

**Presented and Approved: December 7, 2017**

**SUBJECT: Approval to Execute Option Year One of Contract No. 16-PR-HCM-28, Connecticut General Life Insurance Company (CIGNA)**

**#17-74  
RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
D.C. WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority ("the Authority") at its meeting on December 7, 2017 upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed to execute Option Year One of Contract No. 16-PR-HCM-28, Connecticut General Life Insurance Company (CIGNA).

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute Option Year One of Contract No. 16-PR-HCM-28, Connecticut General Life Insurance Company (CIGNA). The purpose of the contract is to provide DC Water employees two health insurance plans: Health Maintenance Organization (HMO) as well as Preferred Provider Organization (PPO) for employees hired after October 1, 1987. The option amount is \$10,824,582.

This Resolution is effective immediately.

  
Secretary to the Board of Directors

**Presented and Approved: December 7, 2017**

**SUBJECT: Approval to Execute Option Year Three of Contract No. 14-PR-HCM-08, Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc.**

**#17-75  
RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
D.C. WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority ("the Authority") at its meeting on December 7, 2017 upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed to execute Option Year Three of Contract No. 14-PR-HCM-08, Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc.

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute Option Year Three of Contract No. 14-PR-HCM-08, Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc. The purpose of the option is to provide DC Water employees a Health Maintenance Organization (HMO) for employees hired after October 1, 1987. The option amount is \$4,715,782.

This Resolution is effective immediately.

  
Secretary to the Board of Directors

**Presented and Approved: December 7, 2017**

**SUBJECT: Approval to Execute Additional Funding For Option Year  
One of Contract No. 16- PR-DMS-43, Electric Motor &  
Contracting Co., Inc. (EMC)**

**#17-76  
RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
D.C. WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority ("the Authority") at its meeting on December 7, 2017 upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed to execute additional funding for Option Year One of Contract No. 16-PR-DMS-43, Electric Motor & Contracting Co., Inc. (EMC).

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute additional funding for Option Year One of Contract No. 16-PR-DMS-43, Electric Motor & Contracting Co., Inc. (EMC). The purpose of the option is to continue providing inspection, repair, replacement, and upgrade services for various process assets located at all DC Water facilities. The additional funding amount is \$2,076,186.

This Resolution is effective immediately.

  
Secretary to the Board of Directors

**Presented and Approved: December 7, 2017**

**SUBJECT: Approval to Execute Change Order No. 1 of Contract No. 160150, Mobile Dredging & Video Pipe Services**

**#17-77  
RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
D.C. WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority ("the Authority") at its meeting on December 7, 2017 upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed to execute Change Order No. 1 of Contract No. 160150, Mobile Dredging & Video Pipe Services.

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute Change Order No. 01 of Contract No. 160150, Mobile Dredging & Video Pipe Services. The purpose of the change order is to locate and remove obstruction found during the CCTV inspection of the Lower Oxon Run Interceptor. The purpose of the change order is to continue providing inspection, repair, replacement, and upgrade services for various process assets located at all DC Water facilities. The change order amount is \$1,000,000.

This Resolution is effective immediately.

  
Secretary to the Board of Directors

**Presented and Approved: December 7, 2017**

**SUBJECT: Approval to Execute Supplemental Agreement No. 03 of  
Contract No. DCFA-445, O'Brien and Gere Engineers, P.C.**

**#17-78  
RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
D.C. WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority ("the Authority") at its meeting on December 7, 2017 upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed to execute Supplemental Agreement No. 03 of Contract No. DCFA-445, O'Brien and Gere Engineers, P.C.

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute Supplemental Agreement No. 03 of Contract No. DCFA-445, O'Brien and Gere Engineers, P.C. The purpose of the supplemental agreement is to provide additional engineering services during construction due to unforeseen construction contractor delays including more than quadruple the planned number of reviews of construction submittals and reviewing more than six times the planned number of requests interpretation (RFIs), some dealing with differing site conditions, which were not included in original scope or previous Supplemental Agreements (SA). The supplemental agreement amount is \$890,000.

This Resolution is effective immediately.

  
Secretary to the Board of Directors

**Presented and Approved: December 7, 2017**

**SUBJECT: Approval to Execute a Contract Modification for Additional Funding for Advance Digital Systems, Inc. (ADS)**

**#17-79  
RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
D.C. WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority ("the Authority") at its meeting on December 7, 2017 upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed to execute a Contract Modification for additional funding for Advance Digital Systems, Inc. (ADS).

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute a Contract Modification for additional funding for Advance Digital Systems, Inc. (ADS). The purpose of the modification is add additional funding to continue to use the contract to fulfill IT professional and staff agumentation service requirements through April 30, 2018. The additional funding amount is \$939,000.

This Resolution is effective immediately.

  
Secretary to the Board of Directors

**Presented and Approved: December 7, 2017**

**SUBJECT: Approval to Execute Option Year Two of Contract No. 15-PR-DWT-35, Polydyne, Inc.**


**#17-80  
RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
D.C. WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority ("the Authority") at its meeting on December 7, 2017 upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed to execute Option Year Two of Contract No. 15-PR-DWT-35, Polydyne, Inc.

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute Option Year Two of Contract No. 15-PR-DWT-35, Polydyne, Inc. The purpose of the option is to continue providing belt press polymers to reduce the water content and increase solids content of the Class A biosolids. The option amount is \$1,733,200.

This Resolution is effective immediately.

  
Secretary to the Board of Directors

**Presented and Approved: December 7, 2017**

**SUBJECT: Approval to Execute Additional Funding for Option Year One, Contract No. 16-PR-DSS-63, Dynamic Concepts, Inc.**

**#17-81  
RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
D.C. WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority ("the Authority") at its meeting on December 7, 2017 upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed to execute additional funding for Option Year One of Contract No. 16-PR-DSS-63, Dynamic Concepts, Inc.

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute additional funding for Option Year One of Contract No. 16-PR-DSS-63, Dynamic Concepts, Inc. The purpose of the additional funding is to continue providing resources required to locate, identify, and appropriately mark underground utilities prior to excavation work being conducted in the vicinity of these utilities within DC, Maryland and Virginia. The additional funding amount is \$1,353,130.

This Resolution is effective immediately.

  
Secretary to the Board of Directors



**Presented and Approved: December 7, 2017**

**SUBJECT: Approval to Execute a Contract Modification for Additional Funding for Contract No. 17-PR-DIT-06G Networking for Future, Inc. (NFF)**

**#17-82  
RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
D.C. WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority ("the Authority") at its meeting on December 7, 2017 upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed to execute a contract modification for additional funding for Contract No. 17-PR-DIT-06G, Networking for Future, Inc. (NFF).

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute a contract modification for additional funding for Contract No. 17-PR-DIT-06G, Networking for Future, Inc. (NFF). The purpose of the additional funding is to continue providing IT professional and staff augmentation services requirements through April 30, 2018. The additional funding amount is \$985,000.

This Resolution is effective immediately.

  
Secretary to the Board of Directors

**Presented and Adopted: December 7, 2017**

**Subject: Authorizing Publication of Notice of Emergency and Proposed Rulemaking to Revise the Effective Date of the System Availability Fee (SAF) Regulations from January 1, 2018 to June 1, 2018**

**#17-83  
RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

The District members of the Board of Directors ("Board") of the District of Columbia Water and Sewer Authority ("the Authority") at the Board meeting held on December 7, 2017 decided, in a non-joint use matter, by a vote of five (5) in favor and none (0) opposed, to take the following action to authorizing the publication of a Notice of Emergency and Proposed Rulemaking to revise the effective date of the System Availability Fee Regulations from January 1, 2018 to June 1, 2018.

**WHEREAS**, on June 17, 2016, DC Water published a Notice of Final Rulemaking for amendments to the System Availability Fee (SAF) and relevant definitions in the *D.C. Register* at 63 DCR 8505, effective January 1, 2018; and

**WHEREAS**, the Authority has determined that implementing the SAF regulations on the effective date of January 1, 2018 could present significant fiscal impacts to the District's New Communities Initiative, which includes redevelopment, one for one replacement and/or augmentation, of affordable housing units in the Barry Farm, Lincoln Heights/Richardson Dwellings, NW1, and Park Morton communities; and

**WHEREAS**, each of the above redevelopment projects are projected to increase the availability of affordable housing units in the District; and

**WHEREAS**, it is possible that negative fiscal impacts will impede these redevelopment projects and may have an immediate impact on preservation of the public peace, health, safety, welfare, or morals; and

**WHEREAS**, on December 7, 2017, the DC Retail Water and Sewer Rates Committee recommended that the Board amend the SAF regulations through an Emergency and Proposed Rulemaking to revise the effective date of the SAF regulations from January 1, 2018 to June 1, 2018 in order to allow sufficient time for the Board to evaluate the potential for and likelihood of negative fiscal impacts to affordable housing, and consider options to lessen such impacts, yet still achieve the purposes of the SAF; and

**WHEREAS**, after consideration of the recommendations of the DC Retail Water and Sewer Rates Committee, the District members of the Board of Directors, upon further consideration and discussion, agreed to approve the amendment of the SAF through an Emergency and Proposed Rulemaking to revise the effective date of the SAF regulations from January 1, 2018 to June 1, 2018 for the immediate preservation of public peace, health, safety, welfare, or morals.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Board hereby adopts and approves the publication of the Notice of Emergency and Proposed Rulemaking to revise the effective date of the System Availability Fee from January 1, 2018 to June 1, 2018, as follows:

21 DCMR 112.11 Effective June 1, 2018, DCRA Construction Permit Applicants and federal facilities shall be assessed a System Availability Fee (SAF) for new water and sewer connections and renovation or redevelopment projects for existing connections to the District's potable water and sanitary sewer systems based on the SAF meter size in accordance with the following fee schedule and requirements:

2. The Board directs the General Manager to amend the Authority's Water Supply regulations at 21 DCMR § 112.11 as provided in Attachment A.
3. The General Manager is authorized to take all steps necessary in his judgment and as otherwise required, to publish the Notice of Emergency and Proposed Rulemaking to initiate the public comment process in the manner provided by the District of Columbia's Administrative Procedures.
4. This Notice of Emergency and Proposed Rulemaking shall be effective immediately and expire within 120 days, (April 5, 2018) unless a Notice of Final Rulemaking is published in the D.C. Register on or before that date to make the revised effective date permanent.
5. The General Manager is directed to evaluate the potential impacts to affordable housing and present a proposal at the February 2018 DC Retail Water and Sewer Rates Committee meeting that addresses the options to mitigate the potential impacts to affordable housing and any other issues, as necessary.

This resolution shall be effective immediately.

  
Secretary to the Board of Directors

## Attachment A

### DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

#### NOTICE OF EMERGENCY AND PROPOSED RULEMAKING

The Board of Directors (Board) of the District of Columbia Water and Sewer Authority (DC Water), pursuant to the authority set forth in Sections 203(3) and (11) and 216 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111, §§ 203(3), (11) and 216; D.C. Official Code §§ 34-2202.03(3) and (11), and § 34-2202.16 (2012 Repl.)); and Section 6(a) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Official Code § 2-505(a) (2012 Repl.)), hereby gives notice of the adoption, on an emergency basis, and intent to adopt permanently, at its regularly scheduled meeting on December 7, 2017, took final action, through adoption of Board Resolution #17-83 to amend Subsection 112.11 (Fees) of Chapter 1 (Water Supply) of Title 21 (Water and Sanitation) of the District of Columbia Municipal Regulations (DCMR).

The purpose of this emergency and proposed rulemaking is to revise the effective date of the System Availability Fee (SAF), which is currently effective on January 1, 2018.

On December 7, 2017, the DC Water Retail Water and Sewer Rates Committee met to consider the impacts of the SAF on affordable housing in the District and recommended the extension of the effective date of the SAF regulations to the Board. The Board through Resolution #17-83 approved the adoption of this Emergency and Proposed Rulemaking to revise the effective date to June 1, 2018.

This emergency rulemaking is necessary to protect the public peace, health safety, welfare, or morals. Without emergency rules, development of affordable housing in the District will be critically impaired. This rulemaking will revise the current effective date to June 1, 2018, which will provide the Board time to propose amendments to the SAF regulations to mitigate any impacts to affordable housing development and other project development issues.

This emergency rulemaking was adopted on December 7, 2017, by resolution, to become effective immediately, and shall remain in effect for up to 120 days from the date of adoption. This emergency rulemaking shall expire on April 5, 2018, unless a Notice of Final Rulemaking is published in the *D.C. Register*, whichever occurs first. The Board also gives notice of its intent to take action to adopt these proposed regulations as final in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

**Chapter 1, WATER SUPPLY, of Title 21 DCMR, WATER AND SANITATION, is amended as follows:**

**Section 112, FEES, is amended by revising the effective date of Subsection 112.11 to read as follows:**

112.11

Effective June 1, 2018, DCRA Construction Permit Applicants and federal facilities shall be assessed a System Availability Fee (SAF) for new water and sewer connections and renovation or redevelopment projects for existing connections to the District's potable water and sanitary sewer systems based on the SAF meter size in accordance with the following fee schedule and requirements:

- (a) Residential customers shall be charged a System Availability Fee based on the SAF meter size as listed below:

SAF Meter Size (inches)	Water System Availability Fee	Sewer System Availability Fee	Total System Availability Fee
5/8"	\$ 1,135	\$ 2,809	\$ 3,944
3/4"	\$ 1,135	\$ 2,809	\$ 3,944
1"	\$ 1,135	\$ 2,809	\$ 3,944
1"x1.25"	\$ 2,047	\$ 5,066	\$ 7,113
1.5"	\$ 5,491	\$ 13,591	\$ 19,082
2"	\$ 11,125	\$ 27,536	\$ 38,661

- (b) Multi-Family and all Non-Residential customers shall be charged a System Availability Fee based on the SAF meter size as listed below:

SAF Meter Size (inches)	Water System Availability Fee	Sewer System Availability Fee	Total System Availability Fee
1" or smaller	\$ 1,282	\$ 3,173	\$ 4,455
1"x1.25"	\$ 2,047	\$ 5,066	\$ 7,113
1.5"	\$ 5,491	\$ 13,591	\$ 19,082
2"	\$ 11,125	\$ 27,536	\$ 38,661
3"	\$ 32,500	\$ 80,442	\$ 112,942
4"	\$ 83,388	\$ 206,394	\$ 289,782
6"	\$ 229,246	\$ 567,408	\$ 796,654
8"	\$ 229,246	\$ 567,408	\$ 796,654
8"x2"	\$ 229,246	\$ 567,408	\$ 796,654
8"x4"x1"	\$ 229,246	\$ 567,408	\$ 796,654
10"	\$ 229,246	\$ 567,408	\$ 796,654
12"	\$ 229,246	\$ 567,408	\$ 796,654
16"	\$ 229,246	\$ 567,408	\$ 796,654

- (c) The SAF meter size shall be computed for the peak water demand, excluding fire demand in accordance with D.C. Construction Codes Supplement, as amended, Chapter 3 (Water Meters) of this title, and DC Water Standard Details and Guideline Masters.
- (d) The System Availability Fee shall be assessed for any new premises, building or structure that requires a metered water service connection to the District's potable water and/or sanitary sewer systems.

- (e) The System Availability Fee shall be assessed for renovation or redevelopment projects for any premises, building or structure that requires a metered water service connection to the District's potable water and/or sanitary sewer systems.
- (f) For a renovation or redevelopment project on a property that already had/has a DC Water meter(s) and account(s), DC Water shall determine the net System Availability Fee based on the difference between the property's new System Availability Fee determined by the SAF meter size(s) and the System Availability Fee determined by the old meter size(s) for the meters(s) being removed from the system.
- (g) If the net System Availability Fee is zero or less, no System Availability Fee shall be charged.
- (h) If the net System Availability Fee is greater than zero, DC Water shall provide System Availability Fee credits for the removed capacity and assess the net System Availability Fee.
- (i) Properties under renovation or redevelopment shall not receive a System Availability Fee credit for the DC Water account(s) that have been inactive for more than twenty-four (24) months prior to DC Water's issuance of the Certificate of Approval.
- (j) For DCRA Construction Permit applicants, payment of the System Availability Fee shall be a condition for DC Water's issuance of the Certificate of Approval.
- (k) DCRA Construction Permit applicants that submitted plans and specifications to DC Water prior to the effective date of these regulations, shall not be subject to the System Availability Fee provided:
  - (1) The DC Water Engineering Review fee(s) has been paid;
  - (2) The plans, specifications and other information conform to the requirements of the D.C. Construction Codes Supplement, as amended, and are sufficiently complete to allow DC Water to complete its Engineering Review without substantial changes or revisions; and
  - (3) DC Water issues the Certificate of Approval within one year after the effective date of these regulations.
- (l) For federal facilities, payment of the System Availability Fee shall be a condition of DC Water's issuance of the Certificate of Approval.

- (m) After the effective date of these regulations to December 31, 2020, the property owner may request to pay the System Availability Fee in four equal installments, with the final payment due on or before one year after the execution date of a Payment Plan Agreement. Execution of a Payment Plan Agreement and payment of the first installment payment, shall be a condition of DC Water's issuance of the Certificate of Approval.
- (n) In the case that the DCRA Construction Permit is not issued or is revoked or the construction project is abandoned or discontinued, upon written request from the property owner, DC Water shall issue the property owner a refund of the System Availability Fee.

Comments on these proposed rules should be submitted in writing no later than thirty (30) days after the date of publication of this notice in the *D.C. Register* to Linda R. Manley, Secretary to the Board, District of Columbia Water and Sewer Authority, 5000 Overlook Ave., S.W., Washington, D.C. 20032, by email to [Lmanley@dcwater.com](mailto:Lmanley@dcwater.com), or by FAX at (202) 787-2795. Copies of these proposed rules may be obtained from the DC Water at the same address or by contacting Ms. Manley at (202) 787-2332.