

TRI TOWN BOARD
of Water Commissioners
Braintree, Holbrook, Randolph

MINUTES

May 29, 2019

Present: Joseph C. Sullivan, Chair, Town of Braintree, Bill Alexopoulos, Town of Randolph, Tim Gordon, Town of Holbrook.

In attendance: Jim Arsenault, John Caruso, Richard Donovan, Lou Dutton, Ashraf Gabour, Paul Gabriel, Helen Gordon, Michelle Mochnoc Higgins, Brian Howard, Nate Keenan, Robyn LaFrance, Peter Mello, Maria Pinaud, Keith Nastasia, Chris Pelliteri, Tom Reynolds, Lorraine See, Ed Spellman, Nicole Taub, Mike Walsh, Susan Montgomery Wright, Yichen Zhang.

Mayor Sullivan opened the meeting at 1:10 pm. The minutes of the previous two meetings were reviewed by the Board and accepted.

MOTION: by Tim Gordon to accept the minutes of October 9, 2018
SECOND: by Bill Alexopolous
VOTE: Unanimous

MOTION: by Bill Alexopolous to accept the minutes of November 20, 2018
SECOND: by Tim Gordon
VOTE: Unanimous

Update from Town Solicitor: Nicole Taub, Town of Braintree, and Peter Mello, Murphy, Hesse, Toomey & Lehane, representing Holbrook and Randolph.

- Nicole Taub gave a brief presentation of the Mattapoisett River Valley Water Supply District Commission's model and how it could be adapted to use for the Tri Town Water Treatment Plant.
- Nicole Taub referenced the MGL 367, Act of 2004, an Act Establishing the Mattapoisett River Valley Water District.
- Peter Mello, attorney representing the Towns of Holbrook and Randolph, explained the process.
- Mayor Sullivan asked if the Tri Town Board could adopt a similar model and approve it on its own or if it has to be presented and approved by all three legislative bodies. Tim Gordon responded that the Holbrook Town Meeting will be in August or September and

advance notice is needed and time sensitive. Bill Alexopolous reported no concerns for Randolph. Peter Mello will follow up with the Board on this question and respond.

Environmental Partners Group, Inc.: Paul Gabriel, Helen Gordon

a. Summary of Contract Tasks and Status

- Helen Gordon hand delivered a memo to the Board and then summarized the information. Helen reviewed the status since the last meeting on November 20, 2018.
- Environmental Partners was asked to conduct a review and re-design of the preliminary concept design that was done by CDM in 2010. EP developed a new Tri Town Water Treatment Plant conceptual design which they presented at the November 20, 2018 meeting.
- As the OPM, Helen Gordon explained that six contracted services were put on hold as they conducted the re-design, including: site investigations & environmental testing, public outreach, organizational structure, funding support, part of the 25% plan review, and a detailed VE study.
- Helen reiterated that all three Towns received approval and funding from their communities of \$50 million each. At today's meeting EP is asking the Board to accept EP's following recommendations 1) Amend the current contract to re-instate six basic services 2) Extend the contract to January 30, 2021 and 3) Add the following tasks to the agreement: 1. Additional cost for Massachusetts Historical Commission of \$45,000, 2. Additional water quality testing required by DEP for recertification of the PFA testing for \$9,350, and 3. Additional cost for Designer Selection process of \$10,000.
- Helen Gordon explained that the Massachusetts Historical Commission reviewed the site and found artifacts which make it necessary to hire an approved firm to remove and preserve the artifacts at a cost of \$45,000.
- Helen briefly discussed additional water quality testing for recertification of the PFA, as required by MassDEP costing \$9,350, and she discussed the additional cost for the Designer Selection process of \$10,000. The current budgeted amount falls short on the hours needed to complete the interviews and negotiations.
- Helen Gordon explained that the additional tasks are within the anticipated OPM budget of \$2,904,794.
- Mayor Sullivan asked a question about whether or not there was a cap on borrowing at 2%, and Ashraf Gabour from MassDEP replied that generally there is a \$12 to \$15 million cap per year. It was further explained that the Tri Town plant will be considered a continuing project and that money will be appropriated each year. Nate Keenan, Massachusetts Clean Water Trust, explained that it will be a two year (or 12 – 36 month) construction process. Funding for two years will match the Tri Town funds.

- Mayor, Tim Gordon, and Bill Alexopolous questioned whether or not the Board has borrowing authority and a response was that they have to review the legislation.
- There was discussion concerning whether or not the Board could retain using CDM for the final design of the water treatment plant, or if it had to issue a Request for Qualifications (RFQ) for the services. Mayor Sullivan asked Lorraine See questions concerning procurement and Lorraine offered to draft a memo that the Board could review.
- Mike Walsh stated that CDM would like to remain involved and is committed to the project in which it has been invested for a period of time.
- Lorraine See confirmed that the Board must do an RFQ for the designer and cannot use 10 year old information.
- There was discussion concerning the timeline for needing an 80% design for the SRF by October 15th and it was asked if the date was firm or flexible. Ashraf Gabour indicated it was firm. Ashraf Gabour also responded with the recommendation that the Tri Town Board send a letter requesting to be dropped from the SRF IUP funded list for this year and ask to be put on the 2020 list.
- Paul Gabriel indicated to the Board the RFQ is a Request for Qualification and does not include a request for a fee. Once qualifications are reviewed the designers are ranked. Then the Board would negotiate the fee with the No. 1 ranked designer.
- Mayor Sullivan proposed meeting again in 10 – 12 days. Lorraine See will provide a memo to the Board clarifying the procurement process that Tri Town must follow and then the Board will move forward.
- Bill Alexopolous asked a question concerning water delivery to Randolph and Helen Gordon relayed how the process will work. Helen Gordon and Paul Gabriel detailed how the additional pipeline and the transmission process will operate, and they explained that this is the reason for the additional \$2.8 million fee for Randolph and Holbrook, separate from Braintree and the Tri Town as whole.
- There was some discussion concerning the need for all three towns to continue spending money to maintain their existing water treatment plants until the new Tri Town plant is built. Randolph and Holbrook are currently repairing their joint facility.
- Michelle Higgins, MassDEP, stated that the State Revolving Fund (SRF) assistance under the Intended Use Plan (IUP), which the Tri Town is currently on the list for, requires a complete application including confirmed total project financing by June 30, 2019. There was some brief discussion concerning this.

b. Proposed Next Steps and Actions Required by the Commissioners

- Helen Gordon restated the issue with regard to the Massachusetts Historical Commission and the need to preserve the site. The Board moved forward on the following action:

VOTE: To approve Extra Services No. 2 to the Contract between the Tri Town Water Board and Environmental Partners Group, Inc., for Water Treatment Plant OPM Services dated July 31, 2018, for a total increase of \$197,000 for the following tasks and to extend the contract date to January 30, 2021.

- Reinstatement of Basic Services
- Approval of additional water quality testing per MassDEP requirements
- Approval of work by the Massachusetts Historical Commission

MOTION: by Tim Gordon

SECOND: by Bill Alexopolous

VOTE: Unanimous

c. Decision on Delivery Method, Design-Bid-Build or Alternative Delivery (Design-Build, CMAR)

- The Board agreed to put the decision on delivery method on hold and meet again in two weeks.
- Lorraine See will draft a memo for the Board to review.

The next meeting was scheduled for Tuesday, June 11 at 2:00 pm at Braintree Town Hall. The one agenda item will be the Board's decision on the water treatment plant's Designer Selection.

The meeting adjourned at 2:25 pm.

Respectfully submitted,
Robyn LaFrance
Recording Ceremony