

MASSACHUSETTS WATER RESOURCES AUTHORITY

Meeting of the Board of Directors

October 20, 2021

A meeting of the Massachusetts Water Resources Authority (“MWRA”) Board of Directors was held on October 20, 2021. The meeting was conducted 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 presided via remote participation. Present remotely from the Board, in addition to the Chair, were Ms. Wolowicz and Messrs. Cook, Foti, Pappastergion, Peña Vitale, and J. Walsh. Messrs. Carroll, Flanagan and P. Walsh were absent.

MWRA staff in attendance virtually 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; Kathy Murtagh, Director, Tunnel Redundancy; Andrea Murphy, Director, Human Resources; Claude Cormier, Director, Internal Audit; Michael Cole, Budget Director; Matthew Horan, Deputy Director, Finance/Treasurer; Betsy Reilley, Director, Environmental Quality; Daniel Codiga, Project Manager, ENQUAL; Matthew Dam, Director, TRAC; Brian Kubaska, Assistant Director, Engineering; David Duest, Director, Deer Island Treatment Plant; Richard Adams, Manager, Engineering Services, Deer Island; Lisa Hamilton, Assistant Director of Engineering; Valerie Moran, Director, Waterworks; Doug Rice, Director, Procurement; John Colbert, Chief Engineer; Ethan Wenger, Director, SCADA; and, Assistant Secretaries Ria Convery and Kristin MacDougall. Vandana Rao, Executive Office of Environmental Affairs (EEA), and Joseph Favaloro, MWRA Advisory Board, were also in attendance virtually.

Chair Theoharides called the meeting to order at 1:01pm. MWRA General Counsel Francisco Murphy took roll call of Board Members in attendance. The Chair announced that with the exception of Executive Session, the meeting was open to the public 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 SEPTEMBER 15, 2021 MINUTES

A motion was duly made and seconded to approve the minutes of the Board of Directors’ meeting of September 15, 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 that all regions in Massachusetts were out of a drought, and that groundwater had recovered. She added that conversations with MWRA staff continue around recent drought at the Ipswich River Watershed. Next, the Chair encouraged Board Members and MWRA staff to join the EEA in observing "Imagine a Day without Water," a national campaign to educate the public about the importance of water and wastewater systems. Finally, Chair Theoharides noted that the Baker-Polito administration has continued to pursue federal funds to support water infrastructure. (ref. II)

REPORT OF THE EXECUTIVE DIRECTOR

Mr. Laskey thanked EEA Secretary Theoharides, Undersecretary Card and DCR Commissioner Montgomery for their support of increased DCR Watershed staffing, noting that ten new positions will be posted. He then presented an update on MWRA's progress in complying with the Baker-Polito administration's COVID-19 vaccination mandate. Mr. Laskey reported that 98.8% of MWRA's 1,114 employees had attested to receiving the vaccination or an exemption. He noted that the exemptions that were granted were mostly for religious reasons. He added that staff investigated religions exemption letters issued by one church and confirmed their veracity. Mr. Laskey then thanked MWRA staff for complying with the vaccine mandate. Next, he reported that the summer and fall's heavy rains and high temperatures had contributed to higher than normal total coliform detections in some MWRA communities. He added that MWRA staff were encouraging member communities to flush their systems. Finally, Mr. Laskey noted that MWRA system expansion continues to be a topic of discussion. (ref. III)

PERSONNEL AND COMPENSATION

Approvals

October PCR Amendments

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

MWRA Human Resources Director Andrea Murphy briefly summarized the fifteen proposed PCR amendments, which included two title changes to two vacant positions in the Administration Division, MIS Department; one title and grade change to one vacant position in the Operations Division, Engineering and Construction Department; one title change to one filled position in the Operations Division, TRAC Department; two grade changes to two vacant positions in the Operations Division, Deer Island Thermal Unit; and, nine grade changes to nine filled positions in the Operations Division, Deer Island Thermal Unit.

Mr. Foti asked why the number of proposed PCR amendments was higher than usual. Ms. Murphy explained that most of the amendments were intended to competitively retain and recruit Deer Island Thermal Power Plant staff.

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

Appointment of Senior Program Manager, Community Support

A motion was duly made and seconded to approve the appointment of Mr. Jon Szarek to the position of Senior Program Manager, Community Support (Unit 9, Grade 30) in the Planning and Sustainability Department at an annual salary of \$119,503.32 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.

Mr. Laskey noted that the proposed candidate would be succeeding Mr. Carl Leone, who had recently retired.

(Mr. Jack Walsh joined the meeting during the discussion.)

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 A.2)

Appointment of the Director, Metropolitan Operations

A motion was duly made and seconded to approve the appointment of Mr. Michael J. McCarthy to the position of Director, Metropolitan Operations (Non-Union, Grade 15), in the Operations Division, at the annual salary of \$154,400, 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.

There was brief discussion about MWRA's internal and external job posting process.

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 A.3)

Appointment of Manager, Occupational Health & Safety

A motion was duly made and seconded that the Board approve the appointment of Mr. Thomas Kirwin to the position of Manager, Occupational Health & Safety (Non-Union, Grade 14) in the Administration Division, at an annual salary of \$138,000 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.

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

Appointment of Technical Operations Manager

A motion was duly made and seconded to approve the appointment of Mr. David Ruiz to the position of Technical Operations Manager, (Non-Union, Grade 14), at an annual salary of \$135,000.00 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.

Chair Theoharides asked if there was any discussion, or objections. Hearing none, she advanced the motion to an omnibus roll call vote. (ref. IV A.5)

ADMINISTRATION, FINANCE AND AUDITInformationInternal Audit Department Activities Report – FY2021

MWRA Internal Audit Director Claude Cormier verbally presented highlights of the work completed by MWRA's Internal Audit staff in Fiscal Year 2021 (FY21). He briefly described the purpose of the report and noted that staff had identified over \$2.3 million in savings in FY21. Next, he described the goals of Internal Audit, including the assessment of internal controls; the review of contracts and related documentation; and, the review of MWRA policies, procedures and operational management methods. Next, Mr. Cormier added that his personal objective is to shorten the cycle time needed to close recommendations and implement corrective action.

Committee Chair Vitale invited questions or comments from Board Members. Hearing none, he proceeded to the next agenda item. (ref. V A.1)

Delegated Authority Report – September 2021

Committee Chair Vitale invited questions or comments from Board Members.

Mr. Jack Walsh asked for clarification on the purpose of the Marlborough Emergency Pump Station Connection project line item. MWRA Chief Operating Officer David Coppes explained that MWRA is designing and installing a connection and valve chamber to support a redundant means of water supply to the pump station, which is owned by the City of Marlborough.

Hearing no further questions or comments, Mr. Vitale proceeded to the next agenda item. (ref. V A.2)

FY22 Financial Update and Summary through September 2021

MWRA Director of Finance Thomas Durkin summarized financial results and variance highlights for Fiscal Year 2022 (FY22) through September 2021. He reported a positive variance of \$10 million, due to lower direct expenses (-\$5.9 million), indirect expenses (-\$0.3 million), and capital financing (-\$2.9 million). He also reported -19.7% in Capital Improvement spending. Next, Mr. Durkin described the potential impacts of nationwide supply-chain difficulties on MWRA procurements. Mr. Durkin then explained that inflation could affect MWRA's budgets in the future, citing the rising cost of chemicals as an example. There was brief discussion about a

typographical error in the meeting materials. Mr. Durkin affirmed that the error would be updated for the record. There was also general discussion about MWRA's repair and maintenance budget variance.

Mr. Foti asked why MWRA's overtime expenses were approximately 13% over budget, and whether MWRA should consider increasing its overtime budget. Mr. Durkin and Mr. Coppes explained that most of MWRA's FY22 overtime to date was used for coverage during periods of historically high rain, severe thunderstorms and a hurricane, which are expected to subside in the coming months. Mr. Laskey added that COVID-19 staffing challenges also contributed to increased overtime use. MWRA Budget Director Michael Cole noted that MWRA's overtime budget increases by 3% annually.

Mr. Pappastergion noted that MWRA's wages and salaries were 10% under budget, in alignment with overtime overages, and agreed that the current overtime budget was sufficient.

Committee Chair Vitale invited further questions or comments from Board Members. Hearing none, he proceeded to the next agenda item. (ref. V A.3)

Approvals

Approval of the Eighty-Fourth Supplemental Resolution

A motion was duly made and seconded to adopt the Eighty-Fourth Supplemental Resolution authorizing the issuance of up to \$775,000,000 of Massachusetts Water Resources Authority Taxable and Tax-Exempt General Revenue Bonds and General Revenue Refunding Bonds and the supporting Issuance Resolution.

Mr. Durkin reported that the current interest rate environment and the particular structure of certain bonds in MWRA's portfolio made it advantageous to execute a refunding. MWRA Deputy Director, Finance/Treasurer Matthew Horan verbally summarized the proposed \$775,000,000 bond authorization issuance of approximately \$700 million in refunding bonds and \$75 million in new money bonds. He explained that the refunding bonds would be issued as federally taxable, unless Congress enacted changes to the tax code that restored tax-exempt advanced advance refundings. He added that a restoration would improve the savings under this transaction. Finally, Mr. Horan noted that the new money bonds would be used to permanently finance outstanding tax-exempt commercial paper.

There was general discussion about the terms and benefits of the proposed bond issuance. There was also discussion about MWRA's methodology for determining how much tax exempt commercial paper to have outstanding at a given time.

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)

Contract Awards

Automated Vehicle Locator Tracking System: GPS Insight, LLC, Bid WRA-5027, State Contract VEH106

A motion was duly made and seconded to approve the award of a purchase order contract to provide Automated Vehicle Location services to the lowest responsive bidder under Bid WRA-5027, GPS Insight, LLC, and to authorize the Executive Director to execute said purchase order contract in an amount not to exceed \$362,007 for a contract term of 36 months from the Notice to Proceed.

MWRA Deputy Chief Operating Officer Carolyn Fiore verbally summarized the proposed three-year purchase order contract for automated vehicle locator services for tracking MWRA vehicles. Next, she described the bid process, noting that some bidders' proposed schedules were impacted by a microchip shortage. Ms. Fiore added that the proposed contract with GPS Insight offered improvements over the product MWRA currently used. Finally, Ms. Fiore thanked Board Member Foti and Mass DOT staff for their assistance with this procurement.

There was brief discussion about the uses of vehicle tracking systems as a secondary tool in discipline matters in accordance with union agreements, as well as a means of determining staff locations and estimated arrival times during emergency response operations.

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

WASTEWATER POLICY AND OVERSIGHT

Information

2020 Deer Island Outfall Monitoring Overview

MWRA Director of Environmental Quality (ENQUAL) Betsy Reilley presented a summary of Deer Island Outfall monitoring results for 2020. The presentation included an overview of MWRA's ambient monitoring program and outfall monitoring highlights, including COVID-19 protocols; total effluent nitrogen load; dissolved oxygen levels; hypoxia in Cape Cod Bay; and, nuisance algae. Ms. Reilley also shared a video of aquatic conditions and underwater life at the Outfall diffuser.

(Ms. Wolowicz left the meeting during the presentation.)

Mr. Walsh inquired about fin erosion in flounder. Ms. Reilley and MWRA Project Manager, ENQUAL Daniel Codiga indicated that staff would forward fin erosion results to Mr. Walsh.

Chair Theoharides asked if staff had identified trends in the seasonal variation of dissolved oxygen results. Mr. Codiga responded that staff had observed a long-term, regional trend of decreasing oxygen levels, and that it might be attributed to regional warming trend.

There was general discussion about dissolved oxygen levels near the outfall and ways that MWRA's outfall monitoring observations could potentially be used to study local and regional warming trends and their impacts.

Committee Vice Chair Jack Walsh asked if there was any further discussion, or objections. Hearing none, he proceeded to the next agenda item. (ref. VI A.1)

MWRA Industrial Waste Report #37: Industrial Pretreatment Program Annual Report to EPA for FY21

MWRA Director of Toxic Reduction and Control (TRAC) Matthew Dam provided Board Members with an overview of MWRA's Industrial Pretreatment Program Annual Report for FY21 in advance of required submittal to the US EPA and MA DEP on October 31, 2021. He described the purpose of the report, which summarizes the program's activities and accomplishments during the fiscal year. Mr. Dam noted that Per- and Polyfluoroalkyl Substances (PFAS) became a major concern in FY21, and that regulations are evolving. Finally, Mr. Dam reported that MWRA staff plan to implement a program to better understand the sources of PFAS in wastewater, and that staff will focus on identifying sources of PFAS from discharges that require permits to the MWRA system.

Committee Vice Chair Jack Walsh asked if there was any further discussion, or objections. Hearing none, he proceeded to the next agenda item. (ref. VI A.2)

Contract Amendments/Change Orders

Prison Point CSO Facility Improvements, Design, Construction Administration and Resident Engineering Services: Arcadis U.S., Inc., Contract 7359, Amendment 5

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Amendment 5 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 \$28,464 from \$4,549,359 to \$4,577,823, with no increase to the contract term.

MWRA Assistant Director of Engineering Brian Kubaska summarized the reasons for the proposed amendment, including out of scope pre-bid and pre-award services.

Mr. Pena inquired about re-delegation. There was brief discussion about MWRA's Delegated Authority policy for design and construction efforts. Mr. Laskey noted that MWRA is preparing revised Delegated Authority policy recommendations with a goal of streamlining future Board meetings.

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)

Deer Island Treatment Plant – Combined Heat and Power Study: Black & Veatch Corporation Contract 6963A, 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 6963A, Deer Island Treatment Plant – Combined Heat and Power Study, with Black & Veatch Corporation to increase the contract term by three months, from October 7, 2021 to January 7, 2022, with no increase in contract price.

MWRA Deer Island Treatment Plant Director David Duest summarized the reasons for the proposed amendment to increase the contract term by three months, with no increase in cost. He explained that this study is important for evaluating long-term green energy production from the Deer Island Treatment Plant. Mr. Duest added that proposed contract term extension allowed for expanded review of the consultant's report by the U.S. Department of Energy's Better Plans Program. Finally, he noted that staff will present the final report to Board members at a later date.

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)

Deer Island Treatment Plant Clarifier Rehabilitation, Phase II Design/Engineering Services During Construction: CDM Smith Inc., Contract 7394, 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 7394, Deer Island Treatment Clarifier Rehabilitation, Phase II, with CDM Smith Inc. to increase the contract amount by \$113,581, from \$2,375,349 to \$2,488,930 and to increase the contract term by 62 months, from October 20, 2021 to December 20, 2026.

Mr. Duest summarized the reasons for the proposed \$113,581 amendment, including wage rate increases and additional design level effort due to the project's complexity. He added that the proposed time extension was also needed for COVID-19 related consultant delays and bid-related delays. Mr. Duest explained that MWRA had not received qualified bidders within range of the engineer's estimate, and, after seeking advice from the Attorney General's office, MWRA's consultant was revising bid documents.

Mr. Foti asked about scheduling and delays. There was discussion about the bidding process difficulties and the project schedule.

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.3)

WATER POLICY AND OVERSIGHT

Information

Metropolitan Water Tunnel Program Update

MWRA Director of Tunnel Redundancy Kathleen Murtagh presented an update on the Metropolitan Water Tunnel Program that included the status of geotechnical field investigation; the Massachusetts Environmental Policy Act Office (MEPA) review process; the evaluation of alternative tunnel shaft sites and tunnel alignments; and, community outreach.

Chair Theoharides noted that regulations would be changing to conform to climate law and environmental justice policy. Committee Chair Peña and Mr. J. Walsh inquired about fault lines, and Mr. J. Walsh asked about preliminary project costs. There was also general discussion about fault lines and the program budget. Ms. Murtagh discussed the work in locating and identifying

fault lines, and the challenges fault lines can create. She also discussed the preliminary budget figures as of 2021.

Committee Chair Peña asked if there was any further discussion, or objections. Hearing none, he proceeded to the next agenda item. (ref. VII A.1)

Approvals

Memorandum of Agreement between MWRA and the Town of Lexington Northern Extra High Pressure Zone Improvements, CP1 - Section 63 Extension Contract 6522

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to execute a Memorandum of Agreement with the Town of Lexington, substantially in the form as presented and filed with the records of the meeting, related to reimbursement to MWRA for construction costs associated with the installation of the Town of Lexington's local water main and appurtenances.

MWRA Assistant Director of Engineering Lisa Hamilton presented an overview of the Northern Extra High Pressure Zone Improvements project, which will include redundancy and support the admission of the Town of Burlington to the MWRA water system. Next, she described the proposed Memorandum of Agreement (MOA) with the Town of Lexington, where MWRA's Contract 6522, Construction Package 1 (CP-1) work will take place. Ms. Hamilton explained that the proposed MOA with Lexington contains the provision that MWRA would include the replacement of the Town's 16-inch local water main piping in the upcoming CP-1. She added that the Town would reimburse MWRA for its share of construction costs.

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)

Contract Awards

Three-Year Purchase Order Contract for the Supply and Delivery of Soda Ash to the John J. Carroll Water Treatment Plant: Tata Chemicals Soda Ash Partners, Bid WRA-5003

A motion was duly made and seconded to approve the award of Purchase Order Contract WRA-5003 for the supply and delivery of soda ash to the John J. Carroll Water Treatment Plant to the lowest responsive bidder, Tata Chemicals Soda Ash Partners, and authorize the Executive Director, on behalf of the Authority, to execute said purchase order contract in an amount not to exceed \$10,162,800 for a period of three years, from January 1, 2022 through December 31, 2024.

MWRA Director of Waterworks Valerie Moran described the proposed three-year contract to supply and deliver soda ash, which is used at the Carroll Water Treatment Plant for corrosion control.

There was discussion about the proposed contract's terms, cost and duration, fluctuations in chemical costs, and MWRA's contractual safeguards against supply chain issues. (Mr. Cook temporarily left the meeting during the discussion.)

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 C.1)

Rehabilitation of Sections 23, 24 and 47 Water Mains – Boston and Newton: Albanese D&S, Inc., Contract 6392

A motion was duly made and seconded to approve the award of Contract 6392, Rehabilitation of Sections 23, 24 and 47 Water Mains, Boston and Newton, to the lowest responsible and eligible bidder, Albanese D&S, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the bid amount of \$26,843,000 with a contract term of 912 calendar days from the Notice to Proceed.

MWRA Chief Engineer John Colbert gave a presentation that included an overview of the project to replace or rehabilitate five miles of embedded MWRA water mains in the Southern Extra High Pressure Zone in Newton and Boston and the bidding process. He noted that the project includes 2,400 feet of pipeline in the City of Newton, the cost of which will be reimbursed under a previously approved MOA with the City.

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 C.2)

Contract Amendments/Change Orders

Rehabilitation of Sections 23, 24 and 47 Water Mains – Design, Engineering Services During Construction, and Resident Engineering/Inspection Services Green International Affiliates, Inc. Contract 6385, Amendment 1

A motion was duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Amendment 1 to Contract 6385, Rehabilitation of Sections 23, 24 and 47 Water Mains - Design, Engineering Services During Construction, and Resident Engineering/Inspection Services with Green International Affiliates, Inc., increasing the contract amount by \$245,401, from \$3,506,868 to \$3,752,269 and extending the contract term by 36 months, from August 1, 2022 to August 1, 2025.

Mr. Colbert summarized the reasons for the proposed amendment, including a three-year pause in the project due to the relocation of Columbia Gas lines; project administration costs associated with additional work to finalize plans and bid the contract; and, the escalation of labor rates.

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 D.1)

(Mr. Cook returned to the meeting.)

John J. Carroll Water Treatment Plant SCADA System Improvements Design, Engineering Services During Construction and Resident Engineering Services: Arcadis U.S., Inc., Contract 7581, 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 7581, John J. Carroll Water Treatment Plant SCADA System Improvements Design, Engineering Services During Construction and Resident Engineering Services, with Arcadis U.S., Inc., to increase the contract amount by \$1,095,716.97 from \$4,727,028.07 to \$5,822,745.04 and extend the contract term by 687 calendar days, from November 15, 2023 to October 2, 2025.

Mr. Colbert provided an overview of the project. He explained staff's efforts to ensure the continued protection of sensitive security information at the Carroll Treatment Plant. Mr. Colbert then described the complexity of the project's logistics, including the coordination of work while simultaneously allowing for uninterrupted water treatment plant operations.

Ms. Moran gave a presentation that summarized the reasons for the proposed amendment, including complications during the procurement of a design consultant; enhancements to the project approach; difficulties soliciting competitive bids; and COVID-19 related supply chain issues.

Mr. Walsh asked about the scope of the SCADA work. There was discussion about the purpose of SCADA systems, SCADA system manufacturers, the scope and complexity of MWRA's project, and the widespread shortage of SCADA system professionals. Mr. Vitale commented on the SCADA system at the Union Park facility.

Mr. Foti requested an individual roll call vote on this agenda item. Mr. Peña seconded the motion.

Chair Theoharides called for a roll call vote on the motion made and seconded to take an individual roll call vote on agenda item V D.2. A roll call vote was taken in which the member were recorded as follows:

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

Voted: to take an individual roll call vote on agenda item V D.2.

Chair Theoharides asked if there were any further questions or discussion.

Mr. Foti stated that his opposition to the approval of the amendment was not a reflection on Arcadis U.S., Inc.

Chair Theoharides encouraged MWRA staff to streamline the contract amendment and change order process. She also recommended that staff compile information on contract overages and changes to provide the Board with some perspective in evaluating proposals. Mr. Laskey affirmed that staff will provide the requested analyses at future Board meetings.

Hearing no further discussion or objections, Chair Theoharides called for an individual roll call vote on the motion duly made and seconded to authorize the Executive Director, on behalf of the Authority, to approve Amendment 2 to Contract 7581, John J. Carroll Water Treatment Plant SCADA System Improvements Design, Engineering Services During Construction and Resident Engineering Services, with Arcadis U.S., Inc., to increase the contract amount by \$1,095,716.97 from \$4,727,028.07 to \$5,822,745.04 and extend the contract term by 687 calendar days, from November 15, 2023 to October 2, 2025.

A roll call vote was taken in which the member were recorded as follows:

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

Voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 2 to Contract 7581, John J. Carroll Water Treatment Plant SCADA System Improvements Design, Engineering Services During Construction and Resident Engineering Services, with Arcadis U.S., Inc., to increase the contract amount by \$1,095,716.97 from \$4,727,028.07 to \$5,822,745.04 and extend the contract term by 687 calendar days, from November 15, 2023 to October 2, 2025. (ref. V D.2)

OMNIBUS ROLL CALL VOTE

Chair Theoharides called for an omnibus roll call vote on the motions made and seconded, with the exception of agenda item V D.2, for which an individual roll call vote was conducted.

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		
Cook		
Foti		
Pappastergion		
Peña		
Vitale		

Yes No Abstain
J. Walsh

Voted: to approve the minutes of the Board of Directors' meeting of September 15, 2021 (ref. I);

Further, voted: to approve amendments to the Position Control Register (PCR) as presented and filed with the records of the meeting. (ref. IV A.1);

Further, voted: approve the appointment of Mr. Jon Szarek to the position of Senior Program Manager, Community Support (Unit 9, Grade 30) in the Planning and Sustainability Department at an annual salary of \$119,503.32 commencing on a date to be determined by the Executive Director. (ref IV A.2);

Further, voted: to approve the appointment of Mr. Michael J. McCarthy to the position of Director, Metropolitan Operations (Non-Union, Grade 15), in the Operations Division, at the annual salary of \$154,400, commencing on a date to be determined by the Executive Director. (ref. IV A.3);

Further, voted: that the Board approve the appointment of Mr. Thomas Kirwan to the position of Manager, Occupational Health and Safety (Non-Union, Grade 14) in the Administration Division, at an annual salary of \$138,000 commencing on a date to be determined by the Executive Director. (ref. IV A.4);

Further, voted: to approve the appointment of Mr. David Ruiz to the position of Technical Operations Manager, (Non-Union, Grade 14), at an annual salary of \$135,000 commencing on a date to be determined by the Executive Director. (ref. IV A.5);

Further, voted: to adopt the Eighty-Fourth Supplemental Resolution authorizing the issuance of up to \$775,000,000 of Massachusetts Water Resources Authority Taxable and Tax-Exempt General Revenue Bonds and General Revenue Refunding Bonds and the supporting Issuance Resolution. (ref. V B.1);

Further, voted: to approve the award of a purchase order contract to provide Automated Vehicle Location services to the lowest responsive bidder under Bid WRA-5027, GPS Insight, LLC, and to authorize the Executive Director to execute said purchase order contract in an amount not to exceed \$362,007 for a contract term of 36 months from the Notice to Proceed. (ref. V C.1);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 5 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 \$28,464 from \$4,549,359 to \$4,577,823, with no increase to the contract term. (ref. VI B.1);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 3 to Contract 6963A, Deer Island Treatment Plant – Combined Heat and Power Study, with Black & Veatch Corporation to increase the contract term by three months, from October 7, 2021 to January 7, 2022, with no increase in contract price. (ref. VI B.2);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 3 to Contract 7394, Deer Island Treatment Clarifier Rehabilitation, Phase II , with CDM Smith Inc. to increase the contract amount by \$113,581, from \$2,375,349 to \$2,488,930 and to increase the contract term by 62 months, from October 20, 2021 to December 20, 2026. (ref. VI B.3);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to execute a Memorandum of Agreement with the Town of Lexington, substantially in the form as presented and filed with the records of the meeting, related to reimbursement to MWRA for construction costs associated with the installation of the Town of Lexington's local water main and appurtenances. (ref. VII B.1);

Further, voted: to approve the award of Purchase Order Contract WRA-5003 for the supply and delivery of soda ash to the John J. Carroll Water Treatment Plant to the lowest responsive bidder, Tata Chemicals Soda Ash Partners, and authorize the Executive Director, on behalf of the Authority, to execute said purchase order contract in an amount not to exceed \$10,162,800 for a period of three years, from January 1, 2022 through December 31, 2024. (ref. VII C.1);

Further, voted: to approve the award of Contract 6392, Rehabilitation of Sections 23, 24 and 47 Water Mains, Boston and Newton, to the lowest responsible and eligible bidder, Albanese D&S, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the bid amount of \$26,843,000 with a contract term of 912 calendar days from the Notice to Proceed. (ref. VII C.2);

Further, voted: to authorize the Executive Director, on behalf of the Authority, to approve Amendment 1 to Contract 6385, Rehabilitation of Sections 23, 24 and 47 Water Mains - Design, Engineering Services During Construction, and Resident Engineering/Inspection Services with Green International Affiliates, Inc., increasing the contract amount by \$245,401, from \$3,506,868 to \$3,752,269 and extending the contract term by 36 months, from August 1, 2022 to August 1, 2025. (ref. VII D.1)

(Mr. Pappastergion left the meeting after the Omnibus Roll Call Vote.)

OTHER BUSINESS

There was no Other Business.

EXECUTIVE SESSION

REAL ESTATE AND SECURITY

Chair Theoharides requested that the Board move into Executive Session. A motion was duly made and seconded to enter Executive Session.

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>
Theoharides		
Cook		
Foti		
Peña		
Vitale		
J. Walsh		

Voted: to enter Executive Session.

The Board moved to Executive Session to discuss real estate and security since discussing such in Open Session could have a detrimental effect upon the negotiating position and security of the Authority. The Board did not return to Open Session, and adjourned the meeting from Executive Session.

*** EXECUTIVE SESSION ***

The meeting entered Executive Session at 3:07pm and adjourned at 3:12pm.

Approved: December 15, 2021

Attest:

 for
Andrew M. Pappastergion, Secretary