

WASHINGTON SUBURBAN SANITARY COMMISSION

MINUTES OF THE COMMISSION MEETING

**Friday, April 29, 2016
Laurel, Maryland**

Vice Chair Chris Lawson called the meeting [rescheduled from April 20, 2016] to order at 10:07 a.m., in the Auditorium of the Washington Suburban Sanitary Commission (hereinafter "WSSC") Richard G. Hocevar ("RGH") Building, 14501 Sweitzer Lane, Laurel, Maryland, 20707, with due notice having been given to all members of the Commission and the public. In addition to Vice Chair Lawson, Commissioners Fausto R. Bayonet, Howard A. Denis, and Mary Hopkins Navies (participating by telephone), were present at the meeting, reflecting the presence of a quorum. Also in attendance were WSSC General Manager and Chief Executive Officer Carla A. Reid, Acting General Counsel Russel Beers, and Corporate Secretary Sheila R. Finlayson, Esq., who recorded the minutes of the meeting. Other members of WSSC management were also called upon, during certain portions of the meeting, to provide information to the Commission.

Absent: Commissioner Omar M. Boulware.

PLEDGE OF ALLEGIANCE

Vice Chair Lawson opened the meeting by apologizing for the meeting cancellation last week and explaining that today's rescheduled meeting would be an abbreviated version of the Commission's regular meeting and will cover only certain important items that require Commission action. Following the Vice Chair's comments, Commissioner Denis led the Commission in the pledge of allegiance.

AGENDA APPROVAL

Commissioner Denis then moved to adopt the Commission's Public Meeting Agenda of April 29, 2016, as drafted, to which Commissioner Navies seconded the motion. The motion carried with four affirmative votes, one absent.

COMMISSIONER/PUBLIC COMMENTS

Commissioner Comments. Commissioner Denis shared some of his activities over the past month which included a tour (with management and County officials) of the Montgomery County Department of Permitting Services Office. He is also planning to attend an upcoming board meeting of the DC Water and Sewer Authority. Commissioner Navies recognized SLMBE Director Towanda

Livingston for hosting another successful Women's Business Owners' Expo which Ms. Navies had the pleasure of attending on March 31, 2016.

Public Comments. None.

INTERNAL AUDIT OFFICE

Resolution 2016-2118 - Approval of Ethics Annual Report. WSSC

Board of Ethics Chair George E. Pruden, II presented the 2015 WSSC Annual Ethics Report to the Commission. Such report, which addresses conflicts of interest matters brought before the WSSC Board of Ethics in 2015 and lobbying activities, is required under the Maryland Public Ethics Law and the WSSC Code of Ethics to be transmitted to the County Governments of Prince George's and Montgomery annually [on or about April 15th of each year]. A copy of the Annual Report, which is included in the board materials and incorporated herein by reference, is also provided to the Maryland State Ethics Commission.

Following discussion, a motion was made by Commissioner Bayonet and seconded by Commissioner Denis, to adopt Resolution 2016-2118, as amended, approving the transmittal of the 2015 Annual Ethics Report to the County Governments of Prince George's and Montgomery Counties. Such Resolution was amended to reflect today's adoption date of April 29, 2016. The motion carried by a vote of four-to-zero with one absent.

OTHER REPORTS

Engineering & Construction

Resolution 2016-2119- Adoption of Amended Standard Procedure (SP) to Replace SP ENG 04-01 "SDC Credits and Reimbursements." Chief

Engineer Gary Gumm, along with Development Services Group Unit Coordinator Ray Chicca and Acting Group Leader Tom Gingrich, reported on this item, whereby management is proposing new language and other amendments to the existing SP which would define regulations concerning "Wet Weather Projects." There is minimal to no financial impact for property owners and none of the proposed code changes requires an increase in existing fees or creates new fees. Management reported from a power point presentation contained in the Commission meeting advance materials and incorporated herein by reference. Specific details can be

found in the presentation handout and corresponding segment of the archived meeting video; both are referred to for that purpose.

After discussion, a motion was made by Commissioner Denis and seconded by Commissioner Bayonet, to adopt Resolution 2016-2119, amending the Standard Procedure for SDC Applicant Credits and Reimbursements (previously identified as SP ENG 04-01) to include procedures for "Wet Weather Projects" and other minor clarifications and updates, as described and recommended by management on this date. Such amended Regulation to be effective on June 15, 2016 following the required public notification period. The motion carried by a vote of four-to-zero with one absent.

Resolution 2016-2117 - Authorizing General Manager/CEO to Enter into Memorandum of Agreement with MTA (Purple Line Project). Chief Engineer Gary Gumm indicated that management had presented a briefing to the Commission on the Purple Line Project at last month's meeting and is now requesting Commission approval after having addressed additional questions posed by Commissioners.

Following a short discussion, a motion was made by Commissioner Bayonet and seconded by Commissioner Denis, to adopt Resolution 2016-2117, authorizing the General Manager/CEO, on behalf of the Commission, to enter into a Memorandum of Agreement with the Maryland Transit Administration (MTA) relating to construction of a Light Rail Line in Prince George's and Montgomery Counties (Purple Line Project), as amended to reflect today's date of adoption and effectiveness. The motion carried by a vote of four-to-zero, with one absent.

Finance

Setting Public Hearing Dates for Proposed Fiscal Years (FY) 2018-2023 Capital Improvements Program (CIP). Following management's recommendation, Commissioner Denis moved that the Commission set its public hearing dates on the Proposed CIP for FYs 2018-2023, as follows:

Montgomery County

Wednesday, September 7, 2016, at 7:30 p.m.

Stella B. Werner Office Building - 7th Floor Hearing Room

100 Maryland Avenue, Rockville Maryland

Prince George's County

Thursday, September 8, 2016, at 7:30 p.m.

RMS Building - Room 308

1400 McCormick Drive, Largo, Maryland

Commissioner Bayonet seconded the motion. The motion carried with four affirmative votes, one absent.

Approval of Mid-Cycle Update for Proposed FYs 2017-2022 CIP.

Following a short briefing by Budget Group Leader Letitia Carolina-Powell which can be found in the corresponding segment of the archived meeting video (and management report contained in the advance board materials), and on motion made by Commissioner Denis and seconded by Commissioner Bayonet, the Commission voted four-to-zero with one absent, to approve the Mid-Cycle Update for WSSC's Proposed FYs 2017-2022 CIP as recommended by management.

Resolution 2016-2121 - Authorizing Issuance of Water Supply and Sewage Disposal Bonds. Disbursements Group Leader J.D. Noell reported on this item, noting that WSSC will need to issue additional bonds (expected in May 2016) for construction of water supply facilities and large transmission mains, sewage disposal facilities and large collection mains and WSSC-built water/sewer pipes in subdivisions. Debt to be obtained through competitive bid process with bond sale amount of \$145,000,000.00 consistent with WSSC's CIP and within budget estimates.

Whereby, a motion was made by Commissioner Denis and seconded by Commissioner Bayonet, to adopt Resolution 2016-2121, authorizing and providing for the issuance, sale, delivery and publication of the notice of sale, of Water Supply Bonds and Sewage Disposal Bonds, and providing for the consolidation of such bonds for issuance, sale and delivery as a single issue of bonds, as stipulated in the aforementioned Resolution.

The motion carried with four affirmative votes, one absent.

CONSENT CALENDAR

Contracts for Approval

The Vice Chair asked if there were any contracts that Commissioners would like removed prior to consideration of the Consent Calendar Resolution, to which there were none.

Whereby, a motion was made by Commissioner Bayonet and seconded by Commissioner Denis, to adopt Resolution 2016-2120, as amended to reflect today's date of adoption, approving the seventeen contracts included on the Consent Calendar for the April 29, 2016 Commission Meeting, as follows:

A. Engineering and Construction

Architect/Engineer Contracts:

1. IC2011A11, Construction Inspection Services, Option Term II, to Development Facilitators, Inc., in the amount of \$6,412,199.00.
2. CD4257A05/CD4173A05, Change Order 2, Western Branch WWTP ENR, Design Services During Construction, Change Order 2, Amendment 2, to AECOMM Technical Services, Inc., in the amount of \$745,426.00, for a total contract amount of \$17,318,022.19, and a contract term of 215 calendar days.

Construction Contracts:

1. BT5529A13, Seat Pleasant Transmission Water Main Replacement, Change Order 2, to Taylor Utilities, Inc., in an amount of \$180,000.00, for a total contract amount of \$2,372,568.00.
2. BR5727A14, Thornapple Water Main Replacement, to Utilicon Corporation, in the amount of \$2,531,626.00, with substantial completion time of 621 calendar days.
3. BTBR5785A14, Bradmoor Drive 20-Inch Transmission Water Main Replacement, to A&M Concrete Corporation, in the amount of \$5,285,195.00, with substantial completion time of 825 calendar days.
4. BRBT5831A15, Highbridge Estate Water Main Replacement, to J. Fletcher Creamer & Son, Inc., in the amount of \$3,540,440.00, with substantial completion time of 510 calendar days.
5. BR5690A14, Oak Crest Water Main Replacement, to Rivers Construction Group, Ltd., in the amount of \$1,749,550.00, with substantial completion time of 351 calendar days.

B. Utility Services

1. Contract 1126, Pipe Armoring Construction Services, to HGS, LLC DBA Angler Environmental, in an amount not to exceed \$7,500,000.00 for a base term of three years with a one year option in an amount not to exceed \$2,500,000.00.

C. Logistics

1. Contract 6217, No. 2 Ultra Low Sulfur Diesel Fuel, Option Term IV, to Mansfield Oil Co., in the amount of \$1,400,000.00.
2. Contract 6991, Elevator, Escalator and Walkway Maintenance and Modernization Services, Option Term I, to Kone, Inc., in the amount of \$1,000,000.00. WSSC will be riding the U.S. Communities Government Purchasing Alliance Contract No. GENRL-201414653-00.

D. Production

1. Contract 6987/P80140, Polymer (Sole Source), in the amount of \$676,000.18, for a two-year period.

E. Information Technology

1. Contract 1124, Contracting Authority, IT Management Support Services and Expert Assistance Basic Ordering Agreement (BOA), in the total not to exceed amount of \$5,400,000.00, for a period starting April 20, 2016 through June 30, 2017. Total value of task orders issued to individual consulting firms to be capped at \$3,000,000.00 per Fiscal Year. Contract has a base term of two years with three (3) one-year option terms.
2. Contract 1067, Contracting Authority, IT Technical Staff BOA, Option Term 3, in the total not to exceed amount of \$12,800,000.00, for the period of July 1, 2016 through June 30, 2017. The total value of task orders issued to individual contractors to be capped at \$3,000,000.00 per Fiscal Year.
3. Contract 6945, Enterprise Oracle Systems Annual Software Maintenance Fee, Change Order 1, in the amount of \$984,708.80, for a total amount of \$4,252,543.48.
4. Contract 1052, IT Temporary Services Support BOA (Senior Program Manager), Change Order 3 to Task Order 35, in the amount of \$152,000.00. Task Order to be extended through June 30, 2016, for a total amount of \$707,425.60.
5. Contract 6470, Hardware/Software, Maintenance/Support and Services, Change Order 3, in the amount of \$400,000.00 for a total amount of \$1,900,000.00.
6. Contract 6809, Telecom Hardware/Software & Maintenance Services, Option Term I, to Procom Corporation, in the amount of \$300,000.00 and Tempest Telecom Solutions, LLC, in the amount of \$300,000.00, for a total amount of \$600,000.00.

The motion carried with four affirmative votes, one absent.

ADDITIONAL BRIEFINGS

IRO Legislative Update - Proposals. IRO Director Michael Stroud provided an update of the IRO activities for the month, including an update on how all legislative bills fared during the 2016 Maryland General Assembly Session, noting which bills passed and those that died. Mr. Stroud also proposed that the Commission take positions of support on four federal bills sponsored by U.S. Senator Ben Cardin, promoting safer and cleaner drinking water.

Whereby a motion was made by Commissioner Bayonet and seconded by Commissioner Denis, to adopt the positions as recommended by management on the proposed federal legislation sponsored by United States Senator Ben Cardin to promote safer and cleaner drinking water, as follows:

S. 2583 FUND Water Act - Support;
S. 2532 State Revolving Fund Increase Funding - Support;
S. 2587 CLEAR Act - Support;
S. 741 Water Infrastructure Resiliency and Sustainability Act - Support.

The motion carried with four affirmative votes, one absent.

ADJOURNMENT

There being no additional business, the Vice Chair called for a motion to adjourn, to which Commissioner Denis moved to adjourn the meeting. Commissioner Bayonet seconded the motion. The motion carried with four affirmative votes.

At 11:20 a.m., the meeting was declared adjourned.

Respectfully submitted,

//signed//

Sheila R. Finlayson, Esq.
Corporate Secretary