

**Minutes of the
Annual and Regular Board Meeting
Of the Pittsburgh Water and Sewer Authority
Held on April 26, 2019**

This Regular Monthly Board Meeting of The Pittsburgh Water and Sewer Authority, having been duly advertised in accordance with the Sunshine Act, was called to order on April 26, 2019, at approximately 10:00 a.m., in the First Floor Board Room, 1200 Penn Avenue, Pittsburgh, Pennsylvania 15222.

The following members of the Board were present: Mr. Michael Domach, Mr. Paul Leger, Ms. Margaret Lanier, Ms. Deborah Gross, and Ms. Chaton Turner. Absent was Mr. Jim Turner.

Present from staff: Robert Weimar, Debbie Lestitian, Debby Gibson, Edward Barca, Jennifer Presutti, Rachel Romano, Barry King, Will Pickering, Shannon Barkley, Sherry Perkins, Kelly Morgano, Julie Quigley, Rick Obermeier, BJ McFaddin, Brooklyn Ishman, James Stitt, Jason Felser, Paul Spara, Ruari Egan, Giuseppe Sciulli, Alex Sciulli.

Also present was Danny Cerrone of Clark Hill, Massy Paul of Monaloh, Brody Tunno of Monaloh, Glen Stephens of GSI, Marki Johns of GSI, Amy Kaminski of Mulberry Public Affairs, Gerald Dull of Crawford Consulting, Stephen Polen of Mott MacDonald, David Borneman of Arcadis, Dave Duessel of Maher Duessel, Jeff Keut of Maher Duessel, Natalie Caponi of Maher Duessel, Matt Sickles of GAI, Tom Prusak of Hatch, Tony Blank of BC, Chad Davis of HDR, Mark Karolski of Buchart Horn, John Coyne of CEC, Alexis Meier of E Holdings, Michelle Hinds of SAI, Tim Dean of AECOM, Rulisan Evans of GHD, Gavin Robb of Tucker Arensberg, P.C, Renee DeMichiei Farrow of Architectural Innovations, Ralph Gilbert of Jacobs, Lauren Terpak of MS Consultants, Tom McNulty of CDM Smith, Doug Mackie of Sigma, Greg McDowell of CDM Smith, Mallory Griffin of JMT, Jane Smith of E Holdings, Vaughan Leer of E Holdings, Jason McBride of Wade Trim, Bob Dengler of Gannett Fleming, Heather Dodson of Baker, Adam Walkowiak of Baker, John Osterle of WSP, Bryan Martucci of H.R. Gray, Coreen Casadei of Collective Efforts, Jon Graham of AIG, Jeff Rossi of ATC Group Services, Frederick Douglas of Cosmos.

EXECUTIVE SESSIONS

Chairperson Leger informed the attendees that an Executive Session was held prior to the start of the Regular Board Meeting wherein no votes were taken. Legal and personnel matters were discussed.

CALL FOR PUBLIC COMMENT Phillip Ameris Jr. of Labors Local Union 1058 requested that the Domicile Requirement for PWSA Employees be revised to expand hiring at the PWSA.

APPROVAL OF THE MINUTES

Chairperson Leger entertained a motion to approve the Minutes from the Regular Board Meeting held on March 22, 2019 and the Minutes from the Special Board Meeting held on April 5, 2019. Ms. Lanier so moved, and Ms. Turner seconded the motion.

No discussion held. The Minutes were unanimously approved.

FINANCIAL REPORT

Jennifer Presutti, Budget Director, presented the finance report. User and wholesale receipts are up over this time last year as are the operating expenses. PWSA is projecting positive net income for the year. PWSA had a large debt service payment in the first quarter, as well as subsidy and co-op payments, which caused total expenditures to exceed receipts for the quarter. Regardless, PWSA continues to have a healthy cash position and continues to meet or exceed its financial metrics. PWSA anticipates this position to strengthen further by its PUC rate increase which was effective on March 1st.

ENGINEERING REPORT

Barry King, Director of Engineering, reported that on April 1st, Orthophosphate was added into the Bruecken Pump station covering the Highland 2 system. On April 15th, PWSA started the Aspinwall Pump station system, also known as the Lanpher super system. On Monday, April 29th, PWSA will have started the third and last of the Orthophosphate addition system. PWSA should see the full effects of the Orthophosphate in about six months.

REPORT OF THE EXECUTIVE DIRECTOR

Robert Weimar, Executive Director, explained the details of this report. PWSA has engaged Raftelis to evaluate PWSA's performance. Since November of 2017, 81 percent of PWSA's metrics have shown improvement and 70 percent of PWSA's metrics have exceeded its targets. He stated that the entire organization should be very proud of the fact that it has come this far so fast. PWSA is now at about 500 lead lines replaced this year.

RESOLUTIONS

No. 64 of 2019 Approval is Requested to Enter Into a Professional Services Agreement With SpryPoint Services, Inc. for Stormwater Billing Implementation.

Funding: Operating Budget –\$84,000.00

Julie Quigley, Director of Administration, explained the details of this Resolution. This approval will allow SpryPoint to make the necessary configuration changes required for stormwater billing, modify the bill export file to include stormwater charge detail, create reports that fulfill PA PUC regulations, supply end user training, and provide post go-live support.

Chairperson Leger entertained a motion to approve for discussion. Ms. Turner so moved, and Ms. Gross seconded the motion.

Discussion held. Board unanimously approved and the Resolution was adopted.

No. 65 of 2019 Approve a Resolution to Grant the Executive Director Authority to Enter Onto Development, Relocation, Easement, and Structures Over Facilities Agreements.

Julie Ascioffa, Business and Development Relations Manager, explained the details of this resolution. PWSA is responsible to execute agreements with property owners and developers to relocate or construct new assets such as sewer lines, water lines, catch basins, inlets and fire hydrants to accommodate development projects in the City of Pittsburgh. Granting the Executive Director the authority to execute these limited agreements will improve the level of service PWSA provides its customers, while also reducing the administrative burden placed on staff and the Board of Directors.

Chairperson Leger entertained a motion to approve for discussion. Ms. Lanier so moved, and Ms. Gross seconded the motion.

Ms. Gross asked Ms. Ascioffa if she was requesting these structures over facilities agreements without distinct Board approval? Ms. Ascioffa replied yes. Ms. Gross asked Ms. Ascioffa if she was proposing that she present the Board with summarized lists and how many she was anticipating. Ms. Ascioffa replied that she could definitely provide a summary for the Board and that, on average, there are about 15 of these agreements per year. With respect to structures over facilities agreements, there are usually 1 or 2.

Ms. Gross stated that, at Council, we do not like to delineate these things. We do not want to give away the public's right to hear these or the Board's right to hear them. You are talking about taking it from being a public vote to an administrative one. She stated she would be more comfortable if this was over a certain dollar amount, certain length, and certain size and maybe have a perspective of what development will look like in the upcoming year. She also stated it may be wise for the Board to do it for a year at a time if the Board is comfortable with what it anticipates happening in the upcoming year to not make this change a permanent change so that the Board can still review and see if it is still comfortable. She suggested holding this and getting a briefing or even just a report on it.

Ms. Turner stated that she thought the core of what Ms. Gross was saying is that the Board does not want to be surprised by some agreement that ends up having significant public impact. While the dollar amount is good, there

should be a little more essence to the limitations that the Board places on these standard templates. She thought having the public impact piece, including the \$20,000.00 current limitation, would at least trigger people to think what agreements should come to the Board. Ms. Asciolla stated that there are three agreements pending approval and that she did not add those to the agenda. So, it would delay those project approvals and potentially delay the projects themselves. Ms. Gross stated that it is hard for her to understand the downside risk, so she is not comfortable.

Ms. Gross motioned to hold this Resolution for one month or until a Special Meeting can be held. Ms. Lanier seconded the motion.

No further discussion held. The Board voted unanimously to hold this Resolution until a meeting date could be set. Resolution held.

No. 66 of 2019 **Accepting the 2018 Report of the Auditor Maher Duessel, Certified Public Accountants.**

Rachel Romano, Finance Manager, explained the details of this Resolution. The Board packet contains the report, and the recommendation is to accept the audit.

Chairperson Leger entertained a motion to approve for discussion. Ms. Lanier so moved, and Ms. Gross seconded the motion.

No discussion held. Board unanimously approved, and the Resolution was adopted.

No. 67 of 2019 **Approving Entering Into a Second Amendment to Agreement of November 1, 1950, By and Among ALCOSAN, the City of Pittsburgh, the Township of Upper St. Clair, Peters Township, Peters Township Sanitary Authority and the PWSA.**

Shannon Barkley, Corporate Counsel, explained the details of this Resolution. The PWSA is being asked to be a party to this Second Amendment because PWSA has assumed responsibility for the City's water and sewer systems as a result of the Capital Lease Agreement between the City of Pittsburgh and PWSA effective July 27, 1995. There will be no impact on the PWSA service area, and there will be no additional flow into the PWSA lines. The Amendment will reduce the amount of area within Upper St. Clair which is serviced by ALCOSAN and increase the area in Peters which is also serviced by ALCOSAN. This will require final approval by City Council.

Chairperson Leger entertained a motion to approve for discussion. Ms. Turner so moved, and Ms. Lanier seconded the motion.

Discussion held. Board unanimously approved, and the Resolution was adopted.

No. 68 of 2019 Approving the Award of the Operating Contract for 2019 Large Water Meter Testing, PWSA Project No. PWSA115

Funding: Operating Budget - \$299,425.00

Rick Obermeier, Director of Operations, explained the details of this Resolution. Initially the apparent low bidder was M.E. Simpson Co., Inc., and a notice of award was issued in the amount of \$286,895.00. It was determined upon final legal review that the bid was not responsive. The Pittsburgh Water and Sewer Authority rescinded the award authorization due to their failure to comply with the requirements set forth in clause no. 13, Form of Bid. Vanguard Utility Services, Inc., was the second lowest responsive bidder and their bid was determined to be responsive.

Chairperson Leger entertained a motion to approve for discussion. Ms. Turner so moved, and Mr. Domach seconded the motion.

Mr. Domach asked how many responsive bids were in hand, and Mr. Obermeier responded there were two. Mr. Obermeier stated that M.E. Simpson came in at \$286,895.00 and Vanguard came in at \$299,425.00. Mr. Weimar stated that PWSA is evaluating having its own test capabilities. The test system costs about a half million dollars, and PWSA is evaluating if it wants to move into that direction. Ms. Turner commented that Vanguard stated that its bid is too specialized and that there are no opportunities to subcontract with MBE/WBE. She further commented that the procurement process should elicit more companies that would have an opportunity to compete.

No further discussion held. Board unanimously approved, and the Resolution was adopted.

- No. 69 of 2019** **Adopt a Pittsburgh Water and Sewer Authority Paid Safe Leave Policy (Non-Union)**
- No. 70 of 2019** **Adopt a Pittsburgh Water and Sewer Authority Paid Parental Leave of Absence Policy (Non-Union)**
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Funding: Operating Budget - # 69 - \$3,640.95 total average cost per safe Safe leave.
Operating Budget - # 70- \$10,922.85 total average cost per Parental leave.

Chairperson Leger introduced these two Resolutions as companion pieces. Kelly Morgano, Human Resources Manager, explained the details of these Resolutions. These policies mirror current City of Pittsburgh employee policies. The Paid Safe Leave policy will allow employees in domestic violence situations to take steps to improve the situation without fearing the loss of his or her job. The Paid Parental Leave policy would promote important publicly supported social goals that having a child is viewed as a work life balance for parents.

Chairperson Leger entertained a motion to approve for discussion. Ms. Lanier so moved, and Ms. Gross seconded the motion.

Board unanimously approved, and the Resolution was adopted.

- No. 71 of 2019** **Replenishing the Funds Available in the 2019 Operating Budget to Pay Eckert Seamans Cherin and Mellott, PC for Ongoing PUC Representation and Litigation Support Related to the 2019 PWSA Compliance Plan and LTIIP**
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Funding: Operating Budget - \$1,000,000.00

Debbie Lestitian, Chief Corporate Counsel/Chief of Administration, explained the details of this Resolution. In 2019, PWSA's PUC litigation is ongoing with PWSA's Compliance Plan and Long-Term Infrastructure Improvement Plan proceedings. Litigation support for these filings continues to be burdensome with an additional 1,000 interrogatories to date. This law firm represented PWSA well through the tariff proceedings, and we ask that this contract be replenished so that Eckert can continue to represent PWSA for the Compliance Plan and LTIIP Litigation.

Chairperson Leger entertained a motion to approve for discussion. Ms. Turner so moved, and Ms. Gross seconded the motion.

Discussion held. Board unanimously approved, and the Resolution was adopted.

No. 72 of 2019

Approving the Award of a Professional Services Agreement (Operating) for Project Management Training to Lexington Leadership.

Funding: Operating Budget - \$72,000.00

Alex Sciulli, Chief Program Manager, explained the details of this Resolution. PWSA is endeavoring to have its Project Managers achieve certification as Project Management Professionals (PMP's). This training will provide the necessary foundation and required hours to apply for PMP certification.

Chairperson Leger entertained a motion to approve for discussion. Ms. Gross so moved, and Ms. Lanier seconded the motion.

Ms. Turner stated that she is very supportive of this and thinks the staff needs the training described. She has been personally trying to develop contacts in this space to assist PWSA in getting more companies that might be able to compete. She inquired as to how many bids PWSA received. Mr. Sciulli explained that this is a Sole Source. He stated PWSA wanted to implement this now because of the capital program it is trying to achieve. He said they plan on going out for additional training and plan on doing so on a more widely advertised basis.

No further discussion held. Four board members voted yes, and Ms. Turner abstained. The Resolution was adopted.

No. 73 of 2019

Approving the Award of a Professional Services Agreement (Operating and Capital) for Technical Staffing to Peak Technical Staffing USA

**Funding: Operating Budget-\$320,000.00
Capital Budget-\$320,000.00**

Alex Sciulli, Chief Program Manager, explained the details of this Resolution. PWSA is currently managing more than 150 Capital and Operating Projects with limited project management and engineering resources. The necessary additional Project Managers will support the completion of required capital projects, operating projects, and other essential special initiatives. Peak will supply the needed qualified candidates for permanent hire and to serve as embedded consultants. This is a sole source assignment.

Chairperson Leger entertained a motion to approve for discussion. Ms. Turner so moved, and Ms. Lanier seconded the motion.

Ms. Turner stated that Peak is not classified as M/W/V/SDVBE. She recommended a letter to include aspirational language on recruiting a diverse workforce. She further recommended with respect to the staffing

agreement that it include the Equal Opportunities statement from PWSA.

No further discussion held. Board unanimously approved, and Resolution was adopted.

No. 74 of 2019 Approving the Award of Multiple Operating Contracts for the 2019 Urgent Sewer Repair, PWSA Project Nos. 2019-OPS-102-0 to 2019-OPS-102-1, and a Task Order for CM/CI Services.

Funding: Operating Budget (Cumulative) - \$3,209,992.22

Barry King, Director of Engineering, explained the details of this Resolution. This IDIQ contract involves the urgent repair or rehabilitation of the public sewer system, including storm, sewer, and combined sewer facilities as required.

Chairperson Leger entertained a motion to approve for discussion. Ms. Turner so moved, and Mr. Domach seconded the motion.

Ms. Lanier stated she wants to be sure that PWSA is following up on these contractors who state they are intending to participate in MBE/WBE. Mr. Weimar stated that each of these subcontracts are going to be reported monthly, and they will be reviewed monthly for their compliance to their agreement. Ms. Gross stated that this kind of tracking and follow up may require a separate budget and a review committee to follow up. Ms. Turner inquired whether the new software should also help with mining some of this information. Mr. Weimar answered affirmatively and stated that new procurement guidelines would be coming before next month. Mr. Leger stated that he would like to see compliance reports on a regular basis.

No further discussion held. Board unanimously approved, and the Resolution was adopted.

No. 75 of 2019 Approving the Award of Multiple Capital Contracts for Powdered Activated Carbon System Improvements, PWSA Project Nos. 2017-322-101-2 and 2017-322-101-3, and a Task Order for CM/CI Services

Funding: Capital Budget (Cumulative) - \$2,121,830.21

Barry King, Director of Engineering, explained the details of this Resolution. These contracts involve the demolition and replacement of mechanical and electrical equipment necessary to operate the Powdered Activated Carbon System, including dust collector, mixers, pumps and appurtenances, piping and valves including electric actuators, a new motor control center, control panels, electrical wiring and conduits, and all related instrumentation and controls.

Chairperson Leger entertained a motion to approve for discussion. Ms. Gross so moved, and Mr. Domach seconded the motion.

Mr. Domach inquired whether this carbon system is polishing or associated with primary. Mr. King stated that it is primary. Mr. Domach further inquired as to the dust collection method. Mr. Weimar stated he believes it is a bag system that is installed at each of the feeders.

No further discussion held. Board unanimously approved, and the Resolution was adopted.

No. 76 of 2019 Approving the Award of Multiple Operating Contracts for 2019 Urgent Water Repair, PWSA Project Nos. 2019-OPS-1-3-0 to 2019-OPS-103-1, and a Task Order for CM/CI Services.

Funding: Operating (Cumulative) - \$2,636,819.00

Barry King, Director of Engineering, explained the details of this Resolution. This IDIQ contract involves urgent repair or rehabilitation of the public water system, including water mains, valves, service connections, hydrants, and related appurtenances, as required.

Chairperson Leger entertained a motion to approve for discussion. Ms. Lanier so moved, and Ms. Turner seconded the motion.

No discussion held. Board unanimously approved, and the Resolution was adopted.

No. 77 of 2019 Approving Change Orders of a Capital Contract for Corrosion Control Chemical Storage and Feed Systems, PWSA Project No. 2017-322-107-0 to Total Equipment Company.

Funding: Capital Budget - \$64,290.00

Barry King, Director of Engineering, explained the details of this Resolution. This bundled change order is comprised of ten requested sub-change orders received from TEC in order to meet the accelerated schedule and temporary equipment to meet March 25, 2019 implementation.

Chairperson Leger entertained a motion to approve for discussion. Ms. Gross so moved, and Ms. Turner seconded the motion.

Discussion held. Board unanimously approved, and the Resolution was adopted.

No. 78 of 2019

Approving a Change Order of a Capital Contract for the Bruecken Pump Station Valve Vault Upgrade Project – Electrical, PWSA Project No. 2013-323-175-2 to Lanco Electric, Inc.

Funding: Capital Budget - \$53,858.50

Barry King, Director of Engineering, explained the details of this Resolution. This is for additional costs associated with an emergency call out to restore power to the MCC for pumps 4, 5, and 7 following a failure of the starter pump 5.

Chairperson Leger entertained a motion to approve for discussion. Ms. Lanier so moved, and Mr. Domach seconded the motion.

No discussion held. Board unanimously approved, and the Resolution was adopted.

No. 79 of 2019

Approving a Change Order of a Capital Contract for Filter Rehabilitation Project – Electrical, PWSA Project No. 2013-322-176-2 to Bronder Technical Services, Inc.

Funding: Capital Budget -\$40,799.00

Barry King, Director of Engineering, explained the details of this Resolution. This is for additional costs associated with technical assistance provided by BTS during the joint EPA/DEP inspection of the Aspinwall Water Treatment Plant.

Chairperson Leger entertained a motion to approve for discussion. Mr. Domach so moved, and Ms. Lanier seconded the motion.

Ms. Turner requested an explanation as to why there is such a number of change orders. Mr. King stated that these are changes that were necessary due to the requirements of the State, as well as environmental situations. This also dealt with emergencies that came up within the projects. Mr. Weimar stated that the original design was completed in 2007, but it was not bid and awarded until 2014. As a result, there was a rush to update the documents. He suspects that some of the regulatory changes were not found and implemented.

No further discussion held. Board unanimously approved, and the Resolution was adopted.

No. 80 of 2019 Approving a Change Order of a Capital Contract for Smallman Street Reconstruction Project, PWSA Project No. 2017-424-113-0 to Independence Excavating, Inc.

Funding: Capital Budget - \$319,872.50

Barry King, Director of Engineering, explained the details of this Resolution. This change order is for the addition of a water line relay on Smallman Street from 21st Street to 23rd Street. The relay upsized the existing 8" main to a 12" main.

Chairperson Leger entertained a motion to approve for discussion. Ms. Turner so moved, and Mr. Domach seconded the motion.

Four members of the board approved, and Ms. Gross abstained. The Resolution was adopted.

No. 81 of 2019 Approving Entering Into a Supplemental Contribution Agreement With PennDOT for the SR 51 Section A10 Work

Barry King, Director of Engineering, explained the details of this Resolution. The original Contribution Agreement 118676 was executed with PennDOT in January of 2015 and did not account for PWSA's engineering costs related to the storm sewer work. This agreement will allow PWSA to invoice PennDOT for the engineering services in the amount of \$20,281.43.

Chairperson Leger entertained a motion to approve for discussion. Mr. Domach so moved, and Ms. Gross seconded the motion.

Discussion held. Board unanimously approved, and the Resolution was adopted.

No. 82 of 2019 Approving Entering Into a Supplemental Reimbursement Agreement With PennDOT for the SR 51

Barry King, Director of Engineering, explained the details of this Resolution. The supplemental reimbursement agreement will allow PWSA to invoice PennDOT for the engineering services related to the sanitary sewer work in the amount of \$39,407.02.

Chairperson Leger entertained a motion to approve for discussion. Ms. Turner so moved, and Mr. Domach seconded the motion.

No discussion held. Board unanimously approved, and the Resolution was adopted.

No. 83 of 2019 Approving the Award of a Capital Contract for Waterline Repair Project – Ft. Duquesne Bridge, PWSA Project No. 2017-325-100-0 and a Professional Services Agreement for CM/CI Services.

Funding: Capital Budget (Cumulative) - \$2,215,214.35

Barry King, Director of Engineering, explained the details of this Resolution. This project shall include repairs to the 30" water main and support system attached to the Fort Duquesne Bridge.

Chairperson Leger entertained a motion to approve for discussion. Ms. Lanier so moved, and Ms. Gross seconded the motion.

No discussion held. The Board unanimously approved, and the Resolution was adopted.

No. 84 of 2019 Approving the Award of a Professional Services Agreement (Operating) for 2019 Unmetered and Flat Rate Properties Evaluation, PWSA Project No. 2019-325-104-0 to Buchart Horn, Inc.

Funding: Operating Budget - \$520,713.92

Barry King, Director of Engineering, explained the details of this Resolution.

Chairperson Leger entertained a motion to approve for discussion. Ms. Gross so moved, and Ms. Lanier seconded the motion.

Ms. Gross proposed amending the Resolution to read: Approving the Award of a Professional Services Agreement (Operating) for 2019 Unmetered and Flat Rate Properties Evaluation, PWSA Project No. 2019-325-104-0 to Buchart Horn Inc., and Ms. Lanier seconded the motion to amend.

Chairperson Leger requested a motion for all of those in favor of the amendment to state Aye. Board unanimously approved the amendment.

No further discussion held. Board unanimously approved, and the amended Resolution was adopted.

NEW BUSINESS

No. 85 of 2019 Approving an extension period for the Notice of Termination of the PWSA-City of Pittsburgh Cooperation Agreement Related to the Operations of the Water and Sewer System

Paul Leger, Chairman of the PWSA Board, explained the details of this Resolution. An extension of the notice period until July 5, 2019 is necessary for the PWSA and City of Pittsburgh to negotiate and approve a new Cooperation Agreement. This will extend the agreement by 60 days. This will give it time to go to City Council for their consideration.

Chairperson Leger entertained a motion to approve for discussion. Ms. Lanier so moved, and Mr. Domach seconded the motion.

Discussion held. Board unanimously approved, and the Resolution was adopted.

ADJOURNMENT OF THE MONTHLY BOARD MEETING

Chairperson Leger entertained a motion to adjourn. Ms. Lanier so moved, and Mr. Domach seconded the motion.

The next scheduled Board Meeting will take place on Friday, May 24, 2019 at 10 AM.

James Turner, Secretary