the best overall, long-term value to the Authority. Upon questioning from the Board, Ms. Weadick further explained that Starboard Consulting, LLC's technical approach most closely corresponded to the Request for Proposal's stated preferences and would simplify anticipated upgrades.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. IV C.2)

WASTEWATER POLICY AND OVERSIGHT

(In Committee Chair Flanagan's absence, Board Member John Walsh served as Acting Committee Chair.)

Contract Awards

Wastewater Advisory Committee Contract

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to execute a contract with the Wastewater Advisory Committee, substantially in the form attached to the June 23, 2021 Staff Summary presented and filed with the records of the meeting, for a term of one year, from July 1, 2021 to June 30, 2022, for a total contract cost of \$77,798.00.

MWRA Intergovernmental Affairs Director Sean Navin summarized the terms of the proposed contract, which includes a 3.4% increase from FY21 due to increases in healthcare expenses, small increases in hourly salaries and other reimbursable expenses.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. V A.1)

Removal, Disposal, and Replacement of Odor Control Wet Scrubber Plastic Packing Media and Mist Eliminators at the Deer Island Treatment Plant Carbon Filtration Systems, Inc., Bid WRA-4950

A motion was duly made and seconded to approve the award of Purchase Order Contract WRA-4950 for the removal, disposal, and replacement of scrubber plastic packing media and mist eliminators at the Deer Island Treatment Plant to the lowest responsive bidder, Carbon Filtration Systems, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said purchase order contract in an amount not to exceed \$325,000.00, for a contract term of nine months from the Notice to Proceed.

MWRA Deer Island Wastewater Treatment Plant Director David Duest gave a presentation that explained MWRA's Title V Air Permit requirement and included an overview of the functions of odor control facilities, wet scrubbers, plastic packing media and mist eliminators, the scope of work for the contract and the bid results. Mr. Duest noted the Engineer's Estimate of \$324,323, a difference of 0.2% from Carbon Filtration's bid. The Board requested a cost comparison between contacts in future staff summaries for these services.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. V A.2)

Centrifuge Services, Deer Island Treatment Plant: Alfa Laval, Inc. Contract S601

A motion was duly made and seconded to approve the award of Contract S601, Centrifuge Services, Deer Island Treatment Plant, to the lowest responsive bidder, Alfa Laval, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the bid amount of \$599,150.00, for a contract term of 1,095 calendar days from the Notice to Proceed.

MWRA Deer Island Wastewater Treatment Plant Director Duest gave a presentation that explained the proposed contract scope of work and duration, the functions, operations and use of Deer Island's Centrifuges, staff day-to-day maintenance tasks and monitoring work on the Centrifuges, and the bid results noting that the lowest responsive bidder, Alfa Laval, is the OEM and that the bids indicate tight and aggressive pricing among the bidders.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. V A.3)

Contract Amendments/Change OrdersChelsea Creek Headworks Upgrade: BHD/BEC 2015, A Joint Venture Contract 7161, Change Order 47

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Change Order 47 to Contract 7161, Chelsea Creek Headworks Upgrade, with BHD/BEC 2015, A Joint Venture for a lump sum amount of \$72,769.00, increasing the contract amount from \$85,081,020.06 to \$85,153,789.06, with no increase in contract term; and, further, 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.

MWRA Construction Coordinator Marty McGowan gave a presentation to Board Members about the need for the proposed Change Order, including measures to correct an omission relating to the odor control fan sensing line and necessary revisions relating to the communication shelter's stairs. Mr. McGowan noted key elements of the project relating to sea rise including provisions to withstand a 100-year flood plus 2.5 feet, 4-5 feet of elevation to withstand floodwaters and flood barriers. Mr. McGowan's presentation concluded with an overview of project construction progress to date and the current target for substantial completion of July 2021.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. V B.1)

Nut Island Headworks Odor Control and HVAC Improvements Inspections, Evaluations, Design, Construction Administration and Resident Engineering Services: Hazen and Sawyer, P.C. Contract 7517, Amendment 3

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Amendment 3 to Contract 7517, Nut Island Headworks Odor Control and HVAC Improvements Inspections, Evaluations, Design, Construction Administration and Resident

Engineering Services, with Hazen and Sawyer, P.C., to increase the contract amount by \$836,304.00 from \$7,529,643.51 to \$8,365,947.51 with no increase in contract term.

MWRA Chief Engineer John Colbert gave a presentation to the Board that included an overall progress update, a summary of the proposed Amendment requesting an increase in contract hours for contract submittals due to temporary systems, sequencing, and instrumentation and controls; RFIs due to sequencing and complexity of construction in an operating facility; and more frequent meetings to improve coordination between the contractor, MWRA and consultant.

The Board questioned Mr. Colbert regarding the three amendments to the contract, and the 700-day extension and contract duration. Mr. Colbert provided information regarding the first Amendment for additional resident inspection and engineering services due to the complexity of the project, and the second Amendment for increased contractor submittals. Mr. Colbert also provided information related to the extended construction period, including the development of the work and sequencing by the designer during the design. The Board noted that the project was 33% complete at 19% over budget, and questioned what was expected going forward. Mr. Colbert noted that the numbers should carry to the end of the project for contractor submittals and requests for information, and that there are no other Amendments currently requested by the project consultant. The Board asked about the status of construction and anticipated change orders. MWRA Chief Operating Officer Dave Coppes provided information regarding the percentage of change orders and job completion to date, and noted the possibility that contractor requests for information may result in additional changes, but MWRA staff would do their best to work with the contractor to identify any issues early to keep changes to a minimum.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. V B.2)

WATER POLICY AND OVERSIGHT

Information

Green Forestry Certification

MWRA Director of Planning and Sustainability Steve Estes-Smargiassi described the general purpose and objectives of green watershed forestry. Water Supply citizens Advisory Committee (WSCAC) Executive Director Lexi Dewey and member Whitney Beals gave a presentation on the benefits of Green Forestry Certification for DCR watershed lands, the reasons for WSCAC's support of the program, and the history of DCR participation in the program.

Board Member Wolowicz expressed support for Green Forestry recertification. The Board asked staff to elaborate on the lapse of the Commonwealth's certification in 2009. Mr. Estes-Smargiassi explained there were a number of questions from the certifiers during the statewide recertification; that the state chose not to finalize recertification; and when state did not recertify statewide, the watershed portion was dropped as well. Mr. Beals noted that the FSC is in the process of developing specific, helpful recommendations for watershed forest management.

Hearing no further questions, discussion or objections, Committee Chair Peña proceeded to the next agenda item. (ref. VI A.1)

Contract Awards

Water Supply Citizens Advisory Committee Contract

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to execute a contract with the Water Supply Citizens Advisory Committee, substantially in the form attached to the June 23, 2021 Staff Summary presented and filed with the records of the meeting, for a one-year period beginning July 1, 2021 to June 30, 2022, with a total contract cost of \$114,120.00.

MWRA Intergovernmental Affairs Director Sean Navin summarized the terms of the proposed FY22 contract, which includes an increase of 3.3% over the FY21 contract due to increases in health insurance, hourly wages and other expenses.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. VI B.1)

Low Service PRV Improvements Resident Engineering and Inspection Services: CDM Smith Inc., Contract 7674

A motion was duly made and seconded to approve the recommendation of the Consultant Selection Committee to award Contract 7674, Low Service PRV Improvements Resident Engineering and Inspection Services to CDM Smith Inc. and authorize the Executive Director, on behalf of the Authority, to execute said contract in an amount not to exceed \$718,080.00 for a contract term of 24 months from the Notice to Proceed.

MWRA Chief Engineer John Colbert gave a presentation that included a summary of the contract and an overview of the project. He also provided the proposal results and explained that the recommendation was based on the firm's experience and strong references on similar projects.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. VI B.2)

PERSONNEL AND COMPENATION

Information

Diversity, Equity, and Inclusion Workgroup Update

MWRA Executive Director Laskey was joined by MWRA Special Assistant for Affirmative Action Patterson Riley and Director of Administration Michele Gillen. Mr. Laskey discussed the hard work at the Authority on DEI issues including in the areas of affirmative action, contracting and pay equity. He described the DEI committee that was created to continue in those efforts, and noted the importance of the keeping the Board informed on their efforts. Mr. Riley thanked Board Members and Mr. Laskey for their continued support of MWRA DEI initiatives. Mr. Riley introduced the members of the MWRA DEI workgroup. He noted recent progress made by the workgroup, including the development of a DEI mission statement, an association with Madison Park

Vocational High School, a mentoring program, a Diversity, Equity and Inclusion and Respect in the Workplace training program, and DEI-minded view on finance policies. Ms. Gillen presented the results of the DEI survey, noting its high response rate of over 40%. She noted that the survey results reflect the hard work on the issues as well as opportunities to improve going forward including in professional advancement opportunities, mentoring programs, the promotion of cultural awareness, and diversity in contract awards. Ms. Gillen noted that initiatives were underway to address these opportunities. Chair Theoharides thanked Mr. Laskey and MWRA staff for their work toward DEI. She expressed the need for Board Members to consider ways to support DEI at MWRA and internally as a Board. Board members echoed the Secretary's comments. There was Board discussion concerning the participation and satisfaction rate and results. Mr. Laskey invited Board Members to participate in an upcoming DEI training. (ref. VII A.1)

(Ms. Wolowicz left the meeting during the discussion due, in part, to technical difficulties, and Mr. Foti presented the remainder of the items in her absence.)

Approvals

PCR Amendments – June 2021

A motion was duly made and seconded to approve the amendment to the Position Control Register as presented and filed with the records of the meeting.

MWRA Director of Human Resources Andrea Murphy summarized the proposed Amendment to add a new Associate General Counsel, Environmental and Energy position.

The Board requested a description of this position's responsibilities. MWRA General Counsel Francisco Murphy responded that this position will fill a need in the Law Department for assistance in the specialized area of environmental and energy law and provided a summary of the work of the position.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. VII B.1)

Appointment of Manager, Wastewater Operations

A motion was duly made and seconded to approve the appointment of Mr. Chad Whiting to the position of Manager, Wastewater Operations (Non Union, Grade 14), in the Wastewater Operations Department, at an annual salary of \$136,000, commencing on a date to be determined by the Executive Director.

MWRA Human Resources Director Andrea Murphy summarized the proposed candidate's work history, experience, education and qualifications.

The Board noted that only two candidates had applied for this position and asked how MWRA recruits potential employees. Ms. Murphy responded that MWRA uses Applicant Pro, an online application system that forwards external job postings to a number of websites including Indeed

and Glassdoor. MWRA Executive Director Laskey and Chief Operating Officer David Coppes noted that recruitment had been an ongoing challenge recently. Mr. Coppes also noted that MWRA recruits through professional organizations.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she Hearing no further questions, discussion or objections, Chair Theoharides advanced the motion to an omnibus roll call vote. (ref. VII B.2)

Appointment of Associate General Counsel, Environmental and Energy

A motion was duly made and seconded to approve the appointment of Mr. Michael J. Altieri to the position of Associate General Counsel, Environmental and Energy, Law Division (Non-Union, Grade 15) at an annual salary of \$140,000.00, commencing on a date to be determined by the Executive Director.

MWRA Human Resources Director Andrea Murphy summarized the proposed candidate's work history, experience, education and qualifications.

The Board asked about the candidate's employment history. MWRA General Counsel Francisco Murphy explained the candidate's employment history from his last position at MWRA to his current position in private practice.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. VII B.3)

FY22 Non-Union Compensation and Extension of Employment Contract, Director Tunnel Redundancy Program

A motion was duly made and seconded to authorize the Executive Director to implement a 3.0% across-the-board compensation adjustment for non-union managers effective with the first FY22 payroll; further, to approve a revision to the non-union salary ranges for FY22 as presented in Attachment A to the June 23, 2021 Staff Summary and filed with the records of the meeting; and, that the Board of Directors adopt the Executive Director's performance rating of Excellent for Kathleen M. Murtagh, Director Tunnel Redundancy Program, for FY19-21 and extend the term of her employment agreement to June 3, 2024.

Chair Theoharides asked if there was any further discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. VII B.4)

OMNIBUS ROLL CALL VOTE

Chair Theoharides 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>
Theoharides		
Carroll		

<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Cook		
Foti		
Pappastergion		
Peña		
J. Walsh		
P. Walsh		

Voted: to approve the minutes of the Board of Directors' meeting of May 26, 2021. (ref. I);

Further, voted: to approve the FY22 Final Capital Improvement Program with a total budget of \$207.8 million for FY22 including \$164.8 million in project spending and \$43.0 million in community assistance. (ref. IV B.1);

Further, voted: to adopt the Final FY22 Current Expense Budget set forth in Attachments A and B to the June 23, 2021 Staff Summary as presented and filed with the records of the meeting, with current revenue and expense of \$812,997,202.00; and, further, voted: to adopt the Final FY22 Operating Budget (Trustee's Budget) set forth in Attachment C to the June 23, 2021 Staff Summary presented and filed with the records of the meeting. (ref. IV B.2);

Further voted: to adopt the following, effective July 1, 2021: water system assessments of \$277,415,068.00 and sewer system assessments of \$514,668,932.00 for FY22; FY22 sewer assessments of \$500,000.00 for the Town of Clinton and \$443,883.00 for the Lancaster Sewer District; an FY22 charge to the City of Worcester of \$190,780.00 representing approximately 7.9% of the direct operating expenses for the Clinton Wastewater Treatment Plant; FY22 water assessments of \$3,600,383.00 for the City of Chicopee; \$797,235.00 for South Hadley Fire District #1, and \$872,559.00 for the Town of Wilbraham; a wholesale water rate of \$4,387.28 per million gallons; and, a retail sewer rate of \$7,784.31 per million gallons; and further to adopt the FY22 Water and Sewer Assessment, Charges, and Rates, effective July 1, 2021, as described and set forth in the June 23, 2021 Staff Summary, including Attachments 1, 2 and 3 thereto, as presented to the Board and filed with the records of the meeting. (ref. IV B.3);

Further voted: to approve the recommendation of the Consultant Selection Committee to select the investment banking firms fees, as identified and listed in the June 23, 2021 Staff Summary presented and filed with the records of the meeting, to serve as underwriters for fixed rate bond issues and to authorize the Executive Director, on behalf of the Authority, to enter into agreements with the selected firms; and, further, voted: to approve the recommendation of the Consultant Selection Committee that Citigroup Global Markets, Inc., as first ranked, serve as senior manager for the next fixed rate bond transaction and, for subsequent transactions, it is the intent to assign senior managers in rotation based on the Selection Committee's ranking order, provided there are no material changes to the firm or in markets conditions. (ref. IV C.1);

Further, voted: to approve the recommendation of the Consultant Selection Committee to award Contract 7649, Maximo Lawson Interface Enhancements, to Starboard Consulting, LLC, and to authorize the Executive Director, on behalf of the Authority, to execute said contract in an amount not to exceed \$1,184,000.00, for a contract term of 18 months from the Notice to Proceed. (ref. IV C.2);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to execute a contract with the Wastewater Advisory Committee, substantially in the form attached to the June

23, 2021 Staff Summary presented and filed with the records of the meeting, for a term of one year, from July 1, 2021 to June 30, 2022, for a total contract cost of \$77,798.00. (ref. V A.1);

Further, voted: to approve the award of Purchase Order Contract WRA-4950 for the removal, disposal, and replacement of scrubber plastic packing media and mist eliminators at the Deer Island Treatment Plant to the lowest responsive bidder, Carbon Filtration Systems, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said purchase order contract in an amount not to exceed \$325,000.00, for a contract term of nine months from the Notice to Proceed. (ref. V A.2);

Further, voted: to approve the award of Contract S601, Centrifuge Services, Deer Island Treatment Plant, to the lowest responsive bidder, Alfa Laval, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the bid amount of \$599,150.00, for a contract term of 1,095 calendar days from the Notice to Proceed. (ref. V A.3);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Change Order 47 to Contract 7161, Chelsea Creek Headworks Upgrade, with BHD/BEC 2015, A Joint Venture for a lump sum amount of \$72,769.00, increasing the contract amount from \$85,081,020.06 to \$85,153,789.06, with no increase in contract term; and, 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. V B.1);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 3 to Contract 7517, Nut Island Headworks Odor Control and HVAC Improvements Inspections, Evaluations, Design, Construction Administration and Resident Engineering Services, with Hazen and Sawyer, P.C., to increase the contract amount by \$836,304.00 from \$7,529,643.51 to \$8,365,947.51 with no increase in contract term. (ref. V B.2);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to execute a contract with the Water Supply Citizens Advisory Committee, substantially in the form attached to the June 23, 2021 Staff Summary presented and filed with the records of the meeting, for a one-year period beginning July 1, 2021 to June 30, 2022, with a total contract cost of \$114,120.00. (ref. VI B.1);

Further, voted: to approve the recommendation of the Consultant Selection Committee to award Contract 7674, Low Service PRV Improvements Resident Engineering and Inspection Services to CDM Smith Inc. and authorize the Executive Director, on behalf of the Authority, to execute said contract in an amount not to exceed \$718,080.00 for a contract term of 24 months from the Notice to Proceed. (ref. VI B.2);

Further, voted: to approve the amendment to the Position Control Register as presented and filed with the records of the meeting. (ref. VII B.1);

Further, voted: to approve the appointment of Mr. Chad Whiting to the position of Manager, Wastewater Operations (Non Union, Grade 14), in the Wastewater Operations Department, at an annual salary of \$136,000, commencing on a date to be determined by the Executive Director. (ref. VII B.2);

Further, voted: to approve the appointment of Mr. Michael J. Altieri to the position of Associate General Counsel, Environmental and Energy, Law Division (Non-Union, Grade 15) at an annual salary of \$140,000.00, commencing on a date to be determined by the Executive Director. (ref. VII B.3); and,

Further, voted: to authorize the Executive Director to implement a 3.0% across-the-board compensation adjustment for non-union managers effective with the first FY22 payroll; and, further, voted: to approve a revision to the non-union salary ranges for FY22 as presented in Attachment A to the June 23, 2021 Staff Summary and filed with the records of the meeting; and, further, voted: that the Board of Directors adopt the Executive Director's performance rating of Excellent for Kathleen M. Murtagh, Director Tunnel Redundancy Program, for FY19-21 and extend the term of her employment agreement to June 3, 2024. (ref. VII B.4).

(Chair Theoharides left the meeting after the Omnibus Roll Call Vote and Vice Chair Carroll chaired the remainder of the meeting.)

EXECUTIVE SESSION

Vice Chair Carroll moved that the Board enter Executive Session to discuss real estate and litigation since discussion in Open Session may have a detrimental effect upon the negotiating position of the Authority; further, to not return to Open Session and to adjourn the meeting from Executive Session.

MWRA General Counsel Francisco Murphy announced that under the Open Meeting Law, at the start of an Executive Session, members who are participating remotely must state that no other person is present or able to hear the discussion at their remote locations, and that a response of "yes" to the Roll Call to enter Executive Session for Board members who are participating remotely when their names are called would be deemed their statements that no other person is present or able to hear the Executive Session discussion at their remote locations.

(Mr. Cook left the meeting after the announcement.)

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>
Carroll		
Foti		
Pappastergion		
Peña		
J. Walsh		
P. Walsh		

Voted: to enter Executive Session to discuss real estate and litigation and to adjourn the meeting from Executive Session.

*** EXECUTIVE SESSION ***

The meeting entered Executive Session at 1:59pm and adjourned at 2:28pm.

Approved: July 21, 2021

Attest:


Andrew M. Pappastergion, Secretary