



# Advocacy & Accountability

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MWRA Advisory Board Summary  
of the  
MWRA Board of Directors Meeting  
Wednesday, October 17, 2018

A meeting of the Board of Directors of the Massachusetts Water Resources Authority was held on Wednesday, October 17, 2018, at the Charlestown Navy Yard. Present: Brian Peña, gubernatorial appointee; John Carroll, Joseph Foti, and Andrew Pappastergion, MWRA Advisory Board Representatives; Henry Vitale, City of Boston Representative; John J. Walsh, City of Quincy Representative. Absent: Secretary Beaton and Jennifer Wolowicz, Gubernatorial Representatives; Kevin Cotter, City of Boston Representative; and Paul Flanagan, Town of Winthrop Representative. (The City of Boston has an open position on the Board.)

## **Report of the Chair**

In the absence of the Chairman, there was no Report of the Chair. Vice Chairman John Carroll served as the Chairman for the meeting.

## **Report of the Executive Director**

Fred Laskey, the Executive Director, reported that the MWRA had received two national awards, the Water and Environment Federation certificate of recognition as "Utility of the Future" for energy generation and recovery, and the Association of Water Agencies' sustainable water utility management award (and he congratulated Boston Water and Sewer Commission, which also got the award). The annual report of audited financials resulted in no "findings." 76% of the hires and promotions are internal. Staff continues to do testing at the Wachusett Aqueduct Pump Station. The Quabbin Reservoir has started to spill as of October 12. It is now going over the spillway and is filled to capacity as the winter approaches. He also reported on the HEEC cable, noting that construction has started on Deer Island. And, the annual meeting of management staff will take place at Deer Island on the upcoming Friday.

## **Approvals**

### **Approval of Minutes**

The Board voted to approve the minutes from the September 19, 2018, meeting as presented and filed with the records of the meeting.

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The Board voted to approve the minutes from the September 19, 2018, meeting as presented and filed with the records of the meeting.

### **Update on the Consultant Support Structure for the Metropolitan Tunnel Redundancy Program**

The Board voted to approve staff's recommendation to prepare and issue an RFQ/P for Program Support Services and an RFQ followed by an RFP for Preliminary Design/Geotechnical/MEPA review services to support the Metropolitan Tunnel Redundancy Program.

### **Appointment of Deputy Contracts Manager, Procurement**

The Board voted to approve the appointment of Mr. Jesse Daly to the position of Deputy Contracts Manager, Administration Division (Unit 6, Grade 13) at an annual salary of \$117,774.18 commencing on a date to be determined by the Executive Director.

### **PCR Amendments for October 2018**

The Board voted to approve amendments to the Position Control Register (PCR) for October 2018 as presented and filed with the records of the meeting.

### **Update on the Consultant Support Structure for the Metropolitan Tunnel Redundancy Program**

The Board voted to approve staff's recommendation to prepare and issue an RFQ/P for Program Support Services and an SRFQ followed by an RFP (two-step) for Preliminary Design/Geotechnical/MEPA review services to support the Metropolitan Tunnel Redundancy Program.

Staff recommended that two initial consultant contracts be procured to perform necessary work over the next several years for Program Support Services (PSS) and Preliminary Design Engineering. The staff of the Tunnel Redundancy Department, with support from other MWRA departments as appropriate, will oversee the Program including all work of the PSS and Preliminary Design Engineer. (The proposed consultant organization chart was attached.)

Kathy Murtagh, Director of the Tunnel Redundancy Program, and Fred Brandon, the Director for Design and Construction, provided a presentation. Staff opened their remarks by focusing on the consultant support structure for the first few years of the Program. Staff is preparing to move forward to the next phase, preliminary design, during which the alignment of the tunnel will be refined. At this time, the final FY 2019 CIP is broadly broken out into six phases. The first of those six phases is the preliminary design (and MEPA review). Staff has identified a need for program-wide support services from a consultant – the topic of the staff summary.

Ms. Murtagh stated that the program-wide support services would be services that would carry throughout this long and involved program: program-wide planning, risk management planning (an especially important topic for underground construction), quality management, health and safety planning. Design criteria and standardization are very important on such a large project. PSS will also be involved in work breakdown planning and procurement planning, construction

package planning and scheduling (particularly critical path scheduling), and budget planning and management. The proposed organization for consultants is to have a program support services consultant that would support the staff directly (the Tunnel Redundancy Department). There would be a preliminary design engineer, final design engineers, and construction manager. The plan schedule is to have a one-step RFQ/P out for the program support services by early next year. Work would proceed by early next year followed by the preliminary design engineer, MEPA, and initial geotechnical investigation, two-step, with an RFQ issued by the middle of next year, with a notice to proceed by early 2020.

Mr. Walsh noted that he would like to see an early cost estimate. Mr. Laskey cautioned that the earlier a cost estimate is developed, the more likely that the target would be missed. Yet, there does have to be a point reached where the estimate is more than just a guesstimate. He expressed an interest in, at the least, an estimate that would be a “ball park” estimate, perhaps after the preliminary design. Staff indicated that once the team is on board, there will be a better basis for developing a “cost estimate,” and at that point, it could be considered a “guesstimate” or a “cost validation.” This can be expected to be an ongoing activity as project details are developed. Also, the CIPs (which are developed and updated regularly) will provide an opportunity to refine and bring the estimates up to date. In answer to a question regarding how the MWRA staff would interact with the outside contractors, staff stated that as the internal team grows, they will manage the outside consultant work. The intent is to have a collaborative team because the job is so complex, and any documents developed by the consultants will be reviewed by the MWRA team. Mr. Pappastergion noted that the Authority is not reinventing the wheel, and that the agency and staff have been through this a half a dozen times with major projects, including Deer Island, Nut Island, the MetroWest Tunnel, and the Carroll Water Treatment Plant. The agency is following, basically, the same model that has been followed for 25-30 years. “The experience is here, the history is here, and I have total faith in it.”

(See the PowerPoint presentation for a map of the redundant tunnel system.

While the item was labeled an “information item,” it was determined that there was a consensus that an approval of the presentation would be made. A motion to approve the staff’s recommendation was made and passed by the Committee, and was added to the list of items to be voted on at the full meeting of the Board of Director that afternoon.

## **Contract Awards**

### **Thermal and Hydro Power Plant Maintenance, Deer Island Treatment Plant: IPC Lydon, Contract S578**

The Board voted to approve the award of Contract S578, Thermal and Hydro Power Plant Maintenance, Deer Island Treatment Plant, to the lowest responsible and eligible bidder, IPC Lydon, LLC, and to authorize the Executive Director, on behalf of the Authority, to execute said contract in the amount of \$7,961,150 for a contract term of 730 calendar days from the Notice to Proceed.

Staff described the work to be provided by the contract, including maintenance and repair services for the main steam generation and hydroelectric turbines on Deer Island and three other facilities at Oakdale, Cosgrove, and Loring Road. The economic benefits of operating and maintaining these facilities were described as totaling \$17.5 million per year, with \$257 million totaled to date.

### **Supply and Delivery of Ferric Chloride to the Deer Island Treatment Plant: Kemira Water Solutions, Bid WRA-4564**

The Board voted to approve the award of Purchase Order Contract WRA-4564 for the supply and delivery of ferric chloride to the Deer Island Treatment Plant to the lowest responsive bidder, Kemira Water Solutions, Inc., and to authorize the Executive Director, on behalf of the Authority, to execute said purchase order contract in an amount not to exceed \$1,840,000 for a period of one year, from January 1, 2019 through December 31, 2019.

Staff noted that there have been increases in the cost of the chemical, and increased global and regional demand for the product.

**Braintree-Weymouth Pump Station Improvements, Design and Engineering Services during Construction: Wright-Pierce, Contract 7435**

The Board voted to approve the recommendation of the Consultant Selection Committee to award Contract 7435, Braintree-Weymouth Pump Station Improvements, Design and Engineering Services During Construction, to Wright-Pierce, and to authorize the Executive Director, on behalf of the Authority, to execute said contract in an amount not to exceed \$2,085,169.83, for a contract term of 60 months from the Notice to Proceed.

Staff described operational problems with the station, one of the agency's newer stations. In particular, there have been problems with the accumulation of rags in the influent which in turn has required the installation of manual screens. In addition, there have been some issues with maintaining the odor control system at the facility. Staff also addressed questions regarding the spread between bid hours and the number of hours in the engineer's estimates, including acknowledgment that the engineer's estimate was low. Staff confirmed that they felt that the winning firm had an appropriate level of effort. In addition, Mr. Walsh requested staff to inform the City of Quincy (as well as the City Councilor) regarding the status of this contract, since the work is to take place near a residential area. (See the Staff Summary and the PowerPoint presentation.)

**Supply and Delivery of Soda Ash to the John J. Carroll Water Treatment Plant: Ciner Wyoming LLC, Bid WRA-4559**

The Board voted to approve the award of Purchase Order Contract WRA-4559, for the supply and delivery of soda ash to the John J. Carroll Water Treatment Plant, to the lowest responsive bidder, Ciner Wyoming LLC, and to authorize the Executive Director, on behalf of the Authority, to execute said purchase order contract in an amount not to exceed \$11,520,000 for a period of three years, from January 1, 2019 through December 31, 2021.

**Contract Amendments/Change Orders**

**Remote Headworks Upgrade: Arcadis U.S., Inc., Contract 7206, Amendment 6**

The Board voted to authorize the Executive Director, on behalf of the Authority, to approve Amendment 6 to Contract 007206, Remote Headworks Upgrade, with Arcadis U.S., Inc., increasing the contract amount by \$683,000, from \$9,632,831 to \$10,315,831, with no increase in contract term.

Staff noted that this contract was originally approved in 2010 to provide design and construction administration services for all three headworks facilities. Subsequently, staff reevaluated the design and construction sequencing for the project. In 2012, staff provided informational staff summaries to the Board to discuss concerns with upgrading all three of the headworks facilities at once and to evaluate the best options to proceed. It was decided that final design for the Columbus Park and Ward Street Headworks would be performed under a separate contract. This amendment is to support additional engineering services and other related services for the Chelsea Creek Headworks project.

The proposed amendment increases the contract amount with no increase in contract term. It includes additional level of effort for construction administration services, out of scope design, and designs associated with unforeseen conditions encountered during construction. (See the Staff Summary and the PowerPoint presentation.)

**Southern Extra High Pipeline – Section 111 (Boston): P. Gioioso and Sons, Inc., Contract 6454, Change Order 5**

The Board voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order 5 to Contract 6454, Southern Extra High Pipeline – Section 111 (Boston), for a lump sum amount of \$79,716.72, increasing the contract amount from \$12,671,214.71 to \$12,750,931.43, with no increase in contract term.

Further, to authorize the Executive Director to approve additional change orders as may be needed to Contract 6454 in an amount not to exceed the aggregate of \$75,000, in accordance with the Management Policies and Procedures of the Board of Directors.

**Western Operations Marlborough Maintenance Facility: E. A. Colangeli Construction Co., Inc., Contract 6650B, Change Order 16**

The Board voted to authorize the Executive Director, on behalf of the Authority, to approve Change Order 16 to Contract 6650B, Western Operations Marlborough Maintenance Facility, with E. A. Colangeli Construction Co., Inc., for a lump sum amount of \$311,213.00, increasing the contract amount from \$3,663,938.06 to \$3,695,151.06, with no increase in contract term.

## **Information**

### **Delegated Authority**

MWRA staff introduced the monthly report listing actions taken by the Executive Director under delegated authority for the period September 1-30, 2018. The report has three sections: awards of construction, non-professional and professional services contracts, and change orders and amendments in excess of \$25,000; awards of purchase orders in excess of \$25,000; and amendments to the position control register, if applicable. Staff responded to several questions including items P-3, P-11, and P-14.

## **FY16-FY20 Strategic Business Plan: Annual Update for FY18**

Staff gave a brief presentation of the annual progress of the Business Plan, which is a strategic blueprint that articulates the mission statement, values, and goals of the agency, as well as specific initiatives associated with these goals to be achieved or evaluated over the five-year period for the Plan. It is a complement to the 40-year Master Plan and the Yellow and Orange Notebooks.

## **FY19 Financial Update and Summary through September 2018**

Staff pointed out that the report runs through the first full quarter of the fiscal year and serves as the first monthly update of the financial results for FY 2018 to date. The Director of Finance noted that the budget variance is \$3.4 million. He highlighted a number of categories of current expense, including operating expenses, indirect expenses, and debt service expense (which accounts for the majority of the variances for the year to date). Revenues were nearly \$0.3 million greater than budgeted. He also reported on capital expenditures for the period. With one quarter having passed, the agency is progressing as expected.

In response to a question regarding spending on overtime, staff clarified that spending has been greater than budgeted for the period due to the greater than assumed number of short duration, high impact storms through September that require more staffing than had been assumed.

## **MWRA Industrial Waste Report #34: Industrial Pretreatment Program Annual Report to EPA for FY 2018**

Authority staff introduced the annual report required by the EPA and the Massachusetts Department of Environmental Protection that describes the activities and accomplishments of MWRA's Industrial Pretreatment Program for the last fiscal year and how the MWRA has done in meeting the requirements of the program by the end of the year. Staff described the activity and progress including issuing 88 significant industrial user (SIU) permits and 345 industrial permits (including the 88 SIU permits). Over 2500 inspections were completed both of industrial facilities and gas/oil separators, and inspected the 11 septage receiving sites every month. Staff completed almost 3,000 monitoring events, including monitoring at industrial facilities and also special projects including CSO monitoring and local limits monitoring. Also, there were more 340 enforcement actions as the division issued a number of penalty assessments: 34 of the SIU users were in significant non-compliance. Also, an EPA program audit was completed; there were no significant findings.

This year, the staff is in the process of updating sewer use regulations and several other projects including updating the sewer permit fees, with the possibility of increasing those fees. (See the Staff Summary for the complete report on the activities of the Toxic Reduction and Control Department [TRAC].)

## **2017 Deer Island Outfall Monitoring Overview**

Staff presented an overview of the annual overview process and report, for the calendar year 2017. As in previous years, no adverse impacts were found. Staff noted that there are recent public outreach activities as well as efforts underway to review the scientific questions on which the monitoring is based.

Monitoring the environment around MWRA's Massachusetts Bay outfall is a requirement in the Deer Island Treatment Plant's NPDES permit (National Pollutant Discharge Elimination System). Mr. Carroll inquired as to the length of time the monitoring requirement has been in place. There has been 26 consecutive years of monitoring (and 17 years of monitoring since the outfall came online). The Authority continues with the monitoring program that had been established at that time (with some modifications). Over time, results have shown that the outfall discharge has not

resulted in adverse impacts on the environment (in the areas monitored). (See the Staff Summary and the PowerPoint presentation.) Overall, the results have been excellent for calendar year 2017.

Staff also reported that the Outfall Monitoring Science Advisory Panel and its Public Interest Advisory Committee will be hosting an ambient monitoring symposium in November to review the existing monitoring questions and discuss whether new questions that relate to climate change or plastics or pharmaceuticals should be incorporated. That will kick off a process that will include the MWRA's monitoring review and will require MWRA input throughout. Mr. Laskey noted that there could be healthy debate about where this goes.

Mr. Favaloro observed that every year, we see this report and the news gets better. The monitoring and MWRA's activities have been proven correct. But there is a move afoot to take a "good news" story and use those resources to do other people's studies. Those topics should not be looked at "on our dime." Examination of issues that are not the responsibility of the MWRA, should not be addressed "on our dime."

### **Dedham-Westwood Water District Update**

Staff summarized the status of the water district, with reference to a staff summary (and attachments). The District plans to purchase additional water from the MWRA during the time that the upgrade of its Bridge Street Treatment Plant, located in Dedham. The request is for a temporary increase in the MWRA withdrawal by 150 million gallons (or, 1 MGD for five months).

### **Update on Massachusetts Equal Pay Act**

This item was put over to the full Board meeting, in the afternoon. Staff provided a brief presentation, including response to questions from members of the Board of Directors. Staff anticipate returning to the Board with a project update by early in 2019.

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*This summary does not include every item discussed by the Board, nor the full extent of the discussions. Please contact the Advisory Board office with questions, comments, or requests for more information.*