

**VOTE EXTRACTS**  
**MARCH 12, 2014 BOARD OF DIRECTORS' MEETING**  
(Subject to final Board approval of meeting minutes)

**I. APPROVAL OF MINUTES**

Voted to approve the minutes of the Board of Directors' meeting of February 12, 2014, as presented and filed with the records of the meeting.

**IV. BOARD ACTIONS**

**A. Approvals**

1. Acceptance of Grant of Easement from Commonwealth of Massachusetts, Waterworks Operations, Ware Disinfection Facility (ref. AF&A B.1)

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.

2. Final CSO Annual Progress Report 2013 (ref. WW A.1)

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.

3. PCR Amendments – March 2014 (ref. P&C A.1)

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

4. Appointment of Laboratory Manager (ref. P&C A.2)

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.

5. Appointment of Director, Western Operations and Maintenance (ref. P&C A.3)

Voted to approve the Executive Director's recommendation to appoint Mr. Guy M. Foss to the position of Director of Western Operations and Maintenance, Operations Division (Non-Union, Grade 15) at an annual salary of \$123,977.00 to be effective on the date designated by the Executive Director.

6. Appointment of Manager, Maintenance, Operations (ref. P&C A.4)

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.

**B. Contract Awards**

1. LabWare LIMS Developer – Staff Augmentation: Atlantic Associates, Inc., WRA-3772Q, State Blanket Contract ITS53 Cat1 (ref. AF&A C.1)

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.

2. Thermal and Hydro Power Plant Maintenance, Deer Island Treatment Plant: O'Connor Corp., Contract S526 (ref. WW B.1)

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.

3. Rehabilitation of Anaerobic Digesters, Primary Clarifiers, and New Influent Gates at Clinton Wastewater Treatment Plant: R.H. White Construction Co., Inc., Contract 7277A (ref. WW B.2)

Voted to approve the award of Contract 7277A, Rehabilitation of Anaerobic Digesters, Primary Clarifiers, and New Influent Gates at 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.

4. 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 (ref. WW B.3)

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

**C. Contract Amendments/Change Orders**

1. Remote Headworks Upgrade: Malcolm Pirnie, Inc. (ARCADIS U.S., Inc.), Contract 7206, Amendment 3 (ref. WW C.1)

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.

**VI. OTHER BUSINESS**

**A. Memorandum of Understanding with City of Quincy**

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 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 FY 2002\* the Authority has made \$8.7 million in mitigation payments to Quincy - an annual average of \$727,000,

Whereas, since FY 2006\* 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.