

**Minutes of the
Regular Board Meeting
(Via Audio Teleconference)
Of the Pittsburgh Water and Sewer Authority
Held on July 24, 2020**

This Regular Board Meeting of The Pittsburgh Water and Sewer Authority, having been duly advertised in accordance with the Sunshine Act, was called to order on July 24, 2020, at approximately 10:00 a.m., via audio teleconference.

Roll Call was held for the Regular Board Meeting. All members were present.

Participants from PWSA: Will Pickering, Debby Gibson, Debbie Lestitian, Rick Obermeier, Barry King, Edward Barca, Jennifer Presutti, and Raquel Ludinich.

Also present was Solicitor Mark Nowak of Clark Hill.

There were an additional 46 confirmed participants who were on the call, in listening mode.

EXECUTIVE SESSIONS

Executive Session was held prior to the Board Meeting, wherein legal and personnel matters were discussed. No votes were taken.

CALL FOR PUBLIC COMMENT

There were no registered speakers for today's meeting.

APPROVAL OF THE MINUTES

Chair Leger entertained a motion to approve the Minutes for the Regular Board Meeting held on June 26, 2020. Mr. Turner so moved, and Ms. Strassburger seconded the motion.

No discussion held. The Minutes were unanimously approved.

FINANCIAL REPORT

Edward Barca, Director of Finance, presented the details of this report through June 30, 2020. The year-to-date collections are down 0.6 percent while operating expenses have remained steady.

The PWSA's cash balance has remained steady, and capital expenses continue to outpace last year. He anticipates that PWSA's capital expenses will continue to ramp up in the coming months barring any major construction work stoppages caused by COVID-19.

ENGINEERING REPORT

Barry King, Director of Engineering, presented the details of this report.

MFP:

We have decided it is necessary to delay the MFP restart date to allow us to fully address a technical issue that has been identified this week with the chlorine injection equipment. Our staff and consultants are working together to identify the replacement equipment to address the issue, as well as working with the PADEP to modify PWSA's permit to allow us to install these new replacement chlorine injection pumps. Based on current progress, we anticipate a revised restart date to be within 30 days.

Consent Order Agreement Project Progress:

Yesterday, the 23rd, we conducted a successful initial Orientation and Kick Off Meeting for the Clearwell Emergency Response, Aspinwall Pump Station Improvements, and Bruecken Pump Station Improvements Projects. Staff of the Authority, Brown and Caldwell, and Arcadis actively participated in getting these three key critical projects started. The Construction Permit Applications (coinciding with the end of the Design Phase) for the Aspinwall and Bruecken Pump Stations improvements are due by April 1, 2021, and the Clearwell Emergency Response Project is due by Jan 1, 2023.

REPORT OF THE EXECUTIVE DIRECTOR

Will Pickering, Executive Director, presented the details of this report. Earlier this month, PWSA staff from our Customer Service and Compliance Department attended Pennsylvania Public Utility Commission listening sessions that are related to our rate proposal that we submitted in March of this year. He expressed his gratitude for customers taking time to share their feedback on PWSA's proposal over those several hearings. He thought it was important to flag that this proposal was submitted before the pandemic, and a lot of the comments that were heard were related to that uncertainty and anxiety related to customers' ability to pay their bills. PWSA fully appreciates that concern, which is why as part of the proposal submitted back in March, PWSA included an enhanced Customer Assistance Program designed to minimize the impact of rate increases on its customers who are eligible for a bill discount program. So, while PWSA is proposing a two-year rate increase, PWSA made every effort to make that increase very small between now and when the new rates would be applied.

PWSA is at full staffing levels. PWSA has developed more clarified guidance and screening procedures for field employees who travel for vacation and intend to return to work. It has also agreed to apply that same level of rigor to contractors who are working hand in hand with PWSA employees because PWSA recognizes they pose the same risk. PWSA has selected a technology vendor that is going to provide an app-based screening questionnaire for when PWSA feels comfortable to re-open its office spaces. PWSA has reached out directly to the leads at Allegheny County Health Department to ensure that it is using the right standards for determining when individuals should quarantine or not. PWSA is continuing to provide daily screenings using a vendor that is taking temperatures at the Aspinwall Water Treatment Plant, and PWSA is reopening a second screening site for all of the field sites within the next week. PWSA has also hired, full-time, a Senior Health and Safety Manager. PWSA previously had this expertise supplied on a consultant basis, but now it will have an in-house manager present to assist with employee safety.

PWSA has replaced over 74 public lead service lines and over 4,700 private lines since it began the program. The program is serving as a national model for its production rate. The U.S. Government Accountability Office has reached out to PWSA and wants to showcase what PWSA is doing to other cities nationally. The EPA and DEP lead action level is 15 parts per billion, and PWSA is well below that level at 5.1 parts per billion. This marks the second consecutive period, which means PWSA is in compliance with that Lead and Copper Rule requirement. It is the lowest level that PWSA has had in 20 years. This is a major turning point for the Authority. This has been a multi-year effort between operations, engineering, customer service and PWSA consultants. Bob Weimar deserves a great deal of credit as well. Finally, he wanted to thank PWSA's customers for their patience. We acknowledge some of the missteps in the past, but he is confident that they are benefitting from services from a new PWSA, fully focused on their water quality and providing them the safest water quality that it can.

Chair Leger stated he would like to reinforce that pat on the back for getting the lead out. He also wanted to assure everyone that PWSA wants to continue that program until it has all of the lead out or as much as it humanly can get out. He encouraged individual property owners to please cooperate to allow PWSA to remove and replace their personal lines.

Mr. Turner stated that he and Chair Leger did not possibly believe at the time that PWSA could meet the number that was facing it initially. Bob Weimar assured us that he could get this job done.

Ms. Turner stated she would like to piggyback on Board member Turner's comments and stated that Mr. Turner too vigorously fought for the addition of the orthophosphate.

Ms. Strassburger stated that she wanted to echo what others have said about the announcement about the lead levels. PWSA is certainly on the right path. Kudos to PWSA for engaging the public and listening to them and then responding in a way that they were demanding. It is a testament to how much PWSA has improved, not just on assuring the public that the water is increasingly safe, but that it actually is safe and that people understand and feel that.

No. 88 of 2020 Extending the Moratorium on Water Service Terminations in Response to COVID-19

Will Pickering, Executive Director, explained the details of this Resolution. Uninterrupted water service is required for all customers to ensure adequate hygiene during this unprecedented health crisis. PWSA recognizes that the health and financial impacts of the COVID-19 pandemic will extend beyond August 1, 2020, which is when the previously extended moratorium is scheduled to expire. This Resolution will extend the moratorium on water shut-offs until September 1, 2020 and will apply to all customers regardless of income.

Chair Leger entered a motion to approve for discussion. Mr. Turner so moved, and Ms. Strassburger seconded the motion.

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

No. 89 of 2020 Approving the Award of Water and Sewer Inventory Supplies to Bingham and Taylor Corporation, Core & Main LP, EJ USA, Inc., Ferguson Waterworks, LB Water Services, Inc., National Road Utility Supply, Inc., and Trumbull Industries

Funding – 2020/2021 Operating Budget (not-to-exceed) \$5,704,096.29

Rick Obermeier, Chief of Operations, explained the details of this Resolution. The inventory supplies include street repaving sewer risers and lids, ductile iron pipe and fittings, ductile iron transition couplings, tapping and gate valves, tapping sleeves, stainless steel repair clamps, PVC sewer pipe, brass fittings, and hydrants.

Chair Leger entered a motion to approve for discussion. Mr. Turner so moved, and Ms. Turner seconded the motion.

Mr. Leger noted there was a question about the large number of vendors and whether PWSA is considering this to be one contract or little contracts, which could be signed by the Executive Director under his delegated authority. Mr. Obermeier responded that he will check with Procurement and get back to him. Mr. Turner stated that if PWSA spends the entire amount the Board is approving, it would be about \$4.5 million more than budgeted. He inquired whether that increase was in the Board's forecasted numbers. Mr. Barca responded that the amount seen within the Board Resolution is an amount that is going to be spent over two years. Since there is no approved budget yet for 2021, the full amount was put into this Resolution. It is inflating the negative amount slightly. However, the amounts that PWSA is going to spend for these contracts is included in its financial projections.

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

No. 90 of 2020 Approving the Award of Capital Contracts for 2020 Small Meter Replacement to Neptune Inc. and L/B Water.

Funding: Capital Budget Cumulative \$1,459,756.00

Rick Obermeier, Chief of Operations, explained the details of this Resolution. These contracts are for the necessary purchase of replacement water meters, including both positive displacement meters and electromagnetic meters and meter parts and appurtenances. The new meters will replace aging meters which are either malfunctioning, underestimating the actual amount of water being measured, or beyond their useful life.

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

Mr. Turner asked if the PAYGO amount is more than what was budgeted. Mr. Barca responded no there are adequate funds.

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

No. 91 of 2020 Approving the Award of Option 2 of an Operating Contract for Lime Slurry to Applied Specialties, Inc.

Funding: Operating Budget \$368,950.00

Rick Obermeier, Chief of Operations, explained the details of this Resolution. This contract will be in effect from August through December of 2020. PWSA staff plans to re-bid all production chemicals in the fourth quarter 2020. This re-bid will consolidate all chemicals into a single contract with one beginning and ending date.

Chair Leger entertained a motion for discussion. Mr. Turner so moved, and Ms. Turner seconded the motion.

Mr. Turner noted that this is a sole source item and inquired whether Mr. Obermeier was concerned about the future procurement of lime. Mr. Obermeier responded no. PWSA can use powdered lime as an alternative, although there are greater maintenance issues with powdered lime.

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

No. 92 of 2020 Approving a Change Order of a Capital Contract (PENNVEST) for the Construction of the 2019 Lead Service Line Replacement Program to W.A. Petrakis

Funding: Capital Budget (PENNVEST) \$1,623,637.50

Barry King, Director of Engineering, explained the details of this Resolution. When the 2019 Lead Service Line Replacement Program (LSLR) Project was bid, the total construction costs were approximately 30 percent lower than the budget approved by PENNVEST. After consultation with PWSA counsel and PENNVEST, a decision was made to award the contracts as bid based on the Contract Documents, with the intention of issuing change orders to the three construction contractors as the work progressed to increase the contract value (and the amount of work being done) to fully utilize and expend the full funds awarded by PENNVEST.

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

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

No. 93 of 2020 Approving the Award of a Professional Services Agreement for the Construction Management and Inspection Services for the 2020 Small Diameter Sewer Rehabilitation – Contract 1 Project to Mott MacDonald

No. 94 of 2020 Approving the Award of a Professional Services Agreement for the Construction Management and Inspection Services for the 2020 Small Diameter Sewer Rehabilitation – Contract 2 Project to Johnson, Mirmiran & Thompson, Inc.

**Funding: Capital Budget Contract 1 - \$596,840.58
Contract 2 - \$760,772.00**

Chair Leger requested that Resolutions 93 and 94 be taken as companion Resolutions as they deal with the same project in different areas of work. Barry King, Director of Engineering, explained the details for these Resolutions. The Contract 1 project is planned to conduct focused rehabilitation of approximately 7.7 miles of sewer in Brighton Heights (O-26 & O-27), Hazelwood (M-36 & M-37), and the Southside Slopes (M-16, M-21, M-27, and M-34). The Contract 2 project is planned to conduct focused rehabilitation of approximately 7.9 miles of sewer in Homewood (A-42) and Squirrel Hill (M-29)

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

No discussion held. The Board unanimously approved as companion Resolutions, and Resolutions 93 and 94 were adopted.

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| No. 95 of 2020 | Approving the Award of a Professional Services Agreement for the Design and Engineering Services for 2021 Small Diameter Sewer Rehabilitation Contract 1 Project to Johnson, Mirmiran & Thompson, Inc. |
| No. 96 of 2020 | Approving the Award of a Professional Services Agreement for the Design and Engineering Services for 2021 Small Diameter Sewer Rehabilitation – Contract 2 Project to DLZ Pennsylvania, LLC. |
| No. 97 of 2020 | Approving the Award of a Professional Services Agreement for the Design and Engineering Services for 2021 Small Diameter Sewer Rehabilitation – Contract 3 Project to Wade Trim, Inc. |
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Funding: Capital Budget Contract 1 - \$499,909.48
Contract 2 - \$497,407.58
Contract 3 - \$495,720.00

Chair Leger requested that Resolutions 95, 96 and 97 be taken as companion Resolutions as they deal with the same project in different areas of work. Barry King, Director of Engineering, explained the details for these Resolutions. The Contract 1 Project is planned to conduct focused rehabilitation of approximately 5.3 miles of sewer in the Marshall-Shadeland section of the City. The Contract 2 Project is planned to conduct focused rehabilitation of approximately 5.2 miles of sewer in the Spring Garden and Highland Park sections of the City. The Contract 3 Project is planned to conduct focused rehabilitation of approximately 4.9 miles of sanitary sewer in the Carrick section of the City.

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

Mr. Turner stated with respect to Resolution 95 that the Board talked about coordinating activities to reduce restoration costs. He asked whether that means PWSA has to wait until two separate things are done. Mr. King responded that specific to these projects, PWSA is coordinating with itself and all contracts will be its contractors. PWSA should have far more control over timing and coordination between the two entities as compared to it with other utilities. This should go more effectively.

No further discussion held. The Board unanimously approved as companion Resolutions, and Resolutions 95, 96 and 97 were adopted.

No. 98 of 2020 Approving the Submittal of an Application to ALCOSAN's GROW Grant Program for Phase 2 of the Wightman Park Green Infrastructure Project

No. 99 of 2020 Approving the Submittal of an Application to ALCOSAN's GROW Grant Program for the Woodland Road Infrastructure Project

Funding: No funding is requested

Chair Leger requested that Resolutions 98 and 99 be taken as companion Resolutions as they are both for Grant application submittals from ALCOSAN but for two different projects. Barry King, Director of Engineering, explained the details of this Resolution. The Wightman Park Improvements are part of an overall neighborhood plan to capture, detain, and convey stormwater from the adjacent streets upstream of the park to surface and subsurface storage infrastructure in the park. The Woodland Road project consists of installing stormwater management features located in an open space on the campus of Chatham University. Both grants require an authorizing resolution to be provided with all applications.

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

Mr. Leger asked why PWSA is doing a grant application when there is no funding requested. Mr. King responded that both of these were required to be included as resolutions to be eligible to apply for the GROW grant within PWSA's existing CIP. The Board has already approved the funding for the 2020/2021 CIP, and this will enable PWSA to apply for the reimbursement for those funds.

Mr. Turner noted that PWSA had a problem in the past between ALCOSAN and the City which has affected PWSA's GROW grant applications. He asked whether those issues were now resolved. Barry King responded that PWSA has not received reimbursement to date, and PWSA's legal representatives and Alex Sciulli are pursuing the matter. Mr. Pickering stated that PWSA has had several conversations with representatives from the Mayor's Office, the City Solicitor's Office and ALCOSAN. The sticking point is the fact that PWSA does not own the property. They are either in parks space or public rights-of-way. PWSA expects to be reimbursed via these grants.

Ms. Strassburger stated she is pleased to see both of these projects moving forward. Wightman Park had fallen into disrepair over the last 25 years. There used to be a skating pond, and it is the perfect location for a green infrastructure project in addition to being an educational wetland area. It will also help to improve the major flooding issues in that area. As goes with the Woodland Green Project, the location will see improvement with flooding issues and will be a major improvement for residents there.

No further discussion held. The Board unanimously approved as companion Resolutions, and Resolutions 98 and 99 were adopted.

No. 100 of 2020 Approving Entering Into a Settlement Agreement and Release with PennDOT for the SR Route 51 and Route 88 Intersection Improvements

Funding: No funding is requested

Barry King, Director of Engineering, explained the details of this Resolution. Since 2013, PWSA and PennDOT have entered into Utility Reimbursement and Contribution Agreements, with 50/50 cost shares for adjusting PWSA's existing sanitary and storm sewer facilities, and PWSA's payment for new installations and betterments. Payments associated with Agreements 118700 and 118676 are complete. Execution of this Settlement and Release Agreement is necessary to allow PennDOT to reimburse PWSA for 50 percent of the costs, or \$59,688.40, for the construction engineering and inspection services expenses incurred by PWSA during construction of the sanitary and storm sewer infrastructure.

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

Mr. Turner asked about the indemnity provision in the agreement. Mr. Nowak stated he believed that this was a standard PennDOT provision and will review it.

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

No. 101 of 2020 Approving the Settlement of a Lawsuit

Funding: Operating Budget \$166,666.67

Debbie Lestitian, Chief Legal Counsel, requested approval of this Resolution to settle the cases for \$166,666.67 and to enter into a Settlement Agreement. The resolution is a global settlement of two related lawsuits for property on Saw Mill Run Boulevard.

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

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

No. 102 of 2020 Approving the Pre-Disposition Remediation Resolution with the Commonwealth of Pennsylvania and Authorizing the Executive Director to Take Any and All Actions to Fulfill Same

Funding: Operating Budget \$500,000

Debbie Lestitian, Chief Legal Counsel, requested approval of the settlement. This is to settle the Attorney General's Office charges and authorization for the Executive Director to take actions to fulfill the terms of the settlement.

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

Mr. Leger requested a description as to how the settlement funds will be used by the nonprofit organizations.

No further discussion held.

Chair Leger requested a Roll Call vote on this Resolution. Mr. Domach, Mr. Leger, Ms. Turner and Ms. Strassburger all voted Aye. Mr. Turner voted Nay. With the majority of 4 votes in the affirmative, the Resolution was approved and adopted.

New Business

No. 103 of 2020 Approving Entering Into a Contribution and Cooperation Agreement with the City of Pittsburgh for the Allegheny Circle Two-Way Conversion Phase II Project

Funding: Operating Budget (not-to-exceed) \$5,000.00

Barry King, Director of Engineering, explained the details of this Resolution. To accommodate the reconfiguration of vehicle traffic lanes and intersections, as well as bump outs in the City's North side neighborhood, PWSA's infrastructure (water valve boxes, sewer manholes and catch basins) will need to be adjusted to meet the new right-of-way elevations. The City has agreed to pay labor costs and incorporate the work into their contract. PWSA has agreed to provide materials required to make the adjustments.

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

No discussion held. Mr. Domach, Mr. Leger, Ms. Strassburger and Mr. Turner voted Aye. Ms. Turner voted Nay. With the majority of 4 votes in the affirmative, the Resolution was approved and adopted.

CLOSING COMMENTS:

Ms. Turner wanted to commend the staff in the presentation of these Resolutions to make it prominent that the supplier diversity goals are being pursued. She noticed that the policy was included in some of the more detailed proposals.

ADJOURNMENT OF THE MONTHLY BOARD MEETING

Chair Leger entertained a motion to adjourn the Board Meeting. Mr. Turner so moved, and Ms. Turner seconded the motion. The adjournment was unanimously approved.

The next meeting is newly scheduled Special Board Meeting that will take place on Friday, August 21, 2020 at 10 AM.

Jim Turner

James Turner, Secretary