



**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY  
290th MEETING OF THE BOARD OF DIRECTORS**

**Thursday, October 6, 2022**

**9:30 a.m.**

**via Microsoft Teams**

**Join on your computer, mobile app or room device**

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The board meeting can be live streamed at <https://dcwater.com/watch-board-meetings>

- I. **Call to Order (Chairperson Tommy Wells)**
- II. **Roll Call (Alfonzo Kilgore Stukes, Acting Board Secretary)**
- III. **[Approval of the September 1, 2022, Meeting Minutes](#)**
- IV. **Chairman's Overview**
- V. **Committee Reports**
  1. **[Governance Committee \(Christopher Herrington\)](#)**
  2. **[Human Resource and Labor Relations Committee \(Adriana Hochberg\)](#)**
  3. **[Environmental Quality and Operations Committee \(Sarah Motsch\)](#)**
  4. **[Finance and Budget Committee \(Anthony Giancola\)](#)**
  5. **[DC Retail Water and Sewer Rates Committee \(Ivan Frishberg\)](#)**
- VI. **Issues of General Interest**
- VII. **[CEO/General Manager's Report \(David Gadis\)](#)**
- VIII. **[Contract Summary \(FYI\)](#)**
- IX. **Consent Items (Joint Use)**
  1. **[Approval of Amendments to the By-Laws of the Board to Revise the Manner the Public May Participate in Board and Committee Meetings and Public Hearings, the Strategic Planning Committee's Title, Charge, and Composition and Other Amendments – Resolution No. 22-56 \(Recommended by the Governance Committee 09/13/2022\)](#)**
  2. **[Approval to Replace the Federal Holiday Named "Columbus Day" with "Indigenous Peoples Day" – Resolution No. 22-57 \(Recommended by Human Resource and Labor Relations Committee 09/14/2022\)](#)**
  3. **[Approval to Execute the Award and Funding for the Base and Two Option Years of Contract No. 10126, Page After Page Business Systems, Inc. - Resolution No. 22-58 \(Recommended by the Environmental Quality and Operations Committee 09/15/2022\)](#)**

4. Approval to Execute the Award and Funding for the Base and Four Options Years of Contract No. 10279, Enterprise Security Solutions, LLC – Resolution No. 22-59 (Recommended by the Environmental Quality and Operations Committee 09/15/2022)
5. Approval to Execute Contract No. DCFA-480, Jacobs Engineering Group, Inc. – Resolution No. 22-60 (Recommended by the Environmental Quality and Operations Committee 09/15/2022)
6. Approval to Execute the Extension of Contract No. 18-PR-CFO-56A, Application Software Technology LLC – Resolution No. 22-61 (Recommended by the Finance and Budget Committee 09/22/2022)
7. Approval of Performance Evaluation, Salary Increase and Bonus for the CEO and General Manager – Resolution No. 22-62 (Recommended by the Executive Committee of the Board)

#### **X. Consent Items (Non-Joint Use)**

1. Approval of Execute Contract No. 180040, Capitol Paving of D.C., Inc. – Resolution No. 22-63 (Recommended by the Environmental Quality and Operations Committee 09/15/2022)
2. Approval to Participate in DDOT's Project to Revitalize South Capitol Street Circulator Facility under the Terms of the 2002 Memorandum of Understanding Between District of Columbia Department of Transportation and DC Water – Resolution No. 22-64 (Recommended by the Environmental Quality and Operations Committee 09/15/2022)
3. Approval to Participate in DDOT's Project to Revitalize S St from 7<sup>th</sup> St NW to Florida Avenue NW under the Terms of the 2002 Memorandum of Understanding Between District of Columbia Department of Transportation and DC Water – Resolution No. 22-65 (Recommended by the Environmental Quality and Operations Committee 09/15/2022)
4. Approval to Publish Notice of Final Rulemaking to Extend the DC Water Cares Emergency Relief Program for Low-Income Customers (Residential Assistance Program “RAP”) and Multifamily Assistance Program for Low Income Multifamily Tenants (Multifamily Assistance Program “MAP”) for Fiscal Year 2023 and Amend the CAP2 Recertification Requirements – Resolution No. 22-66 (Recommended by the DC Retail Water and Sewer Rates Committee 09/27/2022)

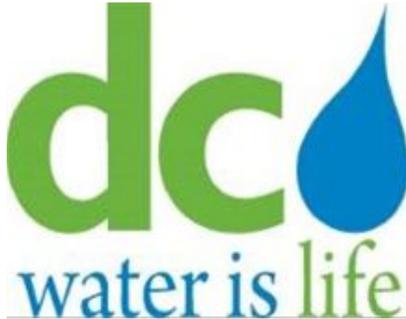
#### **XI. Executive Session**

#### **XII. Adjournment (Chairperson Tommy Wells)**

##### **Upcoming Committee Meetings and Hearing – (via Microsoft Teams)**

- **Environmental Quality and Operations Committee – Thursday, October 20<sup>th</sup> @ 9:30 a.m.**
- **DC Retail Water and Sewer Rates Committee – Tuesday, October 25<sup>th</sup> @ 9:30 a.m.**
- **Audit Committee – Thursday, October 27<sup>th</sup> @ 9:30 a.m.**
- **Finance and Budget Committee – Thursday, October 27<sup>th</sup> @ 11:00 a.m.**

<sup>1</sup>The DC Water Board of Directors may go into executive session at this meeting pursuant to the District of Columbia Open Meetings Act of 2010, if such action is approved by a majority vote of the Board members who constitute a quorum to discuss certain matters, including but not limited to: matters prohibited from public disclosure pursuant to a court order or law under D.C. Official Code § 2-575(b)(1); terms for negotiating a contract, including an employment contract, under D.C. Official Code § 2-575(b)(2); obtain legal advice and preserve attorney-client privilege or settlement terms under D.C. Official Code § 2-575(b)(4)(A); collective bargaining negotiations under D.C. Official Code § 2-575(b)(5); facility security matters under D.C. Official Code § 2-575(b)(8); disciplinary matters under D.C. Official Code § 2-575(b)(9); personnel matters under D.C. Official Code § 2-575(b)(10); third-party proprietary matters under D.C. Official Code § 2-575(b)(11); train and develop Board members and staff under D.C. Official Codes § 2-575(b)(12); adjudication action under D.C. Official Code § 2-575(b)(13); civil or criminal matters or violations of laws or regulations where disclosure to the public may harm the investigation under D.C. Official Code § 2-575(b)(14); and other matters provided under the Act.



**DISTRICT OF COLUMBIA  
WATER AND SEWER AUTHORITY**

**Board of Directors**

**Governance Committee**

Tuesday, September 13, 2022  
via Microsoft Teams

9:00 a.m.

**MEETING MINUTES**

**Committee Members**

Joe Leonard, Jr., Ph.D., Chairperson  
Christopher Herrington  
Fariba Kassiri

**DC Water Staff**

David L. Gadis, CEO/General Manager  
Marc Battle, Chief Legal Officer and  
Executive Vice President, Government &  
Legal Affairs  
Wayne Griffith, Chief Strategy and  
Performance Officer  
Linda Manley, Secretary to the Board

**Call to Order**

Chairperson Joe Leonard called the meeting to order at 9:00 a.m. The meeting was held via Microsoft Teams.

**Agenda Item #3 – Management’s Recommendation to Revise Strategic Planning Committee’s title, charge, and composition**

Wayne Griffith, Chief Strategy and Performance Officer, presented Agenda Item #3 – Amendment to DC Water Board of Directors By-Laws.

**Overview**

Before Mr. Griffith discussed DC Water’s proposed recommendation to revise the Strategic Planning Committee’s title/name and scope of responsibility area in the Board’s By-Laws, he reviewed the historical functionality of the Strategic Planning Committee, currently composed of all 22 Board members. He explained the Strategic Planning Committee provided input during periodic strategic planning for the current strategic plan, Blueprint 2.0. Under its new 5-year Strategic Management phase, DC Water has been charged by the Board, to engage early in strategic issues and provided periodic updates on advancing the strategic goals.

Mr. Griffith explained that following feedback received at the July 2022 Joint Board meeting, DC Water's Senior Executive Team proposed the following recommendations: 1) shift the focus from strategic planning to strategic management; 2) reduce the Committee size, excluding the entire body of the Board; and 3) hold biannual meetings after the close of Fiscal Year quarters two and four; and 4) receive and provide input on early-stage, strategic issues.

Mr. Griffith outlined the benefits of these changes: 1) offers a smaller, more nimble committee, 2) timing of the meeting is synchronized with staff quarterly status meetings, and 3) aligns with DC Water's approach to early-stage strategic management.

Mr. Griffith identified the substantive change to the By-Laws.

#### Article (V) (Committees)

In Section 5.01 (a)(viii), revise the Strategic Planning Committee's title changing the word "Planning" to read "Strategic Management Committee". Additionally, expand the Committee's role by adding: a) "meet bi-annually during the First and Third Quarter of the Fiscal Year", and b) "actions required of or desired by the Board of Directors with respect to: strategic matters requiring input and/or oversight and the advancement of strategic goals."

#### Responses to Questions by the Committee Members:

1. In response to Committee Member Herrington, Mr. Griffith explained the specific timing of meetings follows the quarterly cadence of staff meetings to report on progress and recommendations to reduce the number of meetings held; and aligns with the current structure of other meetings as outlined in the By-Laws.
2. In response to Committee Member Herrington, Marc Battle, Chief Legal Officer, and Executive Vice President explained the verbiage "actions required of or desired by the Board of Directors", is consistent with other committees as outlined in the By-Laws.

#### Recommendation

Chairperson Leonard moved the proposed By-Laws amendments to the full Board for approval at the October 6, 2022 Board meeting. The Committee members agreed.

Chairperson Leonard acknowledged Ms. Manley's time, commitment and service to DC Water, Committees and the Board of Directors.

#### Adjournment

There being no further business, the meeting was adjourned at 9:17 a.m.



**D.C. WATER AND SEWER AUTHORITY  
BOARD OF DIRECTORS**

**HUMAN RESOURCES AND LABOR RELATIONS  
COMMITTEE MEETING**

**September 15, 2022  
Via Microsoft Teams**

**MEETING MINUTES**

**Members Present**

Adrianna Hochberg, Montgomery County,  
Chairperson  
Jed Ross, District of Columbia  
Christopher Herrington, Fairfax County  
Steven Shofar, Montgomery County  
Tara Jackson, Prince George's County

**Staff Present**

David Gadis, CEO and General Manager  
Marc Battle, EVP, Legal Affairs  
Kishia Powell, EVP, Chief Operating Officer  
Lisa Stone, Chief, People and Inclusion  
Officer, EVP, People and Talent  
George Spears, VP of Labor Relations and  
Compliance Programs  
Ron Lewis, Benefits Manager  
Linda Manley, Secretary to the Board

**Union Presidents**

Michelle Hunter, NAGE R3-06  
Barbara Milton, AFGE 631  
Kevin Poge, AFSCME 2091  
Jonathan Shanks, AFGE 872  
Calvert Wilson, AFGE 2553

**Call to Order**

Chairperson Adriana Hochberg called the meeting to order at 11:00 a.m. The meeting was conducted via Microsoft Teams. Chairperson Hochberg made an opening statement in which she recognized all the labor movement achievements, the unions' strength, and their contributions to the United States. Achievements have included improving working conditions, pay, healthcare, and safety for American workers. She also wanted to take a moment to recognize Ms. Manley for her upcoming retirement and a new chapter in her life. She stated that she was grateful for all of Ms. Manley's guidance during the years and will miss working with her.

**Roll Call**

Board Secretary Linda Manley conducted a roll call of the Committee members and D.C. Water staff.

## **Union Topics**

### **ADA Pregnancy Concerns**

Barbara Milton, President of AFGE Local 631, stated that pregnant women are concerned in the workplace. The Unions and employees feel that D.C. Water management shows no empathy or sensitivity to their concern about a pregnant woman working on the Blue Plains Plant.

George Spears, Labor Relations Manager, stated that D.C. Water adheres to a robust ADA law, policy, and procedures. Requests from employees go through the interactive process, and there is consultation with the medical director on a case-by-case basis.

Chairperson Hochberg requested information on an annual basis on how many requests are received, how many are resolved, and how long it takes for an issue to be determined. Mr. Spears reported that they had approximately 27 ADA requests this year and that the timeline depends on the issue's complexity.

Committee Member Steven Shofar asked if pregnancy falls under the ADA in certain circumstances, and Mr. Spears confirmed that it does.

Committee Member Tara Jackson indicated a need for education around ADA and the role of the employee and employer regarding requests. Mr. Spears replied that they regularly provide annual ADA training for Management and supervisors. Ms. Milton stated that there should be training for employees, too. Mr. Spears informed the Committee that they have compliance training for D.C. Water's workforce and can add an additional module after consulting with Barbara Milton and the other union presidents.

### **D.C. Water Retirement Enhancement Committee**

Jonathan Shanks, President of AFGE Local 872, indicated that retirement enhancement has been a topic on the Committee's agenda three times but that recently Management has not met with them to pursue it further. He stated that they met with union official's multiple times when information was provided, but there was no follow-up. Mr. Shanks noted that the Unions have significant concerns about enhancing the retirement system to increase or improve it.

Mr. Spears stated that under the Master Agreement on Compensation, there is a requirement for a joint committee on the retirement system made up of the union representatives and Management. He indicated that the joint Committee meets at least twice annually to discuss possible enhancements to the retirement plan. He confirmed that D.C. Water could not offer a different pension plan currently. In the past three weeks, they have had at least two meetings on this topic with the union leadership, and parties are slated for compensation negotiations soon, which will fall under that.

Chairperson Hochberg asked D.C. Water Management if they have done any benchmarking of retirement benefits offered by other organizations and how D.C. Water compares in terms of retirement benefits across the industry. Mr. Spears said they have done benchmarking and used a third-party vendor to assist. Analysis showed that D.C. Water has robust and generous retirement and healthcare plans and is at the market or even above market.

Ms. Milton stated that the Retirement Committee was formed to explore enhancements and not to implement enhancements. Michelle Hunter, NAGE President, indicated that they want better dialogue with Management to improve the program by analyzing improvements.

Chairperson Hochberg believes better communication is needed because it sounds like D.C. Water's Management is doing quite a lot and that perhaps the unions were unaware that benchmarking has been done. She recommended open communications with the unions.

### **New Parental Leave Benefit**

Ms. Milton indicated that the Board passed the new Parental Leave Benefit on July 7, 2022, and she wanted to know if it could be used now. She spoke earlier with Mr. Spears and was informed that they are working on writing the policy and could not provide a timeline for when it would be ready for implementation. Chairperson Hochberg asked Mr. Spears for the next steps toward implementing the policy. He replied that they are vigorously working with subject matter experts to ensure that the policy falls within the scope of the law and meets the Authority's needs. It then needs to go through codification and internal review, and he is sure the unions want to bargain over it. Mr. Spears indicated that they would follow the law with respect to what needs to be done for the union employee population. Chairperson Hochberg requested an estimated date of implementation. Lisa Stone, Executive Vice President of People and Talent, stated that they are targeting closer to October.

### **Discussion on Management's Plans for L.W. Positions in the Facilities Department.**

This agenda item was removed because of an upcoming meeting with COO Powell and other members of Management and People and Talent to discuss lead positions.

### **Cigna Dental Concerns**

Ms. Milton, Ms. Hunter, Mr. Shanks, and Mr. Poge all stated that there had been a lot of complaints regarding Cigna Dental, including providers no longer taking HMO Cigna and about out-of-pocket costs. Unions requested a briefing on changes in benefits for the next open season and the chance to compare plans side-by-side. Ms. Stone, Mr. Spears, and Mr. Lewis, Benefits Manager, all indicated that the plan design and cost are the same as Delta and Concordia. There are two plans with Cigna Dental, a DPO and

an HMO. They stated that employees should contact the Benefits Office to help with their dental issues and concerns.

Chairperson Hochberg stated that Management should provide webinars and written information to refresh the staff's memory about the difference between the plans. Mr. Spears noted that during the open enrollment period, there would be a pamphlet with plan information and in-person sessions across the Authority. He indicated they would set up a separate meeting with Union Presidents to walk them through the dental plans, provide side-by-side comparisons and answer questions.

### **D.C. Water's Newly Built Fleet Facility**

Ms. Milton asked D.C. Water why they are not bringing the work in-house instead of the new facility being used by contractors. Chairperson Hochberg asked who will operate out of this facility and if it is third-party contractors. What are Management's thoughts about bringing those functions in-house?

Mr. Spears responded that they do use a third-party vendor for the current Fleet facility and are not planning to make changes or adjustments. They are looking to determine the best way to get the work done and what type of staffing is needed. Mr. Spears stated they would probably be using the same folks they are currently operating at the headquarters site but are open to exploring.

Mr. Shanks indicated that there had been multiple complaints from the employees who take vehicles to Fleet and that they believe they would get better results from people working directly for the Authority. Ms. Milton stated that the cost factor should be considered regarding contractors doing the work versus bringing the work in-house. Chairperson Hochberg noted those were good questions and should be looked at in an assessment.

COO Powell provided clarity on the meeting they held with the union presidents. Fleet work is done through a temporary employment agency. It has been difficult because temporary employees leave when they receive other opportunities that may provide higher pay or other benefits. COO Powell reported that they are continuing with third-party resources because they do not have time to stop and recruit staff in-house. They have considered the costs involved and will continue to work with the Budget Office but will make no changes immediately in the operational structure. However, they are moving to a specialized contractor responsible for maintaining proper resources to meet specific performance objectives, improve the availability of vehicles and equipment, and meet quality standards expected by D.C. Water.

### **Advertisement of RW-03 Entry Level Positions**

Howard Coles stated that he had spoken to Management years ago about reestablishing entry-level RW-03 positions and how they can be vital to D.C. Water and benefit the community. There are not as many requirements when recruiting for RW-06

and the Apprenticeship Program employees. Chairperson Hochberg asked about the opportunities for young people who have no previous work experience and the need to have them gain entry-level employment. COO Powell responded that the Apprenticeship Program requires less of the individuals in that you can be a graduate or non-graduate of high school or have a GED. It should be remembered that whatever the grade, they must be budgeted for and included in the budgeting headcount. Chairperson Hochberg asked for a future presentation on the Apprenticeship Program, and Mr. Spears agreed to make such a presentation at the next committee meeting. A new class of apprentices will come on board soon.

### **Action Item – Renaming Columbus Day**

Lisa Stone presented an action item to the committee to rename Columbus Day to "Indigenous Peoples Day." The holiday is observed every second Monday of October and will be observed this year on October 10, 2022. The H.R. Labor Committee agreed to recommend the approval of renaming Columbus Day to Indigenous Peoples Day to the full Board.

### **Executive Session**

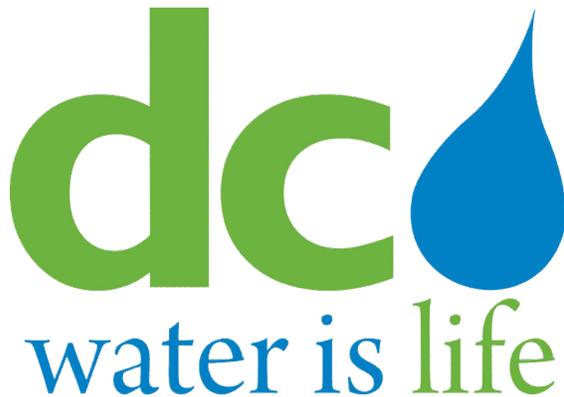
There was no need for an executive session.

### **Adjournment**

Chairperson Hochberg adjourned the meeting at 12:05 p.m.

### **Follow-up Items from Prior Meetings:**

1. Management to provide additional information and clarification on the implementation of the Presidential Inauguration Day at the November Committee Meeting
2. Provide an update to the Committee on the progress of the Oracle Payroll process at the November Committee Meeting
3. Management to provide additional information on Dental and Retirement Plans  
**Status:** *Response by email from the Board Secretary*
4. Management to provide a presentation on the D.C. Water Apprenticeship Program at November Committee Meeting



**District of Columbia  
Water and Sewer Authority**

**Board of Directors**

**Environmental Quality and Operations  
Committee Meeting**

*Thursday, September 15, 2022*

*9:30 a.m.*

**MEETING SUMMARY**

**Committee Members**

Sarah Motsch  
Howard Gibbs  
Ivan Frishberg  
Steven Shofar  
David Franco

**DC Water Staff Present**

David Gadis, CEO & General Manager  
Kishia Powell, Chief Operating Officer and EVP  
Linda R. Manley, Secretary to the Board  
Aklile Tesfaye, VP, Wastewater Operations  
Paul Guttridge, Director, CIP Infrastructure Management  
Salil Kharkar, SVP, Operations and Engineering  
Duncan Mukira, Supervisor, Wastewater Engineering  
Joel Grosser, Director, Procurement Goods and Services  
David Parker, Interim VP, Engineering & Technical Services  
Moussa Wone, Director, Clean Rivers  
Jeffrey Peterson, Senior Manager, Clean Rivers  
Seth Charde, Senior Manager, Clean Rivers

**I. CALL TO ORDER**

Sarah Motsch called the meeting to order at 9:30 a.m. The meeting was conducted via MS Teams.

**II. ROLL CALL**

Linda Manley, Secretary to the Board, DC Water, conducted a roll call of the Committee members present for the meeting.

**III. AWTP STATUS UPDATE**

**1. BPAWTP PERFORMANCE**

Aklile Tesfaye, VP, Wastewater Operations, DC Water, briefed the Committee on the performance of the Blue Plains Advanced Wastewater Treatment Plant (BPAWTP). Specific details of the presentation can be found on pages 3 to 14 of the EQ & Ops Meeting package 09.15.2022 (subsequently will be referred to as "meeting package"). The notes below abbreviate key topics discussed during the presentation.

Aklile provided an update on the performance of the Anacostia Tunnel system and the wet weather treatment facility (WWTF) at BPAWTP, after significant rainfall experienced during

August. During the month, a total of 420 MG of combined wet weather flows were captured by the tunnel system and treated through the WWTF, and approximately 27 MG of overflows occurred with 94% capture and exceeding the 80% goal for existing tunnel systems in operation. On August 10<sup>th</sup> there was a significant wet weather event. Mr. Tesfaye presented graphs showing how rapidly the tunnel reached its' storage volume capacity following the event and correspondingly, how flows through complete treatment were maximized to comply with the terms of the NPDES permit. The total volume captured by the tunnel during the event was 165 MG and all operational and effluent parameters were within the NPDES permit limits.

Aklile discussed biosolids production and Bloom marketing for August. It was noted that over 12,000 wet tons of biosolids were produced for the month and all biosolids met Class A Exceptional Quality (EQ) requirements required by the EPA. Approximately 3,150 wet tons of biosolids were sold as Bloom. It was noted that marketing of Bloom is on track to exceed the goal of 55,000 wet tons sold for FY2022. In August, cumulative sales for Bloom topped \$1 million for the first time since sales began in FY2017.

Aklile discussed siloxane removal and the flaring system at the Combined Heat and Power (CHP) Facility at BPAWTP. It was noted that siloxanes are removed from digester gas in order to prevent damage to equipment at the CHP Facility. Siloxanes are removed via adsorption bed media, which require routine regeneration on site. During this regeneration process, the waste gas containing siloxanes is sent to the siloxane flare for destruction. Emissions limits from the flare are regulated via an air permit issued by DOEE, the permit defines limits for multiple parameters including sulfur dioxide (SO<sub>x</sub>) and nitrogen oxides (NO<sub>x</sub>).

Aklile further discussed that the technology associated with the flare system was the first installed and permitted system for destruction of siloxanes from digester gas generated using. Therefore, the lowest achievable emission rates (LAER) established in the permit in 2016 were not based on the use of this technology in this application, but rather on emissions rates from conventional digester flare systems available at the time.

Aklile noted that during stack testing conducted in 2021, NO<sub>x</sub> and SO<sub>x</sub> emissions exceeded permit limits. In August 2022, DC Water received an Administrative Order (AO) requiring the Authority to comply with the permit limits. The order further outlined a number of action items to be addressed in order to return to permit compliance, including submission of a technical memorandum outlining the reasons for exceedance of permit limits. Mr. Tesfaye noted that an engineering study was conducted to address this action item, as part of the study, the causes of the permit exceedances were identified. The study found that increased ammonia is produced with the digestion process, as compared to conventional anaerobic digestion process. In addition, hydrogen sulfide and ammonia in digester gas are co-adsorbed onto the siloxane removal media -along with the siloxanes - and released in slugs during media regeneration process, causing exceedances in the pounds/hour emissions of NO<sub>x</sub> and SO<sub>x</sub>, and mass per MMBtu of NO<sub>x</sub>. The LAER used to establish the limits did not account for the co-adsorption of these compounds in this unique and first application in the Nation.

DC Water proposes establishment of a new LAER for siloxane destruction flare to address the emissions exceedances reported on the April 8, 2021, and January 3, 2022, stack test reports. The proposed modification will constitute DC Water's corrective action submittal, due by the December 2, 2022, deadline set forth in the AO.

Mr. Tesfaye noted that the 12-month rolling emission limits for SO<sub>x</sub> and NO<sub>x</sub>, in tons/year, for all permitted facilities, including the siloxane flares are below the limits required by the permit.

Aklile noted that other action items identified in the administrative order including submission of a revised protocol for emissions testing and complete retesting of the siloxane flare will be addressed by February 2023.

The Committee inquired about the nature of the penalty for failure to meet the permit requirements. It was confirmed that DC Water may be liable to pay a fine for failure to comply with the administrative order and return to permit compliance.

#### **IV. CIP QUARTERLY UPDATE**

Paul Guttridge, Director, CIP Infrastructure Management, DC Water presented the FY22 3<sup>rd</sup> Quarter CIP update to the Committee. Specific details of the report can be found on pages 15 to 33 of the meeting package. The notes below abbreviate key topics discussed during the meeting.

The disbursement summary for FY22 was discussed. Based on the projection for the rest of the year, total spending is anticipated to be \$167 million below, or 67% the not to exceed budget ceiling. Paul noted that performance at the end of the year was likely to be closer to 60%. A graph was presented which summarized CIP disbursement performance by service area for the fiscal year. The report in the meeting package highlighted the projects with significant variances, by service area, and included the causes for variance. Service area performance is summarized below:

**Service Area: Non-Process Facilities (\$11.5M below Baseline)**

**Service Area: Wastewater Treatment (\$11.6M below Baseline)**

**Service Area: CSO Program Area (2.1M below Baseline)**

**Service Area: DC Clean Rivers (\$20.6M below Baseline)**

**Service Area: Stormwater (\$4.8M below Baseline)**

**Service Area: Sanitary Sewer (\$32.0M below Baseline)**

1. Spending for the Potomac Interceptor Pipe Rehabilitation project is slower than expected due to delays in permitting and contract negotiations of the Phase II design-build contract. Construction for the project is now underway.

**Service Area: Water (\$83.8M below Baseline)**

1. Multiple Small Diameter Water Main (SDWM) contracts are being impacted by DDOT regulations and permit issues that were not anticipated when the projects were awarded.
2. Spending for the Lead-Free DC (LFDC) Program Area is projected to be \$32.3 million below baseline. Underspending is due to lower than anticipated participation rates in the Capital Improvement Project and Emergency Repair Replacement (CIPERR) project. It was noted that baseline spending assumed a 90% participation rate in CIPERR. To date, the project is seeing an average participation of 70%.

Mr. David Parker, Interim VP, Engineering & Technical Services, DC Water discussed an action plan to improve performance in FY23 in response to the projected underspending of the CIP budget in FY22. In developing the action plan, internal systems and CIP plan execution were reviewed to identify areas for improvement. David discussed the need to improve initial (baseline) forecasting as a key action, as progress for spending in the CIP is measured against this initial

forecast. It was noted that this process for FY23 has been underway for the last few months, project managers have been reviewing their projects and making sure that the most accurate schedule and cost information is reflected in the forecast. For the larger projects, custom cost curves are included in the baseline forecast as these projects can have significant impacts on overall spending.

David further discussed measures to improve execution of the CIP plan. The use of Master Service Agreements (MSAs) as a strategy for execution of contracts was discussed. MSAs allow greater flexibility and efficiency, which can help improve execution of SDWM contracts. Working collaboratively with DDOT to address the impacts of the 1,200-foot rule and permitting challenges was discussed. This rule and permitting challenges have affected construction progress and pricing on various contracts, especially on SDWM work. It was noted that procurement for the MFU-8 contract is underway, the MFU (Miscellaneous Facilities Upgrades) contracts are for work on vertical and linear facilities in all service areas but particularly wastewater treatment. This will help for projects in the CIP to commence in FY23. Collaboration between Engineering and Procurement has been enhanced and a 12-month look ahead has been created and discussed, which identifies upcoming procurement activities and when they need to be completed to ensure projects can commence as planned.

It was explained that work is ongoing with Procurement to mitigate some of the delays currently being experienced on projects due to supply chain issues. Efforts are underway to purchase ductile iron pipe for the SDWM projects as lead time for purchase of this material is currently 9 months. In addition, Engineering is evaluating what other pipe materials can be used to counter this problem.

Paul Guttridge briefly discussed upcoming Contract Actions and the KPI Schedule for FY22. It was noted that there are 35 KPIs due in the fiscal year. To date, 14 have been completed, 2 have been completed outside the threshold and 4 will be completed outside the threshold. The summary of KPIs is available on pages 30 through 33 of the meeting package.

The Committee questioned whether targeted spending included in the CIP should be more realistic, considering the trend of underspending of the CIP over the last few years. Further, the Committee asked whether a contingency should be included in the CIP, which allows additional projects to be added to the program when a shortfall in targeted spending exists. David Parker noted that with the Authority's process of issuing Purchase Orders (POs) as a mechanism for financial control of projects, it would be challenging to include projects in the CIP on a contingency basis. It was noted that the targeted spending in the CIP is 85% of the not-to-exceed ceiling (baseline ceiling) set by Finance. This lower target serves as a contingency to ensure the budget is available to complete all planned projects in the CIP. Internal discussions are ongoing to refine and improve the CIP budgeting process.

The Committee queried why targeted spending in the CIP for any given fiscal year is 85% of the baseline ceiling and whether targeted spending for the fiscal year should exceed the baseline ceiling, knowing that the targeted spending will likely not be met. David clarified that in the past, targeted spending was 100% of the baseline ceiling, however in working with Finance, it had been decided to lower this target below the ceiling. Kishia Powell, Chief Operating Officer and EVP, DC Water added that having targeted spending at 85% of the baseline ceiling provides a contingency in case targeted spending is exceeded, and that execution of the CIP plan should always have actual spending between 85% and 100% of the baseline ceiling.

The Committee queried how progress against the identified action items will be measured to track

performance of the CIP plan in future fiscal years. David clarified that staff would continue to monitor and document progress on projects through disbursements on a monthly basis, and this can be shared with the Committee, if required. The Committee clarified that quarterly reporting is adequate to measure improvement and should the need arise, the frequency of reporting can be increased.

## **V. BP POWER RELIABILITY AND MICROGRID**

Mr. Duncan Mukira, Supervisor, Wastewater Engineering, DC Water, gave a presentation on the Blue Plains Microgrid Project and ongoing collaboration and funding opportunities available for the project. The scope of the project is to upgrade and modernize the electrical distribution system, including optimizing existing power generation capabilities at BPAWTP. It was noted that the ultimate goal for the project is to achieve a microgrid that can operate self-sufficiently in the event of loss of service from Pepco. The project is included in the CIP starting FY23.

Duncan discussed existing generation capacity at BPAWTP, which includes 13.8 MW from the CHP Facility and 3.4 MW from Onsite Solar Installations. An additional 7.3 MW is planned onsite at BPAWTP via additional solar installations. Current power usage onsite at BPAWTP ranges between 25 MW and 39 MW, with the average dry weather usage being 28 MW. It was noted that the interconnection agreement with Pepco is for supply of 25 MW, so if additional generation capacity is to be added, there will need to be a negotiation with Pepco.

Duncan described both normal and island operating modes associated with microgrid. In the event of a Pepco outage, CHP and Solar generation at BPAWTP is not currently configured to operate in island mode and provide backup power without use of generators. The microgrid project aims to address this and achieve true resiliency at BPAWTP.

It was noted that DC Water was awarded a \$150,000 FEMA scoping grant for this project in July 2022. Funding from the grant was achieved through collaboration with a number of stakeholders, including the District Homeland Security and Emergency Management Agency (HSEMA). It was explained that the grant will be used to complete feasibility studies and the microgrid roadmap as part of the suite of projects included with the overall microgrid project. In addition, through a taskforce established through the AEG Challenge, opportunities for additional funding may exist along with aligning the project with Justice 40 Initiatives promulgated by the White House. It was noted that the project aligns with all the imperatives identified in the strategic plan.

Duncan discussed the scope of work for the first phase of the project, which was presented as Joint-Use Action Item 3. The scope includes completion of feasibility studies, the microgrid roadmap and concept designs aimed at setting the foundation for microgrid projects to be implemented in future.

The Committee inquired how the Authority intends to achieve true microgrid with battery and solar only and without any other mechanical generation capability. Duncan clarified that the CHP Facility has capacity to add two natural gas-powered engines to increase generating capacity to 25 MW. Feasibility studies will be conducted to review options to achieve microgrid by other means beyond solar and battery.

The Committee inquired about the impacts to the financial strategy for investments for the Microgrid Project (and other such projects), given the opportunities available through the direct pay provisions of the clean energy tax credits available in the Inflation Reduction Act. Matthew

Brown, Chief Financial Officer & EVP, DC Water clarified that a number of initiatives will be considered for investments by DC Water moving forward. He noted the provisions appear to be positive for project owners such as DC Water.

## **VI. ACTION ITEMS**

### **JOINT USE**

1. Contract No.: 10126 - Document Management Services, Page After Page Business Systems, Inc.
2. Contract No.: 10279 - Security Systems, Enterprise Security Solutions
3. Contract No.: DCFA 480 - Electrical Improvements and Microgrid Implementation at Blue Plains, Jacobs Engineering Group, Inc.

### **NON-JOINT USE**

1. Contract No.: 180040 - Small Diameter Water Main Replacement - 15D, Capitol Paving of D.C.
2. Contract No.: N/A - South Capitol Street Circulator Facility (MOA), District Department of Transportation
3. Contract No.: N/A - S St Revitalization from 7th St NW to Florida Ave NW (MOA), District Department of Transportation

Joel Grosser, Director of Procurement, Goods & Services, DC Water, presented joint use action items 1 & 2. Mr. David Parker presented joint use action item 3 and non-joint use action items 1 through 3.

### **ACTION ITEM HIGHLIGHTS:**

For Non-Joint Use Action Item 2, the Committee queried whether it is typical for DC Water to pay for upgrades to its' infrastructure required as a result of construction initiated by DDOT. William Elledge, Interim Director, Engineering & Technical Services, DC Water confirmed that the split of the cost share for these upgrades is defined in the Memorandum of Agreement (MOA) between DDOT and DC Water.

The Committee recommended all Action Items to the full Board.

## **VII. DC CLEAN RIVERS UPDATE**

Moussa Wone, Director, Clean Rivers, DC Water presented a quarterly update on the DC Clean Rivers Program. The presentation provided was aligned with the information on pages 59 to 79 of the meeting package. Jeffrey Peterson, Senior Manager, Clean Rivers and Seth Charde, Senior Manager Green Infrastructure, provided updates on grey and green infrastructure construction progress respectively. Clean Rivers also provided program updates during the presentation. A few key points from the presentation are summarized below.

Anacostia Area:

- a) The Anacostia Tunnel System continues to perform well. A graph was presented showing system performance since it was placed into service in 2018. Through August 2022, over 14 billion gallons of overflows and 8,500 tons of trash, debris, and other solids have been captured by the tunnel system.
- b) The Northeast Boundary Tunnel is the last leg of the Anacostia Tunnel System currently under construction. Tunnel mining is complete and construction of drop shafts (to connect

to the main tunnel) and surface diversion facilities is ongoing. The Tunnel is planned to be placed in operation in mid-2023, ahead of the Consent Decree deadline of March 2025.

Potomac Area:

- c) Procurement for the Final Design and Construction of the Potomac River Tunnel is ongoing. Four of the seven respondents were shortlisted, and the 100% RFP was issued to the shortlisted teams in June 2022. The Notice to Proceed for the tunnel is planned to be issued in November 2023. The Tunnel is planned to be completed by February 2030.
- d) The Potomac Tunnel System has two ongoing construction projects – CSO 025/026 Sewer Separation Project and the Advanced Utility Construction Project for the Potomac River Tunnel (Potomac River Tunnel Contract A).
  - i. Potomac River Tunnel Contract A is planned to be completed in mid-2023. The high voltage ductbank on Independence Ave is completed.
  - ii. CSO 025/026 Sewer Separation – Separation at one of the three sites is complete. Work at the second site is ongoing. Work at the third site is pending permit approval prior to commencement.

Rock Creek Area:

- e) Green Infrastructure Rock Creek Project B – award for construction was completed in January 2022 and construction commenced in March 2022. There are six areas where GI facilities will be constructed, and the project is planned to be completed in January 2024.
  - i. Construction is completed at Area 1 (Columbia Heights).
  - ii. Area 2 (Takoma DC), Area 3 (16<sup>th</sup> St Heights), Area 4 (Grant Circle) and Area 6 (Brightwood Park) are currently under construction.
  - iii. Area 5 (Sherman Circle) construction is planned to start later in 2022.

General:

- f) The Clean Rivers Program continues to engage the public through outreach efforts on all projects. Mr. Wone discussed various measures that have taken place across the District including community partnerships, key meetings and numerous outreach programs.
- g) Overall, the Clean Rivers Program is \$42.6 million under budget to date. A graph was presented showing contract amounts and final costs for projects forming part of the program.

The Committee asked whether the high voltage ductbank (being constructed for Potomac River Tunnel Contract A) will be left in place after construction of the tunnel. Moussa confirmed that coordination has been ongoing with the National Park Service, and the ductbank will be left in place for future use after construction of the tunnel is complete.

**VIII. OTHER BUSINESS / EMERGING ISSUES**

No Other Business

**IX. EXECUTIVE SESSION**

Executive Session held.

**X. ADJOURNMENT**

Meeting was adjourned at 11:06AM.

**Follow-up Items**

1. None.



**DISTRICT OF COLUMBIA  
WATER AND SEWER AUTHORITY**

**Board of Directors**

Finance and Budget Committee

Thursday, September 22, 2022

9:30 a.m.

**MEETING MINUTES VIA MICROSOFT TEAMS**

**Committee Members**

Anthony Giancola, Chairperson  
David Franco  
Adriana Hochberg  
Jared McCarthy  
Sarah Motsch

**DC Water Staff**

David L. Gadis, CEO & General Manager  
Matthew T. Brown, CFO & EVP, Finance and Procurement  
Marc Battle, Chief Legal Officer & EVP, Legal Affairs  
Kisha Powell, Chief Operating Officer & EVP  
Lola Oyeyemi, Director, Budget  
Paul Guttridge, Director, CIP Infrastructure Management  
David Parker, Vice President, Engineering, Acting  
William Elledge, Director, Eng. & Technical Services, Acting  
Francis Cooper, Director, Enterprise Program Management  
Linda Manley, Secretary to the Board

**Call to Order**

Chairperson Anthony Giancola called the meeting to order at 9:30 a.m.

**August 2022 Financial Report**

Ms. Lola Oyeyemi, Director, Budget, provided the monthly report by exception. At the end of August 2022, with approximately 92 percent of the fiscal year completed, operating revenues were \$783.7 million, or 98.0 percent of budget, operating expenditures were \$533.6 million, or 81.0 percent of budget, and capital disbursements were \$315.1 million or 55.5 percent of budget.

Ms. Oyeyemi reported that the overall revenues, operating expenditures and capital disbursements as compared with the budget are consistent with previous reports to the Committee. The higher than anticipated receipts are in the areas of Residential, Commercial and Multi-family category. Operating expenditures reflect continued lower spending in debt service and personnel services. Ms. Oyeyemi highlighted that the vacancy rate is currently down to 12 percent at the end of August compared to 13 percent reported last month. She noted that the Authority continues to experience budget pressures in chemicals and energy costs based on current market conditions. Capital disbursements are below budget due to the lag in spending for the overall capital program and the delays in the procurement and delivery of fleet equipment, for which the Board approved to carry over funds to the next fiscal year. Details of the Capital Improvement Program were further discussed during the CIP Quarterly Update.

Ms. Oyeyemi highlighted the on-going development of the Proposed FY 2024 operating and ten-year capital budgets which are anticipated to be presented to the Board early in 2023. She shared that end of year close out preparations were underway, including the FY 2022 Interim Financial Statement and Uniform Guidance Audit processes.

Ms. Oyeyemi reported that the total cash balance was \$849.8 million at the end of August, including the Rate Stabilization Fund balance of \$35.6 million, operating reserves and additional reserve accounts. The interest income for the month of August is \$7.3 thousand and \$883.6 thousand year-to-date. She noted in response to Committee requests, that the report now includes a new 5 Year Historical trend chart for operating interest income. The retail accounts receivable report reflects a delinquent amount of \$29.3 million for 12,488 accounts, or 9.7 percent of the total customer accounts at the end of August.

### **Capital Improvement Program (CIP) Quarterly Report Update**

Mr. Paul Guttridge, Director, CIP Infrastructure Management, provided the FY 2022 Third Quarter CIP report. Mr. Guttridge noted the quarterly report has been updated to include program summaries and suggested improvements for FY 2023. He reported that the current forecast for capital disbursements is \$344.0 million by the end of the fiscal year, which is \$167.0 million under the approved budget of \$510.1 million for capital construction projects.

Chairperson Giancola expressed concern regarding the continued under performance of the project execution rate and questioned if staff is overly optimistic on project execution. Mr. Guttridge responded that staff is working on revising project baselines for Fiscal Year 2023 based upon current issues and delays.

Next, Mr. Guttridge provided an overview of the actual and projected disbursements by service area. In response to Chairperson Giancola's question regarding the significant variance between the performance of the Clean Rivers' program compared to Sanitary Sewer and Water Services Areas, Mr. Guttridge explained that Clean Rivers consists of larger projects which are fewer in total compared to Sanitary Sewer and Water Services Areas, which consist of various smaller projects. Mr. David Parker, Acting Vice President, Engineering, noted that Clean Rivers projects are easier to project and track, whereas the smaller projects usually have different stages of planning, design or construction and can have delays in construction, permitting and supply chain issues, which have a larger impact on completion times. In follow-up, Chairperson Giancola questioned if the CIP is overestimated for FY 2023. Mr. Parker responded that staff does update the estimates based on project status, and upcoming schedules and updates will be provided during the new fiscal year.

Mr. Guttridge explained that the projected \$20.6 million underspending in the DC Clean Rivers Program Area is due to uptick in COVID infections to crews and the inherent issues with the ground improvement technique selected over more invasive techniques to minimize traffic and neighborhood impacts during construction. He went on to explain that the Sanitary Sewer Services Area with \$32.0 million underspending is due to delays in permitting and contract negotiations for the Potomac Interceptor, a re-bid of major sewer assessment and heavy cleaning, and the transition of a new Sanitary Sewer Program Manager. The estimated \$83.8 million underspending for the Water Services Service Area is due to multiple Small Diameter Water Main

(SDWM) contracts impacted by DDOT regulations and permit issues, condition assessment activities impacted by inoperable valves needed to isolate the flow, lower than anticipated Lead-Free DC (LFDC) customer participation, and current supply chain issues.

Mr. David Franco asked what would happen to unexpended CIP funds at the end of FY 2022. Mr. Matthew T. Brown, CFO & EVP, Finance and Procurement stated that any unexpended funds will be rolled over to pay for projects in the upcoming year, and future debt issuances might be delayed based on the CIP spending.

Next, Mr. Parker reviewed management's action plan to improve FY 2023 CIP performance. This includes improving the initial plan (baseline) forecast to reflect accurate schedules, impacts of current supply chain issues and use of custom cost curve for Potomac Tunnel following procurement. Additionally, several steps are being undertaken to improve the execution of the plan (actuals) such as the use of Master Service Agreements (MSAs) to execute contracts more efficiently and with greater flexibility, collaboration with DDOT to address 1,200 foot rule, traffic control plans and permitting challenges, increase available contract capacity for task-order based construction, and 12-month lookahead collaboration between Engineering and Procurement to develop procurement strategy. In addition procurement is developing a strategy to mitigate supply chain issues.

In response to Ms. Motsch's inquiry regarding DDOT's "1,200 foot" restriction, Mr. Parker responded that staff has been meeting with DDOT monthly to review the issues but assuming DC Water does not receive any relief, staff has made adjustments to obtain the same linear footage by having more contracts and having longer durations of construction. In follow up, Ms. Kisha Powell, Chief Operating Officer, EVP, confirmed that she has been meeting with DDOT's Deputy Director and Chief of Staff, who has requested DC Water to provide a specific plan and request for certain projects. She noted that DDOT is not willing to relax the requirement for all projects, but discussions are anticipated to continue.

In closing, Mr. Guttridge reviewed the significant contract actions anticipated in the upcoming six months and the Key Performance Indicators (KPIs) for the second quarter. He noted the year-end actual results will be provided to the Committee at the November 2022 meeting.

### **Project Zeus – Oracle Cloud ERP Implementation Update**

Mr. Francis Cooper, Director, Enterprise Program Management Office, provided an update on the successful implementation of Oracle Cloud Enterprise Resource Planning (ERP) project. This is an enterprise-wide system that modernizes DC Water's financial, procurement, budgeting, and human capital systems in five phases.

The project cost estimates remain within the Board-approved budget despite increased spending due to the delayed start of phase 4 and additional hours for stabilization support. However, there were savings in some areas due to lower than anticipated use of temporary staff, third party licenses, and savings from the decommission of legacy systems.

Mr. Cooper highlighted some of the project successes explaining that the new ERP system enhances management reporting and reduces manual processes. This robust change management methodology and communication have helped manage end user expectations. The

Oracle mobile app component increases the user's ability to view payroll information. They have also been able to successfully generate twelve payrolls in the new system. Mr. Cooper stated that project is currently in the stabilization support phase, which is used to resolve production issues related to sixty integrations and hundreds of reports across thirty-six cloud applications. Thus far, five hundred and ninety low, medium, and high priority issues have been logged in the past 18 months, and the majority of these issues have been resolved. He stated that an assessment is underway to determine the long-term system requirements such as support and maintenance, process improvements, security, testing patches, upgrades, and technical support. The long-term resource requirements that are also being assessed include DC Water employees, managed care, and ongoing change management efforts.

Next, Mr. Cooper explained the background and need for continued managed care support. DC Water needs to build the resources and skillset to maintain and manage the new cloud applications hence the use of managed care support platform as a service integration. He reported that the request for proposal (RFP) requirements for managed care support over a three-year period is thirty percent complete.

Mr. Cooper went on to provide a look-ahead for the project which includes the ongoing implementation of the HCM Datamart, determination of long-term system support requirements and organization, additional end-user trainings and process improvements. These needs have been included in the overall project estimates for \$1.5 million in FY 2023 to cover the managed care support, process improvements, reports, stabilization, new integrations, additional training, IT system support, and future system improvements.

Mr. Giancola asked if this request is for an extension to the current contract or if it is for a new contract, and if the current vendor can bid during the RFP process. Mr. Cooper explained that the fact sheet request is for a nine-month extension to utilize the existing system integrator pending the solicitation for a long-term managed care support over a three-year period which is currently going through a RFP process. Mr. Jared McCarthy asked if nine months is sufficient time to get this solicitation out and Mr. Cooper responded in the affirmative.

### **Miscellaneous Fees and Charges Update**

Mr. Brown, CFO & EVP, Finance and Procurement, provided this report highlighting that the DC Retail Water and Sewer Rates Committee recommended, and the Board adopted, increases to miscellaneous fees and charges based on a Cost of Service study completed in FY 2022. He reviewed the timelines and effective dates for the new fees.

CFO Brown stated that the Permitting Fees were modified to support the expansion of the Permits Office to provide expedited services, post permit customer support and expanded developer business support with estimated revenues of \$5.75 million. This includes the cost of eight FTEs of \$1.18 million. Additionally, the Fats, Oils, and Grease (FOG), Cross Connection Backflow, and Fire Hydrant User fees were updated to enforce the installation and maintenance of FROG abatement systems and backflow prevention as required by the plumbing codes. This was estimated at the cost of \$644 thousand for additional five FTEs in the Water Services department.

Next, Mr. Brown explained that the Non-Ratepayer Revenue Fund (NRRF) was established as part of the Authority's total operating budget starting with the FY 2021 budget cycle. This provides flexibility for departments to undertake projects using new and certified revenues to be generated

from non-ratepayer sources and was budgeted for \$1 million in FY 2023. He stated that management will allocate funds from the NRRF to create these thirteen new positions and the annualized cost will be included in the FY 2024 budget cycle and offset by the additional revenues.

### **FY 2023 Committee Workplan**

Mr. Brown provided an overview of the Committee's workplan for FY 2023 and recent accomplishments by staff. These include the Revised Statement of Investment policy, affirmation of high bond ratings, the 24<sup>th</sup> consecutive unqualified audit opinion on the FY 2021 financial statements, development of the FY 2023 budgets including a two-year rate proposal, and amendments to the FY 2023 budgets to cover anticipated cost pressures for chemicals and energy and to advance funds to purchase additional vehicles. CFO noted that the chemical and energy costs will be revisited this fall with the Committee to discuss the impact of these costs in FY 2023 and future budgets. Additionally, DC Water earned its 24<sup>th</sup> consecutive GFOA Award for the Certificate of Achievement for Excellence in Financial Reporting, and 21<sup>st</sup> consecutive and coveted Distinguished Budget Presentation Award. DC Water also issued the first Environmental, Social and Governance (ESG) report by a municipal water utility.

Mr. Brown discussed the Committee's FY 2023 workplan and frequency for the standard agenda items, budget and rates development, ad hoc projects, and review of policies and cost of service studies. He provided detailed information for the review of the operating reserves including the Rate Stabilization Fund and the Renewal & Replacement Reserves which will be done concurrently with the Retail Rates Committee. He went on to apprise the Committee about upcoming contract actions for financial augmentation services, investment advisory services, financial advisory services, and bond disclosure counsel services which are anticipated for contract award next calendar year.

In closing, Mr. Brown stated that management will proceed with planned work, seek feedback from the Committee and provide regular updates during the year.

### **Action Items**

The Committee members agreed to move the following action items to the full Board:

- A. Recommendation for approval to extend managed care support of the Oracle ERP system - \$315 thousand

### **Adjournment**

CFO Brown and the Committee members expressed their appreciation to Ms. Linda Manley, who will be retiring in October, for her selfless service, hard work and dedication to both staff and Board members over the years.

Hearing no further business, Mr. Jared McCarthy adjourned the meeting at 10:33 a.m.



**DISTRICT OF COLUMBIA  
WATER AND SEWER AUTHORITY  
Board of Directors**

DC Retail Water and Sewer Rates Committee

Tuesday, September 27, 2022

9:30 a.m.

**MEETING MINUTES**

Via Microsoft Teams

**Committee Members Via Teleconference**

Rachna Bhatt, Chair  
Howard Gibbs  
Anthony Giancola  
David Franco  
Jed Ross  
Tommy Wells, Board Chair

**DC Water Staff Via Teleconference**

David Gadis, CEO and General Manager  
Matthew Brown, CFO/EVP, Finance & Procurement  
Marc Battle, CLO and Executive Vice President  
Kishia Powell, COO and Executive Vice President  
Meisha Lorick, Interim Director of Customer Care  
Linda Manley, Secretary to the Board

**Call to Order**

Chair Rachna Bhatt convened the meeting at 9:31 a.m.

**Roll Call**

Linda Manley, Board Secretary conducted a roll call of the Committee members.

Mr. Brown, CFO/EVP Finance and Procurement greeted the Committee and started the meeting with the monthly report and informed the Committee that there are no significant changes in revenue trends from previous reports provided, and that the results reported are through August 31<sup>st</sup>.

**Monthly Report to DC Retail Water & Sewer Rates Committee (Attachment A)**

Mr. Brown provided the financial report by exception. He stated that the overall year-to-date collections versus the budget are favorable by 4.1%, the largest favorable variance coming from the residential, commercial, and multifamily category. He noted that the August receipts were higher than budget as

water consumption is higher in the summer months. He stated that the delinquency rate has stabilized and is not growing as it was during the peak of the pandemic, and the District Government and Housing Authority receipts were also slightly higher in the summer months mirroring the pattern of the other classes. Mr. Brown noted that Wholesale customers are also on budget as well as other revenues which are 103% of budget, and the Federal account was the only one with slightly lower variance due to the transfer of Union Station to commercial class.

Mr. Brown stated that the 90-day customer delinquencies slightly decreased from \$29.4 million in July 2022 to \$29.3 million at the end of August 2022. He mentioned that the number of delinquent accounts decreased compared to the prior month and represent about 9.7 percent of the total accounts. Mr. Brown noted that there is an ongoing collection effort for residential and commercial accounts, however multifamily delinquent accounts have been growing, which is a reason as to why the overall delinquencies are only slightly down (in dollars). Mr. Brown concluded the presentation by asking the Committee if the report on the delinquent accounts by zip code and customer class, required by DC law through July, could be discontinued in the new Fiscal Year.

Chair Rachna Bhatt asked if there were any objections to discontinuing the report, and no member objected.

### **DC Water Cares Program Update (Attachment B)**

Meisha Lorick, Interim Director of Customer Care, started her presentation by stating that the Committee would be asked to recommend to the full Board to approve and adopt the Notice of Final Rulemaking for the DC Water Cares Program. The first recommendation to remove the FY2022 CAP2 recertification waiver language and the second recommendation to extend the DC Water Cares, Residential Assistance Program (RAP) and Multifamily Program (MAP) into FY 2023 with calculation changes. Ms. Lorick then provided the FY2023 program for both RAP and MAP and noted that MAP would be modified to increase owner incentive and participation, and CAP2 would be updated for clarity of language for program renewals. This will require annual customer reapplication each year for CAP2 benefits, consistent with the CAP and CAP3 programs. Ms. Lorick also stated that for RAP and MAP there would be an updated fiscal year reference from FY 2022 to FY 2023, a revised benefit calculation multiplier from three to six (MAP only) and a revision of the credit distribution from 90% to the tenant and 10% to the owners account to 80% to the tenant and 20% to the owners account (MAP only).

Ms. Lorick concluded her presentation by highlighting that on July 7<sup>th</sup>, 2022, the Board approved and adopted Notice of Emergency and Proposed Rulemaking (NOEPR) to continue the implementation of RAP and MAP for FY 2023 and rescind the CAP2 recertification waiver provisions, on July 22, 2022. She stated that the NOEPR and Notice of Public Hearing (NOPH) were published in the D.C. Register on July 22, 2022. The public comment period was July 22, 2022, through September 19, 2022, and the Board held a public hearing to receive testimony on the NOEPR, and no witnesses testified at the public hearing on September 14, 2022. No comments were submitted during the public comment period or at the hearing.

### **Action Items (Attachment C)**

Mr. Brown mentioned that the Committee is asked to recommend the following action items to the Board.

- (Action Item) Recommend Board Adoption and Approval for Notice of Final Rulemaking to 1) Remove FY 2022 CAP2 Recertification Requirements Language; and 2) Extend DC Water Cares: Residential Assistance Program and Multifamily Assistance Program for FY 2023

The Committee agreed to recommend the above action Item to the full board of directors.

**DC Retail Water Sewer Rates Committee 2022 Proposed Workplan (Attachment D)**

Mr. Brown, CFO/EVP Finance and Procurement mentioned that the FY 2022 Proposed Workplan has been included in the package.

**DC Retail Water Sewer Rates Committee Proposed 2023 Workplan (Attachment E)**

Mr. Brown started the presentation by informing the committee on the upcoming 2023 Workplan and the different Cost of Service Studies that will be undertaken throughout FY2023 and other emerging issues and activities that may require the Board's attention. He stated that the recent accomplishments included adoption of the Retail Water and Sewer rates for FY2023 and FY2024 with the next study to be completed for FY2025 and FY2026. Mr. Brown noted the Miscellaneous Charges and Fees Study, which was completed in 2022 and that next study will be in FY2025. The Potomac Interceptor and the High Flow Filter Backwash Sewer studies were also conducted in FY2022.

Mr. Brown stated that the upcoming studies in FY2023 will include the Operating Reserve, which will include the indenture required Renewal and Replacement Fund and added that additional scope will include the Rate Stabilization Fund also. These studies are conducted every five years. Another study that he noted will be undertaken in 2023 is the Independent Engineering Inspection which is also conducted every five years. Other studies in FY2023 include Federally Owned Water Mains (FOWM), stormwater, and water resilience.

Mr. Brown reiterated that the last Operating Reserve study was completed in 2018 and it required that we maintain 250 days' worth of cash as per Board policy. The balance of \$235.6 million, he said is made up of \$35 million from Renewal and Replacement fund, \$55.5 million from Operating Reserve Fund and \$145.1 million from additional on hand cash. The Rate and Stabilization Fund which has a balance of \$35.6 million is not part of the 250 days requirement. Mr. Brown stated that these reserves are used for cashflow needs and unexpected events and emergencies and are part of the consultant's scope of work to investigate the stability and predictability of DC Water's revenue and to maintain high bond ratings that reduce borrowing costs and considering our cash reserve requirements. Mr. Brown also stated that the consultants will compare DC Water to its peer group and recommend standard and best practices to adopt.

Chair Rachna Bhatt asked Mr. Brown to elaborate and explain the consultant selection process

Mr. Brown explained to the committee that there is a procurement process where a pool of qualified and experienced consultants submits responses regarding the services that they could provide. Once the proposals are received a committee scores the proposals and consultants are selected for the pool. Mr. Brown emphasized to the committee that there is an opportunity for all companies to participate in the pool through the procurement process. Mr. Brown continued with the presentation by focusing on the Independent Engineering Inspection study which is part of the indenture requirement.

Committee member Anthony Giancola asked Mr. Brown who the consultant was the last time the study was conducted. Mr. Brown responded that the last firm to do the study was JMT (Johnson, Merriman, & Thompson) and the primary consultant at JMT is now retired and hence why DC Water has a new consultant.

Mr. Brown also mentioned to the Committee that there is additional pressure from increasing chemical and energy cost that will impact next year's budget, and it will negatively impact FY2024 as the rates have already been set. Mr. Brown informed the committee that an appropriate discussion in the future with the Finance and Budget and Retail Rates Committees will be needed to address these rising costs.

Committee member Anthony Giancola inquired if DC Water is restricted by “Buy America” constraints. Mr. Brown explained that “Buy America” usually applies to federally funded projects and Ms. Kishia Powell COO, reiterated that DC Water’s chemical purchases are not restricted by those requirements, however certain capital projects are mandated by the EPA to comply with “Buy America” requirements. Mr. Anthony Giancola asked if DC Water had previously purchased Chemical from foreign governments. Ms. Kishia Powell stated to the best of her knowledge, DC Water had not done so and only buys from domestic suppliers. Mr. Anthony Giancola also inquired if DC Water “piggybacks” off large and local jurisdiction to jointly procure chemicals to reduce unit costs. Mr. Brown responded by informing the Committee that DC Water has a well-established relationship with manufacturers to ensure constant supply and drive down costs while pursuing reliable supply. Mr. Howard Gibbs commented that in the past he has seen contracts with DC Water and local jurisdictions and counties procured certain supplies jointly. Mr. Brown confirmed that DC Water still has that ability and concluded the meeting.

**Agenda for October 25, 2022, Committee Meeting (Attachment F)**

There was no discussion on the agenda for the October 25, 2022, Committee meeting.

**Adjournment**

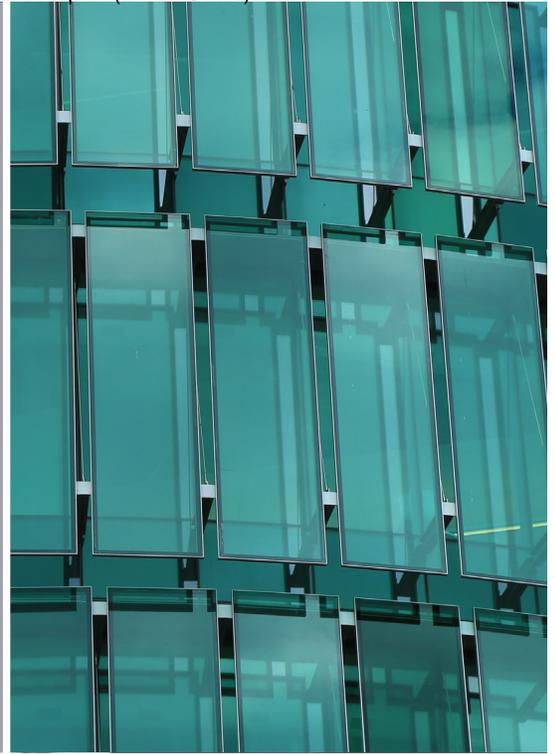
Chair Bhatt adjourned the meeting at 10:00 a.m.

**FOLLOW-UP ITEMS – DC Retail Water and Sewer Rates Committee Meeting (September 27, 2022)**



# CEO's Report

OCTOBER  
2022



**ACCOUNTABILITY TRUST TEAMWORK CUSTOMER FOCUS SAFETY WELL-BEING**

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# dc Highlights

Chairman Wells and members of the Board, it is my pleasure to present you with the CEO's Monthly Report for October 2022.

This report captures the highlights of the team's efforts across the five imperatives of the Blueprint 2.0 strategic plan: **Sustainable, Equitable, Reliable, Resilient, and Health, Safe and Well.**

## Resilient

### Congressional Testimony on Water Sector Resilience

On September 21, I was one of four expert witnesses to testify before Chairman Bennie G. Thompson (D-MS) and members of the U.S. House Committee on Homeland Security, in a hearing entitled "Critical Infrastructure Preparedness and Resilience: A Focus on Water." The Committee also heard from the Honorable Craig Fugate, former administrator of the Federal Emergency Management Agency (FEMA), Abre' Conner, Director, Environmental and Climate Justice of the National Association for the Advancement of Colored People (NAACP), and John O'Connell, III, Senior Vice President, National Rural Water Association.

In my prepared remarks, I urged Members to fully fund all water infrastructure programs authorized under the **Infrastructure Investment and Jobs Act** and emphasized that federal water policy must include consideration of environmental justice, water equity, and climate change. In the wake of the Jackson, Mississippi water crisis, I cautioned Members that "today's underinvestment is tomorrow's crisis."



## NIAC The President's National Infrastructure Advisory Council

On Wednesday, August 31, President Biden announced his appointees to his [National Infrastructure Advisory Council](#) (NIAC). The NIAC was formed to advise the White House on how to improve the security and resiliency of the nation's critical infrastructure, including the water sector, and I am honored to share that I have been appointed to the Council.

The NIAC brings together cross-sector expertise to advise the Administration on matters relating to the protection and improvement of a broad range of critical infrastructure across 16 sectors, including nuclear reactors, defense assets, food and agricultural infrastructure, healthcare and public health, and the water and wastewater industry.

The NIAC meets publicly four times per year, with each meeting hosted in the District. In previous years, the NIAC has taken on as many as six major, in-depth studies per year, and the insights gained through these studies will inform our national infrastructure strategy.



### National Preparedness Month

DC Water observed National Preparedness Month in September. The purpose of the awareness campaign is to inform the public on the importance of preparing for disasters and emergencies that could happen at any time. As we have seen repeatedly in recent weeks, preparedness and effective public outreach saves lives.

The Office of Marketing and Communications partnered with the Office of Emergency Management on a month-long campaign on preparedness for Authority staff and customers, including:

- Encouraging staff to enroll in DC Water Alerts, and Alert DC.
- Weekly emails to all staff on prepare for evacuations and potential threats.
- A FOCUS article on personal preparedness at home.
- The Special Preparedness issue of 'What's on Tap.'
- A public pop-up event to raise awareness.
- Supporting content posted on DC Water social media channels.



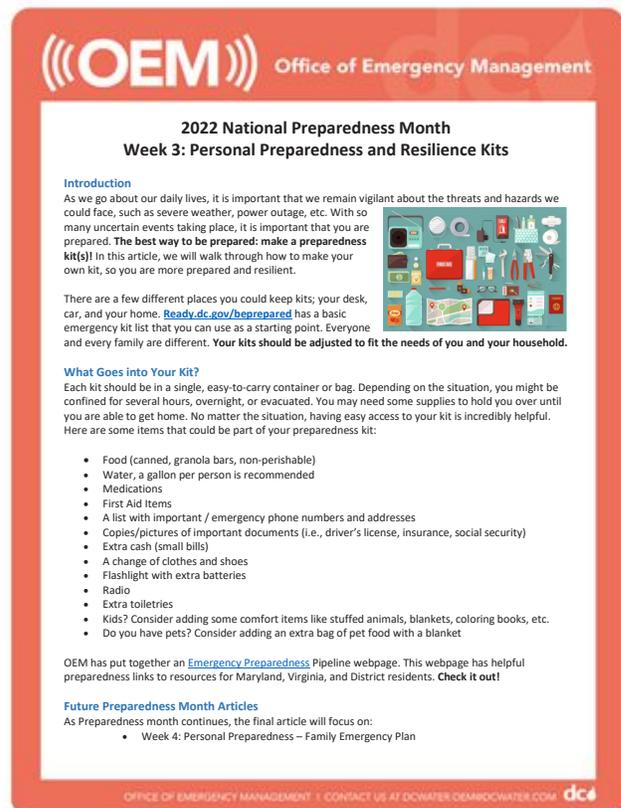
### Maryland / District of Columbia Utilities Association 2022 Fall Conference

On Thursday, September 15, it was my pleasure to attend the 2022 Fall Conference of the Maryland / District of Columbia Utilities Association. The theme of this year's gathering was 'Building the Utility of the Future, In the Present.'

During the Conference, I served on an executive panel alongside Tamla Olivier, Senior Vice President, Operations and COO of Pepco Holdings, and James Steffes, Senior Vice President, Regulatory, of Washington Gas. The panel, which was moderated by Divesh Gupta, Director of Strategy, Utility of the Future, of Baltimore Gas & Electric, generated a lively Q&A session.

Later that afternoon, **Apera Nwora** (Director, Government Affairs & Public Policy / Government and Legal Affairs) was a featured panelist in a session on legislative issues. Ms. Nwora appeared alongside Poetri Deal, Manager, Government and External Affairs, of Pepco Holdings, and John Quinn, Senior Manager, State Affairs, of Baltimore Gas & Electric.

Our participation in the Conference was very effectively organized by **Ernest Jolly** (Energy Chief / Wastewater Treatment), who has served as President of the Association since 2020.



# dc Highlights



**Equitable** continued

## Authority Participates in US Water Alliance's One Water Summit

DC Water participated in the US Water Alliance's annual conference, the One Water Summit. The Summit, held in Milwaukee September 13-15, is a uniquely diverse gathering of water stakeholders and features workshops, institutes, and delegations that are highly relevant to DC Water and our five strategic imperatives.

**Kishia Powell** (Chief Operating Officer and EVP / Operations and Engineering) participated in the summit and continued her leadership role as Chair of the Alliance's One Water Council. **Korey Gray** (Vice-President, Contract Compliance and Business Development / Finance and Procurement) spoke in a session on "Attracting and Retaining the New Water Workforce," **Sheryl Ude** (Senior Advisor to the COO / Operations and Engineering) moderated a session, "Utility Strategies to Advance Racial Equity, and **Dr. Matt Ries** (Director, Strategic Leadership and Sustainability / Strategy and Performance), participated in the Alliance's International Water & Climate Delegation's work-groups and sessions.

## Lisa Stone Featured Panelist at WaterJAM Conference

**Lisa Stone** (Chief People and Talent Officer and EVP / People and Talent) joined panelists Dr. Janice Underwood, appointee to the Biden-Harris administration as Director of the Office of Diversity, Equity, Inclusion, and Accessibility (ODEIA) in the Office of Personnel Management (OPM), and Maria Burgos, Director of the Office of Equity and Inclusion with Prince William County, Virginia for a panel entitled 'The Importance of DEI in Shaping our Water Future' at [WaterJam 2022](#). Ms. Stone also facilitated an interactive design workshop to engage WaterJam participants and young professionals in creating a 'Vision for Our Future.'

WaterJam is the Joint Annual Meeting of the Virginia Water Environment Association and the Virginia Section of the American Waterworks Association. WaterJam provides numerous technical growth opportunities, including continuing education credits, that cover the latest industry trends as well as a variety of social engagements for all attendees.



# dc Highlights

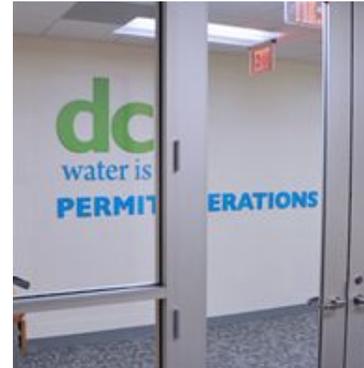


## Permitting Webinar

DC Water hosted a webinar on September 7 to discuss permitting operations. Nearly 200 contractors, developers and District agency representatives registered and around 125 people attended the 1-hour meeting. The feedback was overwhelmingly positive and the participants asked thoughtful questions. Several expressed thanks to DC Water and to **Brian McDermott's** team.

The topics covered included:

1. Permits process
2. Determination of fees
3. New review services & fees
4. Plan review and miscellaneous fees
5. Tips for working with DC Water
6. New online portal launches 2023



## Race to Zero Water Seminar



On Wednesday, DC Water hosted an incredible group of global leaders for the "Race to Zero" Water Seminar, exploring the water sector's transition to a lower-carbon future. The meeting was co-hosted by DC Water, the Ministry of Foreign Affairs of Denmark, and the US Water Alliance (USWA). DC Water is participating in a year-long cohort of ten US water utilities, exploring greenhouse gas (GHG) reductions while leveraging a recent USWA – Danish MOU to provide first-hand experience to the US from several Danish water utilities that are far advanced on their journey to net zero GHG emissions.

I opened the seminar with a welcome to our distinguished guests and was followed by presentations from the USWA; the Danish EPA; Claus Homann, the COO from Aarhus Vand (a world-leading Danish water utility); and **Kishia Powell** (Chief Operating Officer and Vice President), with an overview of DC Water's GHG mitigation efforts and the continuing balance needed between regulatory compliance, ratepayer affordability, and GHG reductions. This was followed by a panel discussion on barriers and opportunities for the Race to Zero moderated by **Dr. Matt Ries** (Director, Strategic Leadership and Sustainability) that also featured Ms. Powell and other global representatives.

**Chairman Tommy Wells** played a significant role in the event as well, welcoming the Danish Prime Minister Mette Frederiksen, Danish Ambassador US Christina Markus Lassen, Senator Ben Cardin, and US EPA Assistant Administrator for Water Radhika Fox. Chairman Wells provided his perspectives on US-Danish collaboration and admiration for the Danes' accomplishments in renewable energy production and GHG reduction, citing the District's ongoing collaboration with Denmark. He also shared a panel discussion on resource efficiency with Senator Cardin.

It was an honor to host Prime Minister Frederiksen, the Danish dignitaries, and leaders from the US government. This high-level gathering, speaks volumes about not only our stature in the water sector, but also our desire to engage directly with global environmental leaders. To be world class, you have to learn from the best.



## Sustainable continued

### Apprenticeship Program's Second Cohort

Orientation for the Apprenticeship Program's Second Cohort kicked off in early October at the DC Department of Employment Services (DOES) – and according to **Korey Gray** (Vice President, Contract Compliance and Business Development), all of the apprentices showed up and were on time!

In all, there are 15 apprentices in this cohort, of whom we are proud to say that 25% are women. With this group and Cohort 1, DC Water exceeds the District goal for minority and female women apprentices in the apprenticeship program of 51% and 22%, respectively. There are a total of 24 apprentices in both cohorts, all of whom are minorities, including six women. Also, as a reminder, DOES will be paying the apprentices directly during their first year.

In terms of process, the apprentices are spending three weeks with DOES where they are receiving training on a variety of subjects (e.g., conflict resolution, appropriate behaviors/attitude/dress in the workplace, and refresher training on math and reading). In early, the apprentices will then come to DC Water where they will begin their formal apprenticeship.

In addition to Korey, I want to thank and acknowledge **Sharon Talley** (Contract Compliance Specialist I), **Linda Fennell** (Contract Compliance Specialist II), **Yvette Judge** (Director, Business Analysis) and all the department staff who helped DC Water get to this point. The team vetted over 153 candidates and held over 40 interviews in a one-month span.

### Kickoff Meeting for ESG Report

Last week, the Strategy and Performance team, led by **Wayne Griffith** (Chief Strategy and Performance Officer and EVP / Strategy and Performance) convened the kickoff meeting for DC Water's next Environmental Social Governance (ESG) report, with representatives of the Arup team supporting the effort, and staff from the Office of Marketing and Communications attending as well.

As the first utility to issue an ESG report, DC Water is well positioned to lead our sector in demonstrating how to improve investor confidence through the ESG process. As Mr. Griffith, **Matt Brown** (Chief Financial Officer and EVP / Finance and Procurement), **Dr. Matt Ries** (Director, Strategic Leadership and Sustainability / Strategy and Performance), and their respective teams develop our next ESG report over the fall, I will keep the Board updated on our progress.





## Sustainable continued

### 2022 Tri-Con Association Conference

I am proud to share a recent accomplishment towards one of my CEO Initiatives to “engage water industry and thought leaders” with the exceptional work exhibited by DC Water staff before and during the 2022 Chesapeake Tri-Association Conference (Tri-Con). The 2022 Tri-Association Conference was held between August 30-September 2, 2022, at the Roland Powell Convention Center, in Ocean City, Maryland. ‘Tri-Con’ is an annual convening of regional water and wastewater utilities to share expertise and information to meet the collective challenges currently facing water utilities and the environment in general.

DC Water had a very prominent presence at Tri-Con, participating on the Board and Committees of one of the host associations, Chesapeake Water Environment Association (CWEA) and the planning committee for Tri-Con. Our team brought home several awards, participated in the Operations Challenge, and provided expert analysis through numerous professional panels, including:



- ‘Using Dashboards to Solve Problems Faster’ (**Theresa Bruton** / Manager, Asset Management)
- ‘Asset Management – Building Information Management (BIM)’ (**Monique Mirabeau** / Program Manager, Contract Management, **Kenrick St. Louis** / Vice President, Pumping and Sewer Operations), **Ogechi Okpechi** / Senior Program Manager, EPMO), and **Ella Garcia** (Supervisor, Planning)
- ‘Lessons Learned from Implementation of DC Water Digital Twin’ (**Alireza Parhami** / Supervisor, Systems Assessment)
- ‘Impact of COVID-19 Pandemic Years in Maintaining Water’ (**Anjuman Islam** / Manager, Water Quality, **Yadav Timilsina** / Specialist, Water Quality)
- ‘Proactive Maintenance Planning Using Robotics, AI, and Neural Networks’ (**LaShema Burrell** / Supervisor, AM-Sewer), **Nichol Bell Sowell** / Senior Manager, Inspection & Maintenance, Pumping and Sewer Operations)
- ‘Rehabilitating a Century-Old Sewer in an Environmentally Sensitive Area with Permissions from Multiple Agencies in Washington, DC’ (**Burak Kaynak** / Engineer III, Civil Design and William Elledge / Senior Manager, Design)
- ‘Large Diameter Pipe and Tunnel Rehabilitation Challenges on the Potomac Interceptor’ (William Elledge and **Pubudu Ranasinghe** / Program Manager, CIP)
- ‘Box-Tunneling Saves the Day From Utility Congestion’ (**Kyle Stewart** / Technician III, CC Engineering, **Tayo Olatunji** / Supervisor, Construction Projects, **Adam Dramani** / Technician III, CC Engineering, **Mohammad Huq** / Engineer III, CC Engineering, and **Tsedale Berhanu** / Senior Manager, CC&O).
- ‘Awakening the Sleeping Giant...Inspection of DC Water’s 66”/96” Anacostia Force Main Gravity Sewer’ (**Bisrat Abebe** / Program Manager, CIP).



## Sustainable continued

### Awards and CWEA Leadership for 2021–2022

- CWEA Emerging Leader Award: Presented to **Yvette Judge**, who served the association with distinction and dedication, selected for showing great promise for continued and future contributions.
- CWEA Residual and Biosolids Beauty Contest: Presented to our Bloom product for Best Presentation
- CWEA President Award: Presented to **Gian Cossa** (Senior Management Analyst, Engineering and Technical Services), after his successful term as President of CWEA.
- Water Environment Foundation (WEF)/CWEA Laboratory Analyst Award: **Dr. Bipin Pathak** (Specialist, Research & Development, WWT-Clean Water Quality and Technology) for outstanding performance, professionalism, and contributions to the water quality analysis profession.
- WEF/CWEA Hatfield Award: Presented to **Robert Simpkins** (Foreman, Operations, Pumping Operations) and **Calvert Wilson** (Utility Systems Operator Leader, Pumping Operations) for their outstanding performance and professionalism.
- WEF/CWEA Burke Award: Presented to DC Water's Department of Pumping and Sewer Operations – Sewer Inspection and Maintenance Branch recognized as a wastewater facility that has established and maintains an active and effective safety program.
- CWEA President: **Gian Cossa**
- Utility Member Representative: **Jessica Shiao**
- Strategic Planning Committee, Co-Chair: **Yvette Judge**
- Plant Operations, Maintenance and Safety, Chair: **Kenrick St. Louis**
- Plant Operations, Maintenance and Safety, Vice-Chair: **Gregory Stephens**
- 2022 Tri-Con Planning Committee: **Gian Cossa** (Chair – Arrangements, Social Activity, Door Prizes, & Opening Ceremony) and **Ogechi Okpechi** (Brochure & Opening Ceremony).

### Board Members and Committee Leaders for 2022–2023

- CWEA Past-President: Gian Cossa
- CWEA DC Trustee: Jessica Shiao
- Strategic Planning & Implementation Committee Chairman: **Yvette Judge**

### DC Water Operations Challenge Team, DC Water Blue Wave competed for the first time in over 5 years

- Coaches: **Gregory Stephens, Aaron Montgomery, Wendell Smith, and Duane McCoy**
- Members: **Donavan Midkiff** (Team Captain), **Lamar Dunnington, Juan Flores, Micheal Templeton, Ronald Taylor, Jr., Danyle Jackson, Lester Bolton, Antoine Wroten, and Ronald Sims**
- Admin Support: **Deyonka Lewis, Monique Mirabeau, and Lisa Barton**

The Blue Wave team will compete at the upcoming WEFTEC conference in New Orleans, LA.

I would like to thank our planning team, led by **Gian Cossa** and **Ogechi Okpechi**, for organizing our robust presence and putting our teams in position to contribute and lead at Tri-Con.



### Oyeyemi Appointed to Committee on Economic Development and Capital Planning

**Lola Oyeyemi** (Director, Budget) has been appointed to serve a three-year term on the Government Finance Officers Association (GFOA) Committee on Economic Development and Capital Planning, one of GFOA's standing Committees.

The Committee on Economic Development and Capital planning works to assist finance officers to become knowledgeable participants in planning, evaluation, and execution of community/economic development and capital issues through the drafting and promotion of policies, procedures, and best practices.

I would like to congratulate Ms. Oyeyemi on this honor. Her addition to the GFOA committee is not only a professional honor, but an example of DC Water's expertise in addressing critical issues and financial matters concerning the water utility industry.

# dc Highlights



## Healthy, Safe and Well

### Authority's COVID Surveillance Data Published

After consultation with DC Health, and obtaining their consent, DC Water has authorized Biobot to publish the Authority's COVID-related surveillance data on their website. Once published, it will be available through the Biobot site at [biobot.io/data/](https://biobot.io/data/)

DC Water remains committed to supporting public health in the battle against COVID. Making the data available through the Biobot site will provide additional data and graphics to users that are not available on the CDC website.

### Updated COVID-19 Guidance

DC Water remains committed to providing a Healthy, Safe, and Well working environment, and continues to show low percentages of employees who have tested positive. Year-to-date results remain at 12%. Currently, the Authority has no open cases. All other employees have returned to their worksite healthy, safe, and well.

As the CDC updates its COVID-19 guidance, DC Water has as well. The Authority has updated our COVID-19 Test Positive, Exposures, and Close Contact Protocols, to align with recent CDC updates. Everyone, regardless of vaccination status, must adhere to the following guidance:

#### If you test positive for COVID-19

- You must self-isolate for 5 days from the date the test was collected (the date of collection is considered day 0).
- If you have no symptoms (and no fever) or your symptoms are resolving (and you have no fever for at least 24 hours without fever reducing medication), you may resume activity after 5 days; however:
- You must wear a well-fitting mask around others for 5 additional days after isolation ends

#### If you have symptoms consistent with COVID-19

- You should get tested for COVID-19 right away
- You are required to self-isolate for 5 days from onset of symptoms (onset of symptoms is day 0).
  - Exception: If another cause of the symptoms is confirmed by a medical provider, a test for COVID-19 is negative, and there has been no known close contact exposure, an individual may return to work sooner
- If you have no symptoms (and no fever) or your symptoms are resolving (and fever has resolved), you may resume activity after 5 days; however:
- You must wear a well-fitting mask around others for 5 additional days

### De-Escalation and Situational Analysis Seminars

After receiving requests from several DC Water employees through the Multi-Year Training and Exercise Plan (MYTEP) process, and experiencing several workplace incidents over the years, the Office of Emergency Management (OEM) coordinated the development and implementation of a De-Escalation and Situational Awareness Seminar series.

OEM worked closely with personnel from Safety, Security, People & Talent, Legal, Pumping, Wastewater Operations, Water Operations, Water Quality, and partners from the Department of Homeland Security Cybersecurity and Infrastructure Security Agency, and contractor Horsley Witten to host four two-hour seminars. The seminars provided 77 DC Water employees the tools to de-escalate a situation, either in the workplace or in the field. The seminars emphasized the importance of understanding your surroundings and environment, applying de-escalation techniques, knowledge of DC Water resources and information, and the opportunity to learn from others from their own experiences. Parts of the trainings have been recorded and resources have been posted to Pipeline for access by all DC Water employees.

This series was supported through EPA Region 3 funding, which provided DC Water a foundation to build upon for future training and exercises intended to enhance the health, safety, and resilience of DC Water and its employees.



## Divisions

The CEO report includes service level based key performance indicators. These are indicators for which the teams have established or confirmed response and resolution times in which to perform the related work. This is assisting us in identifying productivity and resource needs as well as benchmarking ourselves against other utilities. It is important to note that where teams may not meet the Service Level Targets set for a specific metric, it does not mean the work is not getting accomplished. The teams are doing a tremendous job and continue to strive to meet high performance expectations.

### Financial Metrics

Metric	Target	May-22	June-22	Jul-22	Aug-22
Operating Cash Balance (millions \$)	\$235.6	\$261.9	\$244.6	\$248.2	\$270.6
Delinquent Account Receivables (%) <sup>†</sup>	3.3%	4.6%	4.6%	4.6%	4.5%
On-time Vendor Payments (%) <sup>††</sup>	97%	95%	96%	96%	96%
Investment Earnings Data (Thousands \$)	\$2,234.0	\$122.3	\$55.0	\$70.4	-\$7.3
Core Investment Yield Data (%) - Merrill Lynch 1-3 Year Treasury Index *		2.5%	3.0%	2.9%	3.5%
Core Investment Yield Data (%) - Actual Monthly Yield <sup>†††</sup>	0.2%	1.2%	1.1%	1.2%	1.5%
Short Term Investment Yield Data (%) - Merrill Lynch 3-Month Treasury Index *		1.1%	1.7%	2.3%	2.9%
Short Term Investment Yield Data (%) - Actual Monthly Yield <sup>†††</sup>	0.1%	0.8%	1.0%	1.1%	1.3%
Days of Cash on Hand ** and ***	250.0**	340.0	322.0	346	337***

\* Represent annual Treasury Index targets developed and provided by the Authority's investment advisor.

\*\* 250 days of cash is the Board policy requirement for annual days of operating reserves excluding the Rate Stabilization Fund.

\*\*\* 337 days of cash is made up of 43 days in the Rate Stabilization Fund and 294 days in the operating cash balance.

Metrics Explanations:

<sup>†</sup> Delinquent account receivables as a percentage of 12-month rolling average revenue. The delinquent account receivables increased due to the impact of COVID-19.

<sup>††</sup> Vendor payments percentage is not at the desired target primarily due to performance related to the transition from the legacy system to the new system, which includes tolerance configuration (Materials Management invoices), retention invoices, or system entries (non-payment entries, e.g., ROICP funding), and user training related to receipts issues.

<sup>†††</sup> Investment earnings lag the benchmarks. We are in a rising interest rate environment. As lower yielding investments are sold and reinvested, performance is expected to improve.

### Finance Highlights

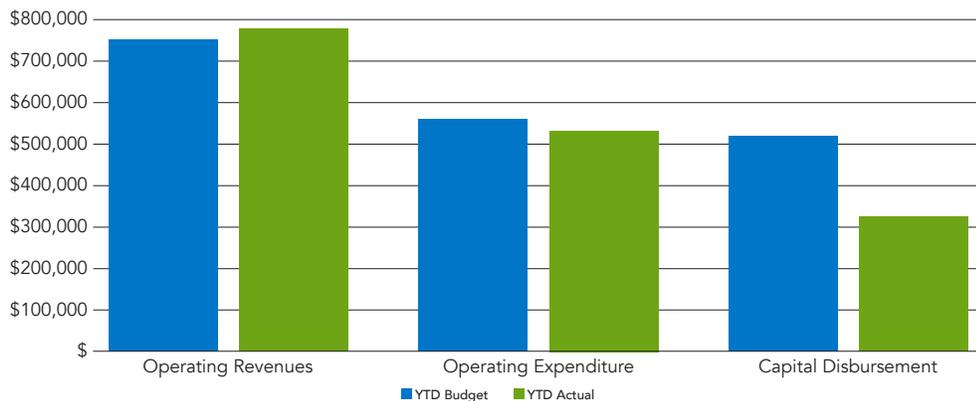
#### FY 2022 Financial Performance YTD

At the end of August 2022, with approximately 92 percent of the fiscal year completed, DC Water is on track with its budget. The total operating revenues are \$783.7 million or 98.0 percent of the budget. Total operating expenditures are \$533.6 million, or 81.0 percent and capital disbursements are \$315.1 million or 55.5 percent of the respective budgets.

The operating expenditures reflect increased spending in chemicals and utilities due to higher than anticipated unit prices because of prevailing market conditions including supply chain issues.

Management continues to monitor spending with proactive steps to mitigate significant budget gaps and impact on other core operational needs.

#### FY 2022 Year to Date Performance Budget vs. Actuals (\$'000's)



**FY 2022 Rate Stabilization Fund Transfer**

Consistent with Board Resolution 21-98, approved on November 4, 2021, \$10.5 million was transferred from the Rate Stabilization Fund for the FY 2022 budget. At the end of July 2022, the Rate Stabilization Fund (RSF) had a balance of \$46.1 million. The transfer of \$10.5 million from the RSF to the operating fund was processed in August 2022, leaving a remaining balance of \$35.6 million in the RSF.

**Budget Highlights**

DC Water received its twenty-second consecutive Distinguished Budget Presentation Award from Government Finance Officers Association (GFOA) for the Board-adopted FY 2023 Budget. This award is the highest form of recognition in governmental budgeting. The attainment of this year's award reflects the team's hard work and dedication in leveraging the modules of the new Enterprise Resource Planning (ERP) system in the formulation and authoring of the budget documents.

The development of the Proposed FY 2024 Budget is underway with the Budget Kickoff held on September 7th to provide the focus, targets, process changes, deliverables and timelines. Additionally, a Budget Boot-camp was held on September 9th to provide detailed guidance to, and address specific questions, from end users.

The Budget Workshop and Committee reviews are planned for early 2023 and Board adoption in March 2023.

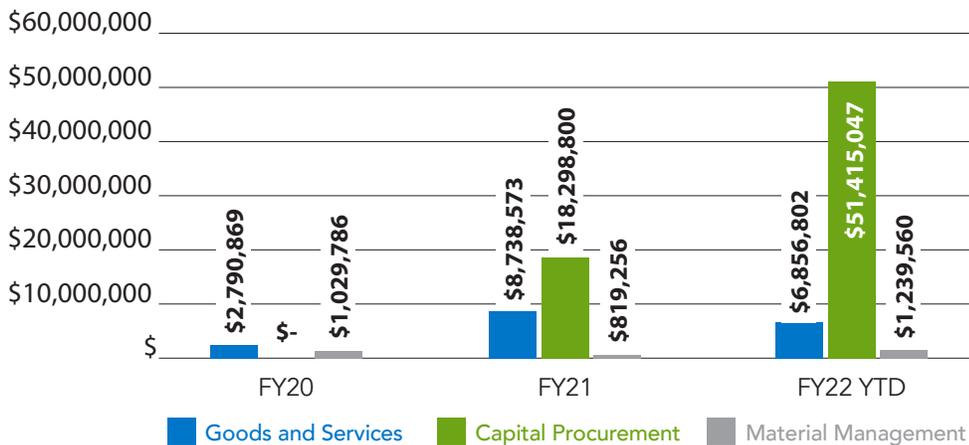
**Procurement**

**Key Highlights:**

- Hosted an Industry Outreach Event for CIP Infrastructure Network Extension with 22 participants.
- Attended the Tri-Con Conference representing Procurement. Supported DC Water's exhibitor booth, seeking potential hiring candidates for Procurement and other Dept's open positions.
- Identified and eliminated 1,074 maintenance material item order from locations in both Maximo and Oracle resulting in an on-going annual cost avoidance of \$26,850 in needing to manage those locations.

**Cost Savings (negotiated savings and cost avoidance)**

The chart shows the cost savings from FY 2020 to FY 2022 year-to-date achieved by Procurement through the competitive solicitation process in the Capital Project and Goods/Service solicitations and the cost avoidance achieved in the Materials Management through the inventory optimization. The cost savings for Capital Procurement was not tracked in FY 2020.



**Procurement** - continued**Upcoming Business Opportunities**

All current and planned solicitations are available at [dcwater.com/procurement](https://dcwater.com/procurement). Those upcoming in the next few months are shown below:

**Capital Procurement**

Planned Solicitation	Project Title	Solicitation Type	Estimated Total Contract Value	Delivery Type	Eligible Inclusion Program
September, 2022	Lead Free DC Construction Contract	RFQ	\$300M+	Bid Build	DBE/WBE
September, 2022	Out of Service LDWM Elimination Contract 1	TBD	TBD	TBD	TBD
October, 2022	Subsurface Utility Engineering BOA	RFP	\$2.5M	Design	DBE/WBE
October, 2022	Sanitary Sewer Rehabilitation 10	TBD	TBD	TBD	TBD
October, 2022	Electrical Sub-Station Replacements	TBD	TBD	TBD	TBD
October, 2022	COF/IT Electrical System Upgrade	RFP	\$10M	Bid Build	DBE/WBE
October, 2022	PI Phase 4 Rehab (Fairfax and Loudoun Co.)	RFP	\$20M	Bid Build	DBE/WBE
November, 2022	Major Sewer Rehab 1-5 Northeast Boundary	TBD	TBD	TBD	TBD

**Goods and Services Procurement:**

Planned Solicitation	Project Title	Solicitation Type	Estimated Total Contract Value	Eligible Inclusion Program
September, 2022	Emergency Preparedness Planning and Related Services	RFQ/RFP	< \$1M	LSBE
September, 2022	Tank Reservoir cleaning	RFP	< \$1M	LSBE
September, 2022	Financial Staff Augmentation	RFP	\$1-\$5M	DBE/WBE
October, 2022	Small Construction Projects and Renovations	RFP	\$1-\$5M	DBE/WBE
November, 2022	Medical Benefit Plans for Employees	RFP	> \$10M	DBE/WBE
November, 2022	Protective Services	RFI	> \$10M	DBE/WBE
December, 2022	Investment Advisory Services	RFP	< \$1M	LSBE
January, 2023	Financial Advisory Services	RFP	< \$1M	LSBE

## Compliance

### Certified Business Utilization

As part of its strategic initiatives, DC Water continues to ensure certified businesses (Disadvantaged Business Enterprises, Local Small Business Enterprises, Minority Business Enterprises, and Women Business Enterprises) have meaningful participation in its procurement activities.

During this reporting period, DC Water approved eight (8) different procurement actions, totaling \$150.4M. Of this total, certified firms were awarded \$60.4M in prime and subcontracting opportunities. The following table summarizes the certified firm participation:

Construction Projects (3 Awards)	
Total Value	\$54.3M
DBE Participation (7 firms)	\$15.3M (28%)
WBE Participation (5 firms)	\$3.2M (6%)

A/E Projects (4 Awards)	
Total Value	\$92.5M
DBE Participation (25 firms)	\$32.7M (35%)
WBE Participation (12 firms)	\$8.1M (9%)

Goods & Service Projects (1 Award)	
Total Value	\$3.5M
DBE Participation (2 firms)	\$.7M (20%)
WBE Participation (1 firms)	\$2.8M (80%)

Also during this period:

- One certified firm (WBE) won a contract as a prime (Goods and Services project).
- Three firms obtained their first subcontract.
- Three Mentor Protégé relations were established.

### DC Water Works

1. In FY, DC Water contractors made 92 new hires. As indicated in the table below, the 75% local hiring goal (hires within the user jurisdiction) continues to be met.
2. Apprenticeship Program – Cohort 2  
DC Water completed the selection process for the apprentices in Cohort 2.

In all, there are 15 apprentices in this cohort – 10 males and 5 females working in one of five trades:

- Buildings and Grounds – 2 Year Apprenticeship
- Maintenance Mechanic – 4 Year Apprenticeship
- Painting – 3 Year Apprenticeship
- Utility Services – 2 Year Apprenticeship
- Utility Systems – 5 Year Apprenticeship

Cohort 2 exceeds the District of Columbia Goals for minorities and women apprentices.

- Minority apprenticeship goal –51%/ 100% achieved
- Women apprenticeship goal –22%/ 33% achieved

Due to an MOU with the District, on-boarding support and wages are paid for the first year of apprenticeship by the Department of Employment Services (DOES).

In terms of process, the apprentices will be with DOES for the next three weeks where they will get training on a variety of subjects (conflict resolution, and refresher training on math and reading). On October 3, the apprentices will transfer to DC Water where they will begin their formal apprenticeship.

Location	FY 21 New Hires
DC	25
PGC	32
MC	5
FC	11
LC	1
Out of Jurisdiction	18

## Shared Services National Pedestrian Safety Month

During October, the U.S. Department of Transportation's (U.S. DOT) National Highway Traffic Safety Administration (NHTSA) and the Federal Highway Administration strengthen their efforts to improve safety for vulnerable road users.

U.S. DOT adopts a Safe System Approach to address roadway safety. The Safe System Approach focuses on the following key objectives:

### Safer People:

Encourage safe, responsible behavior by people who use our roads, and create conditions that prioritize their ability to reach their destination unharmed.

### Safer Speeds & Roads:

Promote safer speeds in all roadway environments through a combination of thoughtful, targeted, context appropriate outreach campaigns, judicious enforcement, the setting of appropriate speed limits, and road design; and to encourage safer behaviors, and facilitate safe travel by the most vulnerable users, design roadway environments to accommodate human mistakes and injury tolerances.

### Safer Vehicles:

Expand the availability of vehicle designs and features that help to prevent crashes and minimize the impact of crashes on both occupants and non-occupants.

**Post-Crash Care:** Enhance the survivability of people in crashes through expedient access to emergency medical care. Create a safe working environment for vital first responders and prevent secondary crashes through robust traffic incident management practices.

### Pedestrian Safety Facts

- In 2020 there were 6,516 pedestrians killed in the United States. That is 18 pedestrians a day and 125 pedestrians a week. On average, a pedestrian was killed every 81 minutes and injured every 10 minutes in traffic crashes in 2020.
- Pedestrian deaths accounted for 17 percent of all traffic fatalities in 2020 and 2 percent of all people injured in traffic crashes in 2020.
- The 6,516 pedestrian fatalities in 2020 represented a 3.9 percent increase from 6,272 pedestrian fatalities in 2019. In 2020 there were an estimated 54,769 pedestrians injured, a statistically significant 28 percent decrease from 75,650 pedestrians injured in 2019.

### DC Water Embraces Pedestrian Safety

- Department of Security continuously monitors construction nearby DC Water locations and communicates closures/alternate routes to promote safer people and safer speeds & roads.
- Department of Fleet Management utilizes Internet of Things to provide safer vehicles.
- Department of Occupational Safety and Health encompasses the Safe System Approach through the model "From Compliance to Care" (Lloyd 2020) in its everyday operations.





## Fleet, Facilities, Safety, Security and Emergency Management

### Shared Services Metrics

Metric	Target	May-22	June-22	July-22	Aug-22
Security: Camera operational uptime	90%	96%	97%	97%	97%
Security: Smart card readers operational uptime	90%	99%	100%	100%	100%
Security: Percent of security investigations completed within 21 days	95%	100%	100%	100%	100%
Facilities: Preventive Maintenance Completion Rate	90%	67%	18%	89%	89%
Facilities: Service Request Completion Rate	90%	59%	69%	56%	56%
Fleet: Preventive Maintenance (PM) on Schedule	96%	20%	33%	37%	22%
Fleet: Priority Vehicles/Equipment (In-Service)	96%	75%	76%	72%	77%
Safety: DC Water Employee Recordable Incident Rate (RIR) (FY)	< 5.3	2.8	2.9	2.9	2.8
Safety: DC Water Employee Lost Time Incident (LTI) (FY)	< 2.1	1.9	1.9	1.9	1.8
Safety: Contractor/ROCIP Recordable Incident Rate (RIR) (FY)	< 2.8	1.7	2.2	2.3	2.2
Safety: Contractor/ROCIP Lost Time Incident (LTI) (FY)	< 1.1	0.24	0.02	0.04	0.05

#### Facilities:

Preventive maintenance completion rate for August stayed at a high rate of 89%. Total PM's completed was up to 208, a 22% increase over the July completion total. The Facilities service request completion rate in August was 56%, with 131 completed service requests, maintaining a completion rate close to the monthly average for the year (133). Events support for OMAC, Blue Drop and internal DC Water events dropped to 31 events in August, after 40 events supported in July. The demands of summer grounds maintenance were high in August. Facilities continues to work with P&T with 5 positions currently approved for recruitment and 4 apprentice positions starting the first week of October 2022.

#### Fleet:

Preventative Maintenance completion rate for August 2022 decreased to 22%. Fleet experienced a setback in August due to shop closures from a COVID outbreak affecting more than half of the staff and code orange weather related incidents which compromised shop ventilation. The decline in technician resources continues to impact productivity. We anticipate that the pending move to the new facility in October will further impact the preventative maintenance completion rate. In August, Fleet's Vehicle Availability increased to 77%. As a result of reduced resources, less vehicles were brought into the shop for service in August. However, Fleet continued to perform nonscheduled repairs which was useful in keeping units operational and on the road.



### Customer Assistance Programs (CAP)

As of July 2022, we have 2555 total new enrollments across CAP, CAP2 and CAP3. Currently CAP and CAP2 are over budget for FY2022. The original LIHWAP funding has been expended, however, to provide additional assistance, DOEE has increased the total funding available. The new total available to be disbursed to customers is \$2,380,004.75.

FY22 New Enrollment TOTAL			
Program	FY21 Rollover	FY22 New	TOTAL
CAP I	4453	2408	6861
CAP II	538	135	673
CAP III	191	12	203
<b>Totals</b>	<b>5182</b>	<b>2555</b>	<b>7737</b>

### Customer Assistance Programs (CAP)

Program	FY2021 Enrolled	FY2021 Dollars	August # Enrolled	August Dollars	# FY22 Enrolled	FY2022 Dollars	FY2022 Budget
CAP I	4,453	\$2,378,326	148	\$435,796	6,861	\$4,408,649	\$2,737,865
CAP II	538	\$245,637	18	\$29,568	673	\$307,610	\$296,536
CAP III	191	\$36,059	0	\$2,601	203	\$32,860	\$100,000
Non-Profit CRIAC Relief	189	\$955,707	31	\$118,270	155	\$750,423	\$1,260,000
Emergency Relief Program	1,820	\$1,071,464	0	\$0	28	\$27,493	\$-
DC Water Cares Residential	2,842	\$1,892,843	653	\$471,586	1,223	\$904,257	\$3,000,000
DC Water Cares Multifamily (number of units)	5,978	\$2,507,484	58	\$25,227	4,296	\$1,864,550	\$6,223,837
STAY DC	304	\$352,419	0	\$0	1,100	\$1,106,974	N/A
Low Income Household Water Assistance Program	N/A	N/A	391	\$387,505	3,205	\$2,183,013	\$2,000,000

### Customer Care

Customer Care team met the metrics for August.

We moved to the next tiered threshold for disconnects (\$2,500+). The change began later than planned (early September versus late August.) As of early September, the total disconnect population for this tier is 1740.

We see calls slowly increasing and foresee a greater increase during this disconnection population. We anticipate call volume to normalize by the end of the calendar year. To reduce the impact, we will supplement with temporary staff.

### Key Performance Indicators

Metric	Target/Service Level	June 22	July 22	Aug 22
% of Bills issued on time (w/in 5 days)	95%	99.0%	98.0%	98.0%
Estimated bills as a percent of meters read	4%	4.0%	3.9%	4.0%
Number of High Bill Complaints	trend only	81	50	76
% of OPC inquiries resolved within 14 days	90%	100%	100%	100%
% of calls answered in 40 seconds (Call Center)	85%	95%	88%	91%
Monthly Call Volume Served	trend only	6,344	7,005	7,669
Average Talk Time (minutes)	5:30	5:47	5:43	5:47
Average Wait Time (minutes)	1:30	0:13	0:23	0:18
Abandoned Calls (%)	6%	2%	2%	1%

### August: One project was completed

#### MS SQL Server 2016 database upgrade

Upgraded all older versions of MS SQL (2012/2014) to MS SQL Server 2016 Enterprise prior to support ending. Upgrades help reduce overall operating risk, insure timely security patches can be applied and improve overall performance of the systems.

### August: One new project was launched

#### Migration of Rally project management platform to Jira

Effective project management ensures projects are delivered on-time and on-budget and user requirements are fully implemented. Migrating to Jira helps facilitate our transition from a traditional implementation approach to an Agile delivery model.

The traditional Project Management (waterfall) approach is linear where all the phases of a process occur in a specific sequence. Each and every project follows the same cycle which includes the stages such as feasibility, planning, designing, building, testing, production, and support, as shown in the figure above. The entire project is planned upfront without any scope for changing requirements. This approach assumes that time and cost are variables and requirements are fixed. The rigidity of this method can increase delivery risks due to the size and duration of projects.

The basic concept behind Agile software development is that it recognizes that needs change and regular collaboration is necessary to tease out requirements incrementally. Adaptive planning allows for short delivery cycles that ensure the highest value benefits are captured more quickly. It stresses customer satisfaction and provides the highest degree of flexibility to address business needs while significantly reducing delivery risks.



### IT Monthly Report

SR/WO Type	SL Target / SLA	June 22	July 22	Aug 22
Number of tickets submitted	Trend only	875	841	860
Number of open tickets	Trend only	17	24	23
Helpdesk SLA	96%	97.82%	98.92%	98.3%
Number of active projects	Trend only	21	19	19
Number of completed projects	Trend only	1	3	1
On schedule performance	90%	95.24%	81.82%	90.48%
On budget performance	90%	90.48%	81.82%	88.1%

# dc operations and Engineering

Water Services, Sewer and Pumping Operations, Wastewater Treatment, Engineering, DC Clean Rivers

## Featured Projects of the Month – Construction Contract Management-Water Operations

### The Operations Challenge Team

Several departments at DC Water participated in the Operations Challenge at Tri-Con in Ocean City, MD. The DC Water team had only 2.5 months to practice and were able to compete against three Division I teams. During competition, teams compete in five different events to achieve the highest score for each event. They include: the Collections Systems, Laboratory, Process Control, Maintenance, and Safety. Based on DC Water's performance, the Operations Challenge team was invited to participate in the Ops Challenge at WEFTEC in October which will take place in New Orleans.



### Other Upgrades and Activities

Repairs are underway on Anacostia Storage tank #2 after an interior coating failure prompted re-lining. Blasting within the interior wet areas have been performed and priming, coating, and inspections continue. The elevated tank is scheduled to remain out of service until November when the repairs will be completed.

## Key Performance Indicators

Metric	Target/Service Level	May-22	June-22	July-22	Aug-22
<b>Wastewater Operations</b>					
NPDES Permit Compliance	100%	100%	100%	100%	100%
Air Permit Compliance	100%	100%	100%	100%	100%
Biosolids Class A	100%	100%	100%	100%	100%
Tunnel Dewatering	100%	100%	100%	100%	100%
Combined Heat and Power	>20%	27%	27%	24%	23%
Reactive Maintenance	<20%	38%	30%	36%	35%
Critical Asset Availability	>95%	97%	97%	98%	99%
<b>Sewer Operations</b>					
CSS Structures Inspection	100%	100%	100%	100%	100%
MS4 Area Catch basins Cleaning/Inspections - % of Total Monthly Target	100%	83%	337%	100%	100%
CSS Area Catch basins to Anacostia –Cleaning/Inspections % monthly target	100%	97%	17%	100%	100%
CSS Area Catch Basin Cleaning/Inspections - % of Total Monthly Target	100%	100%	100%	100%	100%
Sewer Cleaning and Inspection (Miles) 10Yr Cycle	>12	3.9	2.7	24.7	58
Sewer Backup (Investigation to Resolution) -No line breaks	>95%	100%	100%	100%	100%
Sanitary Sewer Overflow	1.4 per 100 Miles	.23	.08	.31	0
Combined Sewer Overflow	0	0	0	0	0

# dc Operations and Engineering

Water Services, Sewer and Pumping Operations, Wastewater Treatment, Engineering, DC Clean Rivers

## Key Performance Indicators continued

Metric	Target/Service Level	May-22	June-22	July-22	Aug-22
<b>Pumping Operations</b>					
Firm Pumping Capacity Maintained	100%	100%	100%	100%	100%
Reactive Maintenance	<20%	13%	11%	16%	10%
Critical Asset Availability	>95%	98%	95%	98%	98%
<b>Water Operations</b>					
Safe Drinking Water Compliance	100%	100%	100%	100%	100%
Total Fire Hydrants Replaced	>21/Month	4	19	17	18
Hydrant Flow Tests (Non-Winter Months)	>180	158	280	437	433
Fire Hydrant Operational Rate	99%	99.70%	99.69%	99.77%	99.72%
Priority 5 Emergency Water Service work orders completed w/ in 24 hrs	>90%	100%	100%	100%	100%
Water Quality Complaint Resolution (within 48 hours)	>90%	90%	88%	86.7%	85.7%
Water Main Breaks	<28/Month	30	19	18	29
Water Main Break Rate /100 Miles (National Average is 25)	25	35.69	35.47	34.59	34.81
% of Hydrant Leaks in inventory that are not leaking	>90%	98%	98%	98%	98%
<b>Permit Operations</b>					
Overall On-time completion of Permit Reviews	90%	91%	92%	90%	92%



### Explanation of Missed Targets

#### Wastewater Operations Reactive Maintenance ( <20%)

DC Water has adopted a manufacturing industry best practice benchmark of less than 20 percent reactive maintenance hours as percent of total maintenance hours. To our knowledge, there is no similar benchmark used in the public water utility sector. Blue Plains manages around 45,000 assets within our asset management/maintenance management system, and this stringent industrial benchmark is tracked as a marker for continuous improvement. We observe a descending trend of percent of total reactive maintenance hours, measured as annual average during fiscal years 2019, 2020, 2021, and 2022 of 40%, 37% 32%, and 34% respectively, for assets at the Blue Plains Advanced Wastewater Treatment Plant. The reduction realized is attributed to enhanced proactive and predictive maintenance programs, training of staff on precision maintenance and reliability centered maintenance, optimization of existing preventive maintenance plans, and improvements in processes and equipment through the Capital Improvement Program. The goal is to remain on the reduction path towards a benchmark that is applicable for Blue Plains.

#### Total Fire Hydrants Replaced (>21/Month)

The Department was within range of the monthly target but did not exceed expectations due to limited availability of vehicles and staff that were away on scheduled leave.

#### Water Quality Complaint Resolution (within 48 hours)

Although we addressed 85.7% of customer complaints by phone, email, or by flushing hydrants within the same day, we could not fully resolve customer complaints as there are pending hydrants still to be rechecked due to staff that are on scheduled leave.



# dc DC Water Capital Improvement Program

## Water, Sewer, Blue Plains, Lead Free DC and DC Clean Rivers



- Design of traffic control plans and permitting documents for the Capital Improvement Project and Emergency Rehabilitation (CIPERR) Phase 2 program are complete. 99% of permits have been approved to date.

- Construction continues with two contractors working to replace lead and galvanized pipe and perform test pitting activities to bolster DC Water's inventory database. Service line replacements began in November 2021. To date, 885 service line replacements have been completed. Final restoration started in June and has been completed on four blocks.
- Construction management, inspections and scheduling for replacement and test pitting activities continues.
- Communications and outreach efforts have ramped up with additional resources added beginning in January. This includes staff for more door-to-door campaigns, phone calls, and appointment scheduling. Signed agreements have been received from approximately 70% of customers.

Fiscal Year	LPRAP (Assistance Program)	Voluntary Full	CIP Full	CIP Partial	Emergency Full	Emergency Partial	Total LSRs	FY22 Goal	Total Partial	Partial %	Goal %
FY2022	216	289	864	29	96	3	1566	2393	32	2.0%	2.10%

### Other Construction Projects Updates

**Headworks Influent Screens Rehabilitation** Is underway as a task under the Miscellaneous Facilities Upgrade Phase 7 contract. All thirteen (13) screens have been rehabilitated and reinstalled. The contractor is actively working on punch list items and submitting of all the final documentation to complete this project this fiscal year.

**Raw Wastewater Pump Station No. 2** Was substantially completed in March 2021. All physical work including HVAC condenser replacement and line set change were completed as of March 31, 2022. Remaining items before final close-out include delivery of Final Service Manuals and approval of Record/As-Built Drawings. Final payment is anticipated in November 2022. A non-compensable change order will be submitted in September to adjust the contract time to the above date.

**Blue Plains NRL (Naval Research Laboratory) Feeder Ties (Transfer Trip and Stuck Breaker Protection at Main Substation)** As of July 1, 2022, Pepco completed the first of two 69kV connections between DC Water's main substation at Blue Plains and Pepco's substation at The Naval Research Laboratory (NRL). Since then, Blue Plains has been supplied from one new feeder and one existing feeder. No reliability or power quality issues have been reported. The second 69kV connection is to be completed this fall. Currently, the final drawings for changes to DC Water's equipment are being revised.

**SCADA upgrades** SCADA upgrades are ongoing for stormwater pumping stations. Construction was completed for the 9th & D stormwater pump stations. Construction for 23rd and VA is 90% complete. This work is partially funded by a FEMA grant.

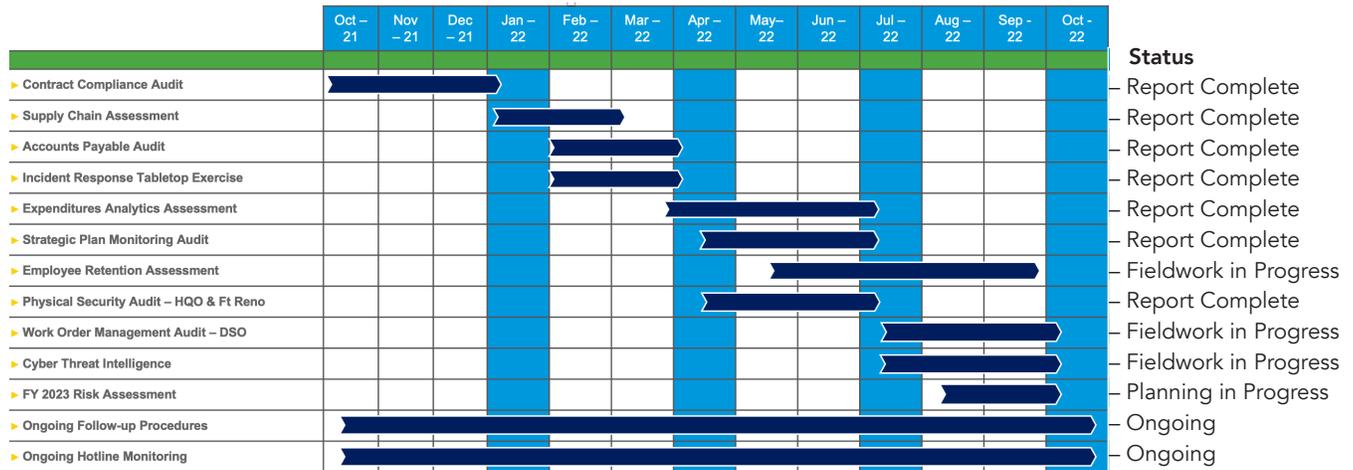


Potomac River Tunnel Contract B – Tunnel System Construction (Div. PRT): RFP documents were issued to the four shortlisted teams on June 14. The department is answering RFIs and preparing for collaboration meetings that will start October 2022. Issued Construction Management Services RFQ/P on August 4, 2022.

**Internal Audit**

**Internal audit plan FY2022 timeline**

This timeline represents the FY 2022 audit plan and the status of each project. Annually the Internal Audit team, RSM, conducts a risk assessment and presents the results and the audit plan to the Audit & Risk Committee in October.



Audit FY	Issue Date	Audit Report	High Risk Open Finding	Original Target Date	New Target Date	# Extensions	
1	2022	7/28/2022	Strategic Plan Monitoring	Missing, incomplete, or outdated goals data	3/31/23	N/A	0
<i>Status notes: The Goal Master List has been updated to include an "as of" field to more easily monitor timeliness of inputs from the business units. The Strategic Management team will develop formal SOPs to address a notification / escalation protocol for goal data updates. The Strategic Management team is developing a process to validate the completeness, accuracy, and quality of data used to monitor progress of the strategic goals aligned to Blueprint 2.0.</i>							



**Open Prior Audit Findings**

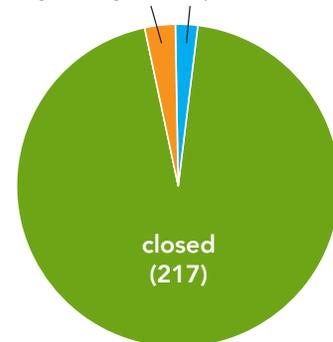
Audit Report / Subject	Issue Date	Open
Fleet Management Review	1/24/2019	1
Occupational Safety and Health	4/25/2019	1
Customer Billing and Collections Audit	10/22/2020	1
Succession Planning Review	4/22/2021	1
		<b>total</b>
		<b>4</b>

- Extension requested. (at least 1 original remediation target date has been extended)
- Extension not requested

In total, 96% of all prior audit findings from FY16 – FY21 are closed. Management's target closure rate is 90%.

**FY16 – FY21 prior audit findings status**

pending testing (6) open (4)



"Pending Testing" indicates that Management represents that the Action Plan is Completed, but Internal Audit has not yet performed testing to validate the status.





**Summary of Contracts on Consent Agenda**

**290th Meeting of the DC Water Board of Directors**

**Thursday, October 6, 2022**

**Joint-Use Contracts**

Resolution No. 22-58 - Execute the award and funding of Contract No. 10126, Page After Page Business Systems, Inc. The purpose of the contract is to provide document services for DC Water facilities. These services include staffing and managing the mailrooms and reprographics center. The contract amount is \$1,282,887. (Recommended by the Environmental Quality and Operations Committee 09/15/2022)

Resolution No. 22-59 - Execute the award and funding for the base and four option years of Contract No. 10279, Enterprise Security Solutions, LLC. The purpose of the contract is to provide maintenance and on-call emergency repair services to ensure the continued proper, safe and reliable operation of access control, alarm and video surveillance systems utilized at DC Water Facilities. The contract amount is \$3,610,000. (Recommended by the Environmental Quality and Operations Committee 09/15/2022)

Resolution No. 22-60 - Execute Contract No. DCFA-480, Jacobs Engineering Group, Inc. The purpose of the contract is to provide electrical feasibility studies, microgrid roadmap, concept designs and other as needed engineering services at Blue Plains AWTP under the Basic Order Agreement (BOA). The contract amount is \$4,000,000. (Recommended by the Environmental Quality and Operations Committee 09/15/2022)

Resolution No. 22-61 - Execute Contract No. 18-PR-CFO-56A, Applications Software Technology LLC. The purpose of the contract is to purchase a system integration service for the new Oracle Cloud ERP software for the duration of implementation and subsequent support period. The contract amount is \$315,000. (Recommended by the Finance and Budget Committee 09/22/2022).

**Non-Joint-Use Contracts**

Resolution No. 22-63 - Execute Contract No. 180040, Capitol Paving of D.C., Inc. The purpose of the contract is to replace small diameter water mains that have experienced

failures, or have a history of low water pressure, or water quality issues across various locations within the District of Columbia. The contract amount is \$21,544,813.

(Recommended by the Environmental Quality and Operations Committee 09/15/2022)

Resolution No. 22-64 - Execute the approval of the Participation in DDOT's Project to revitalize South Capitol Street Circulator Facility under the terms of the 2002 MOU between the District of Columbia Department of Transportation and DC Water. DC Water's participation is to slipline approximate 200 LF of the West Influent Sewer with a 90" diameter fiberglass reinforced polymer mortar pipe, connect two 6" diameter sanitary sewer laterals, one 15" diameter stormwater bioswale overflow pipe and one 8" diameter water lateral to existing 16" water main, etc. The total cost is \$1,488,500.

(Recommended by the Environmental Quality and Operations Committee 09/15/2022)

Resolution No. 22-65 - Execute the approval of the Participation in DDOT's Project to S Street from 7<sup>th</sup> Street, NW to Florida Avenue NW under the terms of the 2002 MOU between the District of Columbia Department of Transportation and DC Water. DC Water's participation is to replace 0.28 miles of water mains ranging from 6" to 8" diameter, copper water services 2" diameter and smaller in public and private space and replace curb stop/curb box and penetration through building wall. Provide permanent pavement and surface restoration and collaborate with DDOT on storm sewer/sanitary sewer design. The total cost is \$1,500,000. (Recommended by the Environmental Quality and Operations Committee 09/15/2022)

**Presented and Adopted: October 6, 2022**

**Subject: Approval of Amendments to the By-Laws of the Board to Revise the Manner the Public may Participate in Board and Committee Meetings and Public Hearings, the Strategic Planning Committee's Title, Charge, and Composition and Other Amendments**

**#22-56  
RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

The Board of Directors ("the Board") of the District of Columbia Water and Sewer Authority ("the Authority"), at the Board meeting held on October 6, 2022, upon consideration of a joint use matter, decided by a vote of \_\_\_() in favor and \_\_\_() opposed, to take the following action to amend the By-Laws of the Authority's Board of Directors to revise the manner the public may participate in Board and Committee meetings and Public Hearings, the Strategic Planning Committee's title, charge, and composition and other amendments.

**WHEREAS**, on July 12, 2022, the Governance Committee met to consider DC Water's proposal to amend the By-Laws to revise the manner the public may participate in Board, Committee meetings and Public Hearings and other amendments; and

**WHEREAS**, the General Manager presented the proposal to amend the By-Laws to be consistent with the amendments made to DC Water's Establishment Act, which require DC Water to: 1) provide an alternative method for the public to attend all Board and Committee meetings, and public hearings remotely, 2) publish the Notice of Public Hearing 45 days versus 10 days prior to a hearing, 3) set the last day for public comments five (5) days after the public hearing date, and 4) ensure the public hearing notice is distributed widely and publicly; and

**WHEREAS**, the General Manager also discussed the amendments to clarify the Board and Committee Chairperson's discretion to determine whether a meeting will be held in-person, telephonically or via teleconference (remotely), and other amendments; and

**WHEREAS**, the Governance Committee, after consideration and discussion regarding the proposed amendments, future consideration to further extend the comment period and public access changes, and recording of meetings, recommended the Board approve the amendments to By-Laws Sections 3.01, 3.02, 3.05(b), 3.06(d) and (e), 3.09(a) and (e), 4.01(b), and 5.04(a) as presented in Attachment 1 (Redlined Version); and

**WHEREAS**, on September 13 2022, the Governance Committee met to consider DC Water's proposal to further amend the By-Laws to revise the Strategic Planning Committee's title, charge, and composition; and

WHEREAS, the General Manager discussed the feedback received at the July 2022 Joint Board meeting, when DC Water's Senior Executive Team proposed the following recommendations: 1) shift the focus from strategic planning to strategic management; 2) reduce the Committee size, excluding the entire body of the Board; and 3) hold at least two biannual meetings after the close of Fiscal Year quarters two and four; and 3) receive and provide input on early-stage, strategic issues; and

**WHEREAS**, the General Manager presented the proposal By-Laws amendments to Section 5.01(a)(viii) that would have the following benefits: 1) offers a smaller, more nimble committee, 2) timing of the meeting is synchronized with staff quarterly status meetings, and 3) aligns with DC Water's approach to early-stage strategic management; and

**WHEREAS**, the Governance Committee, after consideration and discussion regarding the proposed amendments, recommended the Board approve the amendments to By-Laws Section 5.01(a)(viii) as presented in Attachment 1 (Redlined Version); and

**WHEREAS**, the General Manager after consideration of the comments by the Governance Committee regarding the number of meeting, further revised the proposed amendments to read "shall meet at least two bi-annual meetings" to set the biannual meetings as a minimum of meetings, the Committee will hold annually; and

**WHEREAS**, the Board of Directors, having reviewed the matter, concluded that the amendments to the By-Laws are appropriate and necessary.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Board of Directors approves the amended By-Laws as set forth in Attachment 2 (Clean Version) of this Resolution.
2. The General Manager is authorized to take all steps necessary to implement the intentions expressed in this Resolution.
3. This Resolution shall be effective immediately.

\_\_\_\_\_  
Acting Secretary to the Board of Directors

**Attachment 1: Amendments to By-Laws Sections 3.01, 3.02, 3.05(b), 3.06(d) and (e), 3.09(a) and (e), 4.01(b), 5.01(a)(viii), and 5.04(a) to Revise Manner Public Participates in Meetings and Revise the Strategic Planning Committee's Title, Charge, and Composition and Other Amendments (Redlined Version)**

**BY-LAWS  
DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

**Adopted – October 17, 1996; Resolution 96-11  
Amended – February 4, 1999; Resolution 99-10  
Amended – February 1, 2001; Resolution 01-16  
Amended – September 12, 2002; Resolution 02-75  
Amended – December 4, 2003; Resolution 03-86  
Amended – July 5, 2007; Resolution 07-64  
Amended – October 2, 2008; Resolution 08-87  
Amended – April 1, 2010; Resolution 10-42  
Amended – October 7, 2010; Resolution 10-100  
Amended – December 2, 2010; Resolution 10-115  
Amended – April 7, 2011; Resolution 11-49  
Amended – December 5, 2013; Resolution 13-112  
Amended – February 2, 2017; Resolution 17-11  
Amended – September 5, 2019; Resolution 19-47  
Amended – April 2, 2020; Resolution 20-30  
Amended – October 7, 2021; Resolution 21-78  
Amended – December 2, 2021; Resolution 21-111**

**Proposed Amendment – October 6, 2022; Resolution 22-XX**

**§ 3.01 Meetings to be Open to Public; Availability of Records**

(a) For purposes of these By-Laws, except as provided in subsection (g), the term “meeting” shall be defined as a gathering of a quorum of the members of the Board, including hearings and roundtables, whether formal or informal, regular, closed executive session, or emergency, at which the members of the Board during such gathering consider, conduct, or advise on Authority business, including gathering of information, taking testimony, discussing, deliberating, recommending, and voting, regardless whether the meeting is held in-person, by telephone, electronically, or by other means of communication. The term “meeting” may also include part or all of a retreat. The term “meeting” shall not include a chance or social gathering, press conference, or training session.

(b) Except as provided in § 3.04, all meetings shall be open to the public. A meeting shall be deemed open to the public if:

- (i) The public is permitted to be physically present and/or attend remotely;
- (ii) The news media, as defined by D.C. Official Code § 16-4701, is permitted to be present and/or attend remotely;
- (iii) The meeting is televised; or
- (iv) The meeting is held in a manner consistent with the requirements provided in D.C. Official Code § 2-575(a).

(c) All meetings, whether open or closed, shall be recorded by electronic means; provided, that if a recording is not feasible, detailed minutes of the meeting shall be kept.

(d) Copies of records, including an electronic recording, a written transcript or transcription shall be made available to the public, at a reasonable cost, upon request in accordance with the following schedule, provided that a record, or a portion of a record, may be withheld under the standards established for closed executive session meetings as provided in § 3.04:

- (i) A copy of the approved minutes of a meeting shall be made available for public inspection as soon as practicable, but no later than three (3) business days after the meeting at which the minutes were approved.
- (ii) A copy of the full record, including any electronic recording or transcript, shall be made available for public inspection as soon as practicable, but not later than seven (7) business days after the meeting.

### **§ 3.02 Regular Meetings**

Regular meetings of the Board shall be held on the first Thursday of each month, or if such day is a legal holiday in the District of Columbia, then on the next weekday following such day unless an alternate date is determined to be appropriate by the Chairperson. Meetings may be held in-person, telephonically and via videoconferencing (remotely) as determined by the Board or Committee Chairperson. All in-person meetings shall be held at the District of Columbia Water and Sewer Authority Headquarters Building, 1385 Canal Street, S.E., Washington, D.C. 20003, or as otherwise specified in the notice of such meeting.

### **§ 3.05 Notice to the Board of Meetings**

(b) The notice shall state the date, time, and place of the meeting and shall be accompanied by a proposed agenda, prepared in accordance with § 3.07(a), except that

where an emergency meeting is called, and time does not allow for the preparation of an agenda prior to the issuance of notice, and the notice shall include a brief description of the matters to be considered. If Board or Committee Chairperson determines the meeting will be held telephonically and via videoconferencing (remotely), the notice shall inform the Board members and public how they may attend the meeting telephonically or via videoconference (remotely).

### § 3.06 Notice of Meetings to the Public

(a) The Secretary to the Board shall inform the public of any Board or Committee meeting, including regular, ~~emergency~~, or closed executive session meeting, when they are scheduled and when the schedule is changed;

(b) Notices to the public shall be:

(i) ~~P~~ posted on the Authority's website and in a public area at the District of Columbia Water and Sewer Authority Headquarters Building, or the location of the Board or Committee meeting not less than forty-eight (48) hours or two (2) business days before a meeting;

(ii) ~~Notice of meetings shall also be~~ published in the *D.C. Register* as timely as practicable; and

(b)(iii) Include information in the notice published on the DC Water website that informs the public how they may remotely attend the meeting.

(c) ~~(e)~~—The Secretary to the Board shall inform the public of a Public Hearing to consider the establishment or adjustment of retail water and sewer rates as follows:

(i) ~~P~~ublishing a ~~notice~~ Notice of Public Hearing in the *D.C. Register* and a newspaper of general circulation at least ~~ten~~ forty-five (45) days prior to the date of the hearing;

(ii) Include in the notice information to inform the public how they may remotely attend and participate in the Public Hearing;

(iii) Include in the notice the date when public comments must be submitted, which shall be five (5) calendar days after the date of the Public Hearing; and

—Distribute the notice widely and publicly in a form sufficiently detailed and complete to permit the public to realize its specific and affected interest.

(d) The Secretary to the Board shall inform the public of any emergency meeting by posting the notice of the meeting on the Authority's website and in a public area at the District of Columbia Water and Sewer Authority Headquarters Building, or the location of the Board or Committee meeting at the same time as notice of the meeting is issued to Board members.

(e) Each notice to the public for a Board or Committee meeting shall include the date, time, location, and planned agenda to be covered at the meeting. The notice published on the DC Water website shall also include information on how the public may remotely attend the meeting. If the meeting or any portion of the meeting is to be closed, the notice shall include, if feasible, a statement of intent to close the meeting or any portion of the meeting, including citations to the reason for closure under § 3.04(a), and a description of the matters to be discussed.

### **§ 3.09 Conduct of Business**

(a) The Board Chairperson shall preside over Board meetings and the Committee Chairperson shall preside over their Committee meetings.

(e) Physical attendance at Board and Committee meetings is the preferred method of participation. However, Board members may participate telephonically and via videoconferencing in both Board and Committee meetings. Members participating in Board or Committee meetings telephonically or via videoconferencing may both be considered for purposes of determination of a quorum and vote. Members participating in Committee meetings telephonically or via videoconferencing may voice their recommendations to the Board. However, such telephonic and videoconferencing participation is to occur only when the following conditions are met: (i) neither the principal nor the principal's alternate can attend the meeting in person; and-or (ii) the Chairperson for the Board or Committee determines that the telephonic and/or videoconferencing communication is in the best interest of the Authority. In order for the Chairperson to make this determination, the Board member wishing to participate telephonically or via videoconferencing must notify the Chairperson as soon as he/she is aware of the need to participate in this manner or the day before the meeting, whichever occurrence is earlier in time.

### **§ 4.01 Appointment**

(a) The Officers of the Board shall consist of the Chairperson, who shall be selected as provided for in the Act; a First Vice-Chairperson, Second Vice-Chairperson; and Vice-Chairperson and Alternate Vice-Chairperson for each participating jurisdiction.

(b) ~~Effective September 5, 2019, the initial appointment of the~~ First Vice-Chairperson and Second Vice-Chairperson ~~shall be nominated by the Chairperson and, by resolution, approved by the Board; thereafter, these~~ Officers shall be nominated by the Executive Committee and, by resolution, approved by the Board.

## § 5.01 Establishment

(a) The following shall be standing Committees of the Board, with such other responsibilities as are specified by the Chairperson or appropriate resolution of the Board, including but not limited to the review of contracts that are material to the Committee's assigned duties. The Board may create additional standing Committees as it deems necessary. The Committees shall receive detailed information in their areas of responsibility and make recommendations to the Board. Only formal actions of the Board through resolution can bind the Authority. The chairperson of a standing or ad-hoc Committee, with the concurrence of the Chairperson of the Board, may designate an acting chairperson for the purposes of chairing a particular standing or ad-hoc Committee meeting.

- (viii) Strategic Planning-Management Committee: Shall meet at least bi-annually during the First and Third Quarter of the Fiscal Year be composed of all Board members and shall make recommendations to the Board regarding actions required of or desired by the Board of Directors with respect to: early-stage strategic matters requiring input and/or oversight and the advancement of strategic goals regarding both long and short term strategic planning.

## § 5.04 Standing Committee Meetings

(a) At the first meeting each year of a standing Committee, the ~~chairperson~~ Chairperson of such Committee (or the acting chairperson designated pursuant to § 5.01(a)), in consultation with the other members of the Committee, the Chairperson of the Board, and the General Manager, shall establish a meeting schedule for the remainder of the year and for the first meeting in the ensuing year. Such schedule shall specify the date, time, and location (in-person, telephonically or videoconferencing (remotely)) at which each Committee meeting shall be held. In consulting with the other members of the Committee, the Chairperson of the Board, and the General Manager, the chairperson of the Committee shall endeavor to the greatest possible extent to avoid conflicts with the meeting schedules of other Committees and to minimize inconvenience to Board Members and Alternates serving on multiple Committees, and to the General Manager and relevant staff, so as to facilitate Committee meeting attendance by all appropriate participants.

## **Attachment 2: Final Amended By-Laws (Clean Version)**

### **BY-LAWS DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

**Adopted – October 17, 1996; Resolution 96-11  
Amended – February 4, 1999; Resolution 99-10  
Amended – February 1, 2001; Resolution 01-16  
Amended – September 12, 2002; Resolution 02-75  
Amended – December 4, 2003; Resolution 03-86  
Amended – July 5, 2007; Resolution 07-64  
Amended – October 2, 2008; Resolution 08-87  
Amended – April 1, 2010; Resolution 10-42  
Amended – October 7, 2010; Resolution 10-100  
Amended – December 2, 2010; Resolution 10-115  
Amended – April 7, 2011; Resolution 11-49  
Amended – December 5, 2013; Resolution 13-112  
Amended – February 2, 2017; Resolution 17-11  
Amended – September 5, 2019; Resolution 19-47  
Amended – April 2, 2020; Resolution 20-30  
Amended – October 7, 2021; Resolution 21-78  
Amended – December 2, 2021; Resolution 21-111  
Proposed Amendment – October 6, 2022; Resolution 22-XX**

#### **ARTICLE I General**

These By-Laws and the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996 (the “Act”), as the Act shall be amended from time to time, govern the function and operation of the District of Columbia Water and Sewer Authority (the “Authority”) and in the event of any conflict between these By-Laws and the Act, the Act shall control to the extent of the conflict. Terms defined in the Act shall have the same meaning when used in these By-Laws. References in these By-Laws to the Act, or any provision thereof, shall include a reference to any amendment to the Act which takes effect after the adoption of these By-Laws.

#### **ARTICLE II Board of Directors**

##### **§ 2.01 Composition**

(a) The Board of Directors of the Authority (the “Board”) shall consist of eleven (11) principal Board members (“principal members”) and eleven (11) alternate Board members (“alternate members”).

(b) Alternate members may participate in discussion at Board meetings, at the Chairperson's discretion, but may vote at Board meetings only when their corresponding principal Board member is absent. An alternate member permitted by this subsection to vote at a meeting shall do so as a representative of their corresponding principal member except that if the principal's position is vacant the alternate shall vote in her or his own right.

(c) Principal members shall endeavor to attend all Board meetings and meetings of those Committees upon which they serve.

(d) Alternate members shall attend any meeting which their corresponding principal is required to, but cannot attend. Alternates shall either attend all other meetings or familiarize themselves with the discussions and determination made at such meetings.

(e) Alternate members may be appointed by the Chairperson to the Committees established by the Board and may fully participate in Committee functions.

## **§ 2.02 Duties**

The Board shall develop policies for the management, maintenance, and operation of water distribution and sewage collection and treatment, disposal systems and other devices and facilities under the control of the Authority, and shall perform such other duties as are specified in or otherwise required by the Act and these By-Laws.

## **§ 2.03 Removal, Suspension, and Termination**

(a) The Board may recommend that the Mayor remove, suspend, or terminate a principal or alternate member for misconduct or neglect of duty. The Mayor may remove a principal or alternate pursuant to section 204(g) of the Act (D.C. Official Code § 34-2202.04(a)(4)(g)).

(b) The Board may recommend that the Mayor remove, suspend, or terminate a principal or alternate member for misconduct if the Board finds that the member or alternate committed any act involving moral turpitude. The Mayor may remove a principal or alternate pursuant to section 204(g) of the Act (D.C. Official Code § 34-2202.04(a)(4)(g)).

(c) The Board may recommend that the Mayor remove, suspend, or terminate a principal or alternate member for neglect of duty if the Board finds that:

- (i) The principal or alternate member committed any act or omission which constitutes a breach of the Board member's or alternate's fiduciary duty to the Board or the Authority;
- (ii) A principal member failed to attend two or more Board meetings, or three or more meetings of a Committee to which such member is

appointed, within a twelve-month period, without providing a business or personal reason which the Board determines is legitimate; or

- (iii) An alternate member, having received notice from his or her corresponding principal member of that member's inability to attend a meeting (as required by § 3.05 (c)), failed to attend two or more such Board meetings, or three or more Committee meetings, within a twelve-month period, without providing a business or personal reason which the Board determines is legitimate.

(d) A principal or alternate member who is indicted for the commission of a felony shall be automatically suspended from serving on the Board. Upon a final determination of guilt, the term of the principal or alternate member shall be automatically terminated. Upon a final determination of innocence, the Mayor may reinstate the Board member.

#### **§ 2.04 Resignation**

Any principal or alternate member may resign by giving notice of resignation to the Mayor and a copy of the notice to the Secretary to the Board. A non-District member shall also notify the official authorized to recommend a successor. The member's resignation shall take effect on the date specified in the notice.

#### **§ 2.05 Compensation**

Principal and alternate members of the Board of Directors shall be compensated and reimbursed for expenses as provided in the Act and in accordance with the Authority's reimbursement procedures for executive officers.

### **ARTICLE III Meetings**

#### **§ 3.01 Meetings to be Open to Public; Availability of Records**

(a) For purposes of these By-Laws, except as provided in subsection (g), the term "meeting" shall be defined as a gathering of a quorum of the members of the Board, including hearings and roundtables, whether formal or informal, regular, closed executive session, or emergency, at which the members of the Board during such gathering consider, conduct, or advise on Authority business, including gathering of information, taking testimony, discussing, deliberating, recommending, and voting, regardless whether the meeting is held in-person, by telephone, electronically, or by other means of communication. The term "meeting" may also include part or all of a retreat. The term "meeting" shall not include a chance or social gathering, press conference, or training session.

(b) Except as provided in § 3.04, all meetings shall be open to the public. A meeting shall be deemed open to the public if:

- (i) The public is permitted to be physically present and/or attend remotely;
- (ii) The news media, as defined by D.C. Official Code § 16-4701, is permitted to be present and/or attend remotely;
- (iii) The meeting is televised; or
- (iv) The meeting is held in a manner consistent with the requirements provided in D.C. Official Code § 2-575(a).

(c) All meetings, whether open or closed, shall be recorded by electronic means; provided, that if a recording is not feasible, detailed minutes of the meeting shall be kept.

(d) Copies of records, including an electronic recording, a written transcript or transcription shall be made available to the public, at a reasonable cost, upon request in accordance with the following schedule, provided that a record, or a portion of a record, may be withheld under the standards established for closed executive session meetings as provided in § 3.04:

- (i) A copy of the approved minutes of a meeting shall be made available for public inspection as soon as practicable, but no later than three (3) business days after the meeting at which the minutes were approved.
- (ii) A copy of the full record, including any electronic recording or transcript, shall be made available for public inspection as soon as practicable, but not later than seven (7) business days after the meeting.

(e) A meeting may be held by video conference, telephone conference, or other electronic means, provided that:

- (i) Reasonable arrangements are made to accommodate the public's right to attend the meeting;
- (ii) The meeting is recorded; and
- (iii) All votes are taken by roll call.

(f) A meeting held by electronic means shall comply with all of the requirements of these By-Laws.

(g) E-mail exchanges among principal or alternate members and staff shall not constitute an electronic meeting.

### **§ 3.02 Regular Meetings**

Regular meetings of the Board shall be held on the first Thursday of each month, or if such day is a legal holiday in the District of Columbia, then on the next weekday following such day unless an alternate date is determined to be appropriate by the Chairperson. Meetings may be held in-person, telephonically and via videoconferencing (remotely) as determined by the Board or Committee Chairperson. All in-person meetings shall be held at the District of Columbia Water and Sewer Authority Headquarters Building, 1385 Canal Street, S.E., Washington, D.C. 20003, or as otherwise specified in the notice of such meeting.

### **§ 3.03 Emergency Meetings**

(a) Emergency meetings of the Board to address an urgent matter may be called by the Chairperson on his or her own initiative, or upon the written request of not less than three members of the Board entitled to vote on the matter or matters to be considered at the emergency meeting (which request shall specify such proposed matter or matters and shall be delivered to the Chairperson and the Secretary to the Board).

(b) When an emergency meeting is convened, the Chairperson shall open the meeting with a statement explaining the subject of the meeting, the nature of the emergency and how public notice was provided.

### **§ 3.04 Closed (Executive Session) Meetings**

(a) The Board or Committee may only close a meeting or portion of a meeting for an executive session for the following reasons:

- (i) A law or court order requires that a particular matter or proceeding not be public;
- (ii) To discuss, establish, or instruct the Authority's staff or negotiating agents concerning the position to be taken in negotiating the price and other material terms of a contract, including an employment contract, if an open meeting would adversely affect the bargaining position or negotiating strategy of the Authority;
- (iii) To discuss, establish, or instruct the Authority's staff or negotiating agents concerning the position to be taken in negotiating incentives relating to the location or expansion of industries or other businesses or business activities in the District;

- (iv) To consult with the Executive Vice-President, Legal Affairs or other attorney to obtain legal advice and to preserve the attorney-client privilege between an attorney and the Authority, or to approve settlement agreements; provided, that, upon request, the Authority may decide to waive the privilege. A meeting shall not be closed that would otherwise be open merely because an attorney for the Authority is a participant;
- (v) Planning, discussing, or conducting specific collective bargaining negotiations;
- (vi) Preparation, administration, or grading of scholastic, licensing, or qualifying examinations;
- (vii) To prevent premature disclosure of an honorary degree, scholarship, prize, or similar award;
- (viii) To discuss and take action regarding specific methods and procedures to protect the public from existing or potential terrorist activity or substantial dangers to public health and safety, and to receive briefings by staff members, legal counsel, law enforcement officials, or emergency service officials concerning these methods and procedures; provided, that disclosure would endanger the public and a record of the closed session is made public if and when the public would not be endangered by that disclosure;
- (ix) To discuss disciplinary matters;
- (x) To discuss the appointment, employment, assignment, promotion, performance evaluation, compensation, discipline, demotion, removal, or resignation of government appointees, employees, or officials;
- (xi) To discuss trade secrets and commercial or financial information obtained from outside the Authority, to the extent that disclosure would result in substantial harm to the competitive position of the person from whom the information was obtained;
- (xii) To train and develop members of the Board and staff, including off-site retreats of members for such purposes;
- (xiii) To deliberate upon a decision in an adjudication action or proceeding by the Authority exercising quasi-judicial functions; and
- (xiv) To plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of

law or regulations, if disclosure to the public would harm the investigation.

(b) Before a Board or Committee meeting or portion of a meeting is closed for an executive session, the Board or Committee shall:

- (i) Meet in an open session at which a majority of the members present shall vote in favor of closure;
- (ii) The Chairperson or acting Chairperson of the Board or Committee shall make a statement providing the reason for closure, including a citation from § 3.04(a) and the subjects to be discussed; and
- (iii) The Secretary to the Board shall make available to the public a copy of the written roll call vote and the statement.

(c) A Board or Committee meeting in a closed executive session shall not discuss or consider matters other than those matters listed under § 3.04(a).

### **§ 3.05 Notice to the Board of Meetings**

(a) Before any meeting of the Board, the Secretary to the Board shall notify principal and alternate members of the meeting by:

- (i) Mailing a notice by first class mail, postage prepaid at least five (5) days (Saturdays, Sundays and legal holidays excluded) before the date of such meeting to the principal and alternate members' addresses appearing on the Authority's records; or
- (ii) Delivering a notice by hand, facsimile or e-mail transmission at least one (1) day (Saturdays, Sundays and legal holidays excluded) before the date of such meeting to the principal and alternate members' respective addresses, facsimile numbers or e-mail addresses appearing on the record.

(b) The notice shall state the date, time, and place of the meeting and shall be accompanied by a proposed agenda, prepared in accordance with § 3.07(a), except that where an emergency meeting is called, and time does not allow for the preparation of an agenda prior to the issuance of notice, and the notice shall include a brief description of the matters to be considered. If Board or Committee Chairperson determines the meeting will be held telephonically and via videoconferencing (remotely), the notice shall inform the Board members and public how they may attend the meeting telephonically or via videoconference (remotely).

(c) A member who is unable to attend a meeting due to legitimate personal or business reasons shall notify the designated alternate and the Secretary to the Board. If

the member's corresponding alternate is also unable to attend, the alternate shall notify the Secretary to the Board of these circumstances and the reason for his or her absence.

(d) Satisfaction of the notice requirements of this Section may be waived by a majority of the members of the Board at a meeting at which a quorum is present, provided that the Secretary to the Board shall have made reasonable efforts to comply with such requirements. The attendance of a principal or alternate member at a Board meeting shall constitute such a waiver unless specific objection is made before the presence of a quorum is determined.

### **§ 3.06 Notice of Meetings to the Public**

(a) The Secretary to the Board shall inform the public of any Board or Committee meeting, including regular or closed executive session meeting, when they are scheduled and when the schedule is changed;

(b) Notices to the public shall be:

- (i) Posted on the Authority's website and in a public area at the District of Columbia Water and Sewer Authority Headquarters Building, or the location of the Board or Committee meeting not less than forty-eight (48) hours or two (2) business days before a meeting;
- (ii) Published in the *D.C. Register* as timely as practicable; and
- (iii) Include information in the notice published on the DC Water website that informs the public how they may remotely attend the meeting.

(c) The Secretary to the Board shall inform the public of a Public Hearing to consider the establishment or adjustment of retail water and sewer rates as follows:

- (i) Publish a Notice of Public Hearing in the *D.C. Register* and a newspaper of general circulation at least forty-five (45) days prior to the date of the hearing;
- (ii) Include in the notice information to inform the public how they may remotely attend and participate in the Public Hearing;
- (iii) Include in the notice the date when public comments must be submitted, which shall be five (5) calendar days after the date of the Public Hearing; and
- (iv) Distribute the notice widely and publicly in a form sufficiently detailed and complete to permit the public to realize its specific and affected interest.

(d) The Secretary to the Board shall inform the public of any emergency meeting by posting the notice of the meeting on the Authority's website and in a public area at the District of Columbia Water and Sewer Authority Headquarters Building, or the location of the Board or Committee meeting at the same time as notice of the meeting is issued to Board members.

(e) Each notice to the public for a Board or Committee meeting shall include the date, time, location, and planned agenda to be covered at the meeting. The notice published on the DC Water website shall also include information on how the public may remotely attend the meeting. If the meeting or any portion of the meeting is to be closed, the notice shall include, if feasible, a statement of intent to close the meeting or any portion of the meeting, including citations to the reason for closure under § 3.04(a), and a description of the matters to be discussed.

### **§ 3.07 Agenda**

(a) The Secretary to the Board shall prepare a proposed agenda under the Chairperson's direction, including a consent agenda, for each meeting of the Board and Committee. The agenda shall be attached to the notices provided for in §§ 3.05 and 3.06, and shall designate, by an asterisk or other mark, those items which do not involve "joint-use sewerage facilities" within the meaning of Section 201(4) of the Act (a "non joint-use" matter).

(b) A motion to change the designation or non-designation of an agenda item as non joint-use must be made and acted on prior to discussion of the item. In the event that the Board is to consider a matter not listed on the proposed agenda or matters at an emergency meeting for which no agenda was prepared, such matters are presumed to be joint-use items unless a motion to redesignate the item is made and acted on prior to discussion of the item.

### **§ 3.08 Quorum**

(a) Six (6) principal members shall constitute a quorum for the transaction of Board business, except that an alternate member may be counted towards a quorum in the absence of their corresponding principal member.

(b) Four (4) District members shall constitute a quorum for conducting a public hearing to establish or adjust retail water and sewer rates, pursuant to 21 DCMR § 4001.3.

(c) Committees shall not be required to meet a quorum requirement to hold a meeting.

(d) The number of attendees at a Board or Committee meeting shall not be kept below the number required to establish a quorum to avoid these requirements.

### **§ 3.09 Conduct of Business**

(a) The Board Chairperson shall preside over Board meetings and the Committee Chairperson shall preside over their Committee meetings.

(b) Board actions shall be presented for a vote in the form of a resolution.

(c) The Board may postpone consideration of an agenda item by a majority vote of those members authorized to participate in the decision.

(d) All votes of the Board or Committee to hold a closed executive session or during a meeting conducted by electronic means shall be taken by roll call and recorded by the Secretary to the Board.

(e) Physical attendance at Board and Committee meetings is the preferred method of participation. However, Board members may participate telephonically and via videoconferencing in both Board and Committee meetings. Members participating in Board or Committee meetings telephonically or via videoconferencing may both be considered for purposes of determination of a quorum and vote. Members participating in Committee meetings telephonically or via videoconferencing may voice their recommendations to the Board. However, such telephonic and videoconferencing participation is to occur only when the following conditions are met: (i) neither the principal nor the principal's alternate can attend the meeting in person; or (ii) the Chairperson for the Board or Committee determines that the telephonic and/or videoconferencing communication is in the best interest of the Authority. In order for the Chairperson to make this determination, the Board member wishing to participate telephonically or via videoconferencing must notify the Chairperson as soon as he/she is aware of the need to participate in this manner or the day before the meeting, whichever occurrence is earlier in time.

(f) The Board may establish rules governing the conduct and procedure of Board and Committee meetings. Questions of procedure for meetings of the Board or Committee meetings that are not determined by these By-Laws or any rules adopted by the Board shall be governed by Robert's Rules of Order as interpreted by the Chairperson.

## **ARTICLE IV Officers of the Board**

### **§ 4.01 Appointment**

(a) The Officers of the Board shall consist of the Chairperson, who shall be selected as provided for in the Act; a First Vice-Chairperson, Second Vice-Chairperson; and Vice-Chairperson and Alternate Vice-Chairperson for each participating jurisdiction.

(b) First Vice-Chairperson and Second Vice-Chairperson Officers shall be nominated by the Executive Committee and, by resolution, approved by the Board.

(c) Vice-Chairperson and Alternate Vice-Chairperson for each participating jurisdiction shall be nominated by the members from their respective jurisdiction and, by resolution, approved by the Board. In the event a jurisdiction has a Board member who holds an executive position in their jurisdiction (i.e. the City Administrator for the District of Columbia, the County Executive for Fairfax County, the Chief Administrative Officer for Prince George's County and the Chief Administrative Officer for Montgomery County) that person shall automatically be appointed the Vice-Chairperson for that jurisdiction, unless such person also serves as the Chairperson in which case a non-executive shall be appointed to fill the position of Vice-Chairperson for that jurisdiction.

(d) Except for the Chairperson, all other Board Officers established by these By-Laws shall, by resolution, be approved by the Board at the first regular Board meeting of the calendar year, or as necessary.

(e) The Board may, by resolution, create or abolish any officer position (other than the Chairperson).

(f) The Board may, by resolution, delegate the duties of the officer position (other than the Chairperson) to any alternate member.

(g) Except for the Executive Committee, the Chairperson shall appoint the chairperson and members of standing and ad-hoc Committees of the Board, as recommended by the Executive Committee.

#### **§ 4.02 Duties**

(a) The Chairperson's duties shall include but are not limited to calling emergency meetings of the Board in accordance with § 3.03, determining the agenda of a meeting for purposes of § 3.07, presiding over Board meetings in accordance with § 3.09, establishing ad-hoc Committees of the Board, appointing members and chairpersons of the standing and ad-hoc Committees of the Board in accordance with §§ 4.01(g) and 5.02, and carrying out such other duties as are specified in these By-Laws or delegated to the Chairperson by resolutions of the Board that are in accordance with the Act and these By-Laws.

(b) The First Vice-Chairperson shall fulfill the duties of the Chairperson if the Chairperson is absent or otherwise unavailable to do so. The Second Vice-Chairperson shall fulfill the duties of the First Vice-Chairperson if the First Vice-Chairperson is absent or otherwise unavailable.

(c) The Alternate Vice-Chairperson for each jurisdiction shall fulfill the duties of the Vice-Chairperson for their respective jurisdiction if the Vice-Chairperson is absent or otherwise unavailable to do so.

#### **§ 4.03 Term of Office**

Except for the Chairperson, an Officer of the Board shall serve a one (1) year term commencing upon approval of the Board and terminating on December 31<sup>st</sup> of each calendar year or until a successor assumes office, unless the Officer resigns or is removed.

#### **§ 4.04 Resignation and Removal of Officers**

(a) Officers of the Board shall serve the full term provided in these By-Laws unless such term is terminated earlier by resolution of the Board for cause.

(b) An Officer may resign by written notice to the Chairperson and the Secretary to the Board. The resignation shall take effect on the date the notice is received, unless the notice specifies a later effective date, which is acceptable to the Chairperson.

(c) The Board may appoint a successor to fill the unexpired term of a resigned or removed Officer (other than the Chairperson), or for a new term, as the Board considers appropriate.

### **ARTICLE V Committees**

#### **§ 5.01 Establishment**

(a) The following shall be standing Committees of the Board, with such other responsibilities as are specified by the Chairperson or appropriate resolution of the Board, including but not limited to the review of contracts that are material to the Committee's assigned duties. The Board may create additional standing Committees as it deems necessary. The Committees shall receive detailed information in their areas of responsibility and make recommendations to the Board. Only formal actions of the Board through resolution can bind the Authority. The chairperson of a standing or ad-hoc Committee, with the concurrence of the Chairperson of the Board, may designate an acting chairperson for the purposes of chairing a particular standing or ad-hoc Committee meeting.

(i) Executive Committee: Shall be composed of the Officers of the Board and shall meet at the direction of the Chairperson to: provide recommendations to the Board regarding Board organizational direction, strategic planning, and general affairs; nominate the First Vice-Chairperson and Second Vice-Chairperson as provided in § 4.01(b); provide recommendations to the Chairperson for Committee chairmanship and membership; and provide recommendations to the Board regarding the terms, requirements and conditions of employment and performance review for the General Manager.

(ii) Finance and Budget Committee: Shall make recommendations to

the Board regarding actions required of or desired by the Board of Directors which have a significant and material fiscal effect as a result of operations, including by way of example and not limitation, adoption of the budget, borrowings, investments, grants, acquisitions, accounting, sales, insurance, adjustments to charges due for services or commodities furnished by the Authority, appropriations and the settlement of claims.

- (iii) District of Columbia Retail Water and Sewer Rates Committee: Shall be composed of the six (6) members of the Board representing the District and shall make recommendations to the Board regarding actions required of or desired by the Board of Directors with respect to the establishment of rates and fees for services or commodities furnished by the Authority; and customer services issues, including but not limited to customer education initiatives and customer assistance programs.
- (iv) Environmental Quality and Operations Committee: Shall make recommendations to the Board regarding actions required of or desired by the Board of Directors with respect to: the assets, facilities and infrastructure owned, operated, or managed by the Authority, including but not limited to emergency planning and safety of operations; matters related to environmental and water quality; the operation, repair and replacement of water distribution, and sewage and stormwater collection, treatment, and disposal systems; and groundwater flow management.
- (v) Human Resources and Labor Relations Committee: Shall make recommendations to the Board regarding actions required of or desired by the Board of Directors with respect to the terms, requirements and conditions of employment for all employees, excluding the General Manager, to include, by way of example and not limitation, matters involving compensation, pension and other benefits, awards and collective bargaining agreements.
- (vi) Audit & Risk Committee: Shall make recommendations to the Board regarding actions required of or desired by the Board of Directors with respect to the independent appraisal of internal controls, operations and procedures utilized by the Authority in its financial and other operations, shall make recommendations to the Board regarding the selection of the Authority's independent outside auditors, and shall meet as appropriate with such auditors with or without the presence of the Authority's management. The Committee shall also make recommendations to the Board regarding the Authority's internal controls that are in accordance with best management practices to identify, assess, monitor, and manage

internal and external risks that are significant to the fulfillment of the Authority's strategic business objectives.

- (vii) Governance Committee: Shall make recommendations to the Board regarding the policies and procedures to be followed by the Board, matters of internal governance of the Board, resolution of ethical questions, the discharge of the Board's duties, including any modifications of these By-Laws, and policy level oversight of the Authority's legislative and governmental relations activities. The Committee may also consider other matters involving the conduct of members, which may be referred by the Chairperson.
- (viii) Strategic Management Committee: Shall meet at least bi-annually during the First and Third Quarter of the Fiscal Year and make recommendations to the Board regarding actions required of or desired by the Board of Directors with respect to: early-stage strategic matters requiring input and/or oversight and the advancement of strategic goals.

#### **§ 5.02 Appointment**

Except for the Executive Committee, members of the Board's standing Committees and ad-hoc Committees, and the chairpersons of these Committees, shall be appointed by the Chairperson of the Board as recommended by the Executive Committee. Only District Board members may serve on Committees or Subcommittees with jurisdiction over the rates charged to District retail water and sewer customers.

#### **§ 5.03 Duties**

The principal duty of any Committee shall be to recommend proposed action to the Board of Directors. No Committee or individual member shall have the power to bind the Board or the Authority to any matter or obligation or to authorize any act by the Authority.

#### **§ 5.04 Standing Committee Meetings**

(a) At the first meeting each year of a standing Committee, the Chairperson of such Committee (or the acting chairperson designated pursuant to § 5.01(a)), in consultation with the other members of the Committee, the Chairperson of the Board, and the General Manager, shall establish a meeting schedule for the remainder of the year and for the first meeting in the ensuing year. Such schedule shall specify the date, time, and location (in-person, telephonically or videoconferencing (remotely)) at which each Committee meeting shall be held. In consulting with the other members of the Committee, the Chairperson of the Board, and the General Manager, the chairperson of the Committee shall endeavor to the greatest possible extent to avoid conflicts with the meeting schedules of other Committees and to minimize inconvenience to Board Members and Alternates serving on multiple Committees, and to the General Manager

and relevant staff, so as to facilitate Committee meeting attendance by all appropriate participants.

(b) Following the establishment of a Committee meeting schedule as provided in subsection (a), should the Chairperson of a Committee be unable to attend a scheduled meeting, such Committee chairperson shall request the Vice-Chairperson of the Committee (if a Vice-Chairperson has been designated) to serve as acting Chairperson for the purpose of conducting the meeting at the previously scheduled date, time, and location. If the Vice-Chairperson is unable to attend, the Committee Chairperson shall request another member of the Committee to serve as acting Chairperson for such meeting. In the event that neither the Vice-Chairperson nor another Committee member is available to serve as acting Chairperson for a previously scheduled meeting, or if it appears that a significant number of Committee members will be unable to attend at the scheduled date, time, or location, or at the request of the General Manager, the Committee Chairperson may request that the Chairperson of the Board waive the requirements of this subsection for good cause shown and permit such meeting to be held on a different date, or at a different time or location. Should the Chairperson not grant such a waiver, the meeting shall be cancelled.

## **ARTICLE VI Administration**

### **§ 6.01 General Manager**

The Board shall hire a General Manager upon the affirmative vote of eight (8) voting members. The General Manager shall be the chief administrative officer of the Authority and, subject to the direction and supervision of the Board, shall have such supervisory and management responsibilities concerning the Authority's business, affairs, property, agents, and employees as the Board expressly determines by resolution. The General Manager may only be terminated upon an affirmative vote of eight (8) voting members.

### **§ 6.02 Delegation**

The Board may by resolution delegate to the General Manager any of its authority to the extent permitted by the Act, including, but not limited to procurement authority in such amounts as are specified by the Board.

### **§ 6.03 Secretary to the Board**

(a) There is hereby established the Office of Secretary to the Board. The Secretary to the Board shall not be an Officer of the Board and may not vote, but may be an employee of the Authority.

(b) The Secretary shall:

- (i) In addition to the responsibility established in section 3.07, coordinate under the direction of the General Manager, all Board meetings and other business activities of the Board;
- (ii) Prepare meeting minutes from Board meetings and other business activities when appropriate and prepare agendas in accordance with § 3.07;
- (iii) Keep a written transcript or transcription of the proceedings of the Board and any hearings in one or more books kept for that purpose. The Secretary shall have custody of all books, records and papers of the Board;
- (iv) Make available to the public any recordings, transcripts or transcription prepared pursuant to § 3.01 of these By-Laws and furnish copies to the public in accordance with that section;
- (v) Maintain the annual reports required by law and approved by the Board. The Secretary shall transmit copies of the approved report to the Mayor and the Council, and shall make the report available to the public;
- (vi) Have custody of the seal of the Authority and shall have authority to affix, impress or reproduce such seal on copies of resolutions and other official actions of the Authority and on all documents, the execution and delivery of which has been duly authorized by the Board; and
- (vii) Perform all duties and have all powers incident to the Office of the Secretary and shall perform such other duties and have such other powers as may be assigned by these By-Laws, the Board, its Chairperson, or the General Manager.

## **ARTICLE VII Amendment**

These By-Laws may be amended by a majority vote of the Board at a meeting which is open to the public in accordance with the Open Meetings Amendment Act of 2010 (D.C. Official Code § 2-501 *et seq.*).

## **ARTICLE VIII Miscellany**

### **§ 8.01 Offices**

(a) The principal office of the Authority and of the Board shall be located at the District of Columbia Water and Sewer Authority Headquarters Building, 1385 Canal Street, S.E., Washington, D.C. 20003.

(b) The Board may maintain other offices at such other places in the District as the Board may establish from time to time.

### **§ 8.02 Seal**

The seal of the Authority shall be in the form of a circle and shall bear the name of the Authority and its year of establishment.

### **§ 8.03 Fiscal Year**

The Fiscal Year of the Authority shall end on the last day of September of each year.

### **§ 8.04 Sureties and Bonds**

The Board may require any officer, employee, or agent of the Authority to execute, as a condition of employment or continued employment, a bond in such sum, with such surety or sureties as the Board may direct, conditioned upon the faithful performance of such person's duties to the Authority, including responsibility for negligence and of the accounting of all property, funds, or securities of the Authority as may come into such person's control.

### **§ 8.05 Joint-Use Sewerage Facilities**

Section 34-2202.01(4) of the D.C. Official Code, designates the following facilities as joint-use:

Little Falls Trunk Sewer; Upper Potomac Interceptor Sewer; Upper Potomac Interceptor Relief Sewer; Rock Creek Main Interceptor Sewer; Rock Creek Main Interceptor Relief Sewer; (duplicate deleted); Potomac River Sewage Pumping Station; Potomac River Force Mains; Watts Branch Trunk Sewer; Anacostia Force Main (Project 89 Sewer); Anacostia Force Main & Gravity Sewer; Outfall Sewers (Renamed Potomac River Trunk Sewers); Outfall Relief Sewers (Renamed Potomac River Trunk Relief Sewers); Upper Oxon Run Trunk Sewer; Upper Oxon Run Trunk Relief Sewer; Lower Oxon Run Trunk Sewer; Lower Oxon Run Trunk Relief Sewer; Blue Plains Wastewater Treatment Plant (Blue Plains); and Potomac Interceptor Sewer.

**§ 8.06 Captions**

The captions of the articles and sections of these By-Laws are provided solely for convenience of reference and shall not affect the meaning thereof.

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Acting Secretary, Board of Directors

**Presented and Adopted: October 6, 2022**

**Subject: Approve Replacing the Federal Holiday Named “Columbus Day” with “Indigenous Peoples’ Day”**

**#22-57  
RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

The Board of Directors of the District of Columbia Water and Sewer Authority, (“DC Water”), at the Board meeting held on October 6, 2022, upon consideration of a joint-use matter, decided by a vote of \_\_\_ ( ) in favor and \_\_\_ ( ) opposed, to take the following action with respect to approving the replacement of the federal holiday named “Columbus Day” with “Indigenous Peoples’ Day”.

**WHEREAS**, pursuant to the DC Water Personnel Regulations, 21 DCMR § 5204.3, effective June 20, 2008, Board of Directors is authorized to “determine the number of holidays that are granted to employees each year;” and

**WHEREAS**, on September 14, 2022, the Human Resources and Labor Relations (HR&LR) Committee met to consider replacing the federal holiday named “Columbus Day” with “Indigenous Peoples’ Day”; and

**WHEREAS**, the General Manager informed the HR&LR Committee that numerous cities including, Seattle, Los Angeles, Denver, Phoenix, San Francisco, and several states, including Minnesota, Alaska, Vermont and Oregon, and the District of Columbia have replaced Columbus Day with Indigenous Peoples' Day; and

**WHEREAS**, the General Manager further reported that on October 8, 2021, President Biden issued a Proclamation proclaiming October 11, 2021, as Indigenous Peoples’ Day “in honor of our diverse history and the Indigenous peoples who contribute to shaping this Nation”; and

**WHEREAS**, the General Manager requested the HR&LR Committee recommend to the Board to replace the holiday named “Columbus Day” with “Indigenous Peoples’ Day” as a DC Water observed holiday, ever second Monday of October; and

**WHEREAS**, the Human Resources and Labor Relations Committee after consideration of the General Manager’s recommendation, recommended the Board approve the replacement of the federal holiday named “Columbus Day” with “Indigenous Peoples’ Day”; and

**WHEREAS**, after consideration of the recommendation of the Human Resources and Labor Relations Committee and the General Manager, the Board approved replacing the federal holiday named “Columbus Day” with “Indigenous Peoples’ Day”; and

**WHEREAS**, this Resolution shall remain in place each year, unless changed by the Board of Directors.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Board of Directors approves 12 official/legal holidays granted to DC Water employees each year as follows:
  - New Year’s Day
  - Martin Luther King Jr. Birthday
  - Presidential Inauguration Day (every 4 years)
  - President’s Day
  - Memorial Day
  - Juneteenth National Independence Day
  - Independence Day
  - Labor Day
  - Indigenous Peoples’ Day
  - Veterans Day
  - Thanksgiving Day
  - Christmas Day
2. The General Manager is authorized to take all actions necessary to fully implement the official/legal holidays approved by the Board of Directors and to establish the schedule of holidays for DC Water employees.

This resolution is effective immediately.

\_\_\_\_\_  
Acting Secretary to the Board of Directors

**Presented and Adopted: October 6, 2022**  
**SUBJECT: Approval to Execute the Award and Funding of Contract No. 10126, Page After Page Business Systems, Inc.**

**#22-58**  
**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 October 6, 2022, upon consideration of a joint use matter, decided by a vote of \_\_\_ in favor and \_\_\_ opposed to approve the execution of Contract No. 10126, Page After Page Business Systems, Inc.

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute the award and funding of Contract No. 10126, Page After Page Business Systems, Inc. The purpose of the contract is to provide document services for DC Water facilities. These services include staffing and managing the mailrooms and reprographics center. The contract amount is \$1,282,887.

\_\_\_\_\_  
Acting Secretary to the Board of Director

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY  
BOARD OF DIRECTORS CONTRACTOR FACT SHEET**

**ACTION REQUESTED**

**GOODS AND SERVICES CONTRACT AWARD  
Document Management Services  
(Joint Use)**

Approval to award and fund a contract to provide document management services in the amount of \$1,282,887.00 for the base and two option years.

**CONTRACTOR/SUB/VENDOR INFORMATION**

<b>PRIME:</b> Page After Page Business Systems, Inc. 819 7 <sup>th</sup> Street, NW Washington, DC 20001 (DBE)	<b>SUBS:</b> Crowned Grace Inc. 4415 Nicole Dr. Suite F Lanham, MD 20706 (WBE)	<b>PARTICIPATION:</b> DBE 94% WBE 6%
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**DESCRIPTION AND PURPOSE**

Base Period Contract Value:	\$424,340.70
Base Period Contract Dates:	11-01-2022 - 10-30-2023
No. of Option Years in Contract:	2
Total Option Year 1-2 Value	\$858,546.30
Proposal Closing Date	09-08-2021
Proposal Price Range	\$1,124,933.34 - \$1,556,509.76

**Purpose and Scope of the Contract:**

To provide document management services for DC Water facilities. These services include staffing and managing the mailrooms and reprographics center. Reprographics work includes business cards, scanning, printing, and document finishing and packaging. The contractor will also maintain ninety-five DC Water-owned copiers and miscellaneous equipment.

A 10% contingency has been added to the proposed amount to account for unforeseen costs.

**Supplier Selection:**

This was an open market solicitation. Over 500 suppliers were invited to participate. Three responses were received at the close of the solicitation. Page After Page was selected based on best value considering the criteria of qualifications, experience, technical approach, and price.

**PROCUREMENT INFORMATION**

<b>Contract Type:</b>	Fixed Price	<b>Award Based On:</b>	Best Value
<b>Commodity:</b>	Document Management Services	<b>Contract Number:</b>	10126
<b>Contractor Market:</b>	Open Market with DBE/WBE goals		

**BUDGET INFORMATION**

<b>Funding:</b>	Operating	<b>Department:</b>	Facilities Services
<b>Project Area:</b>	Authority Wide	<b>Department Head:</b>	Brent Christ

**ESTIMATED USER SHARE INFORMATION**

User	Share %	Dollar Amount
District of Columbia	70.33%	\$902,254.50
Washington Suburban Sanitary Commission	22.20%	\$284,800.94
Fairfax County	4.75%	\$60,937.14
Loudoun Water	2.35%	\$30,147.85
Other (PI)	0.37%	\$4,746.68
<b>TOTAL ESTIMATED DOLLAR AMOUNT</b>	<b>100.00%</b>	<b>\$1,282,887.00</b>

 /09/01/2022  
 Maureen Holman Date  
 VP, Shared Services

 Digitally signed by Joel Grosser  
 DN: dc=com, o=HWSA Users, ou=Procurement, cn=Joel Grosser, email=Joel.Grosser@Director.com  
 Date: 2022.09.01 14:58:31 -0400 /09-01-2022  
 Dan Bae Date  
 VP, Procurement and Compliance

 Digitally signed by Matthew T. Brown  
 Date: 2022.09.01 16:44:41 -0400 /  
 Matthew T. Brown Date  
 CFO and EVP, Finance and Procurement

 / 9/27/2022  
 David L. Gadis Date  
 CEO and General Manager

**Presented and Adopted: October 6, 2022**

**SUBJECT: Approval to Execute the Award and Funding for the Base and Four Option Years of Contract No. 10279, Enterprise Security Solutions, LLC**

**#22-59  
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 October 6, 2022, upon consideration of a joint use matter, decided by a vote of \_\_\_ in favor and \_\_\_ opposed to approve the execution of Contract No. 10279, Enterprise Security Solutions, LLC.

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute the award and funding for the base and four option years of Contract No. 10279, Enterprise Security Solutions, LLC. The purpose of the contract is to provide maintenance and on-call emergency repair services to ensure the continued proper, safe and reliable operation of access control, alarm and video surveillance systems utilized at DC Water Facilities. The contract amount is \$3,610,000.

\_\_\_\_\_  
Acting Secretary to the Board of Director

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY  
BOARD OF DIRECTORS CONTRACTOR FACT SHEET**

**ACTION REQUESTED**

**GOODS AND SERVICES CONTRACT AWARD**

**Security Systems  
(Joint Use Indirect)**

Approval to award and fund a contract to provide security systems services in the amount of \$3,610,000.00 for the base and four option years.

**CONTRACTOR/SUB/VENDOR INFORMATION**

<b>PRIME:</b> Enterprise Security Solutions, LLC 44710 Cape Court Unit 112. Ashburn, VA 20147	<b>SUBS:</b> Telecommunications Development Corp., Washington, DC (DBE)  Aspen of DC., d/b/a ADC Management Solution, Washington DC (WBE)	<b>PARTICIPATION:</b>  DBE 20%  WBE 10%
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**DESCRIPTION AND PURPOSE**

Base Period Contract Value:	\$680,000.00
Base Period Contract Date:	11-01-2022 – 10-31-2023
Number of Option Years:	4
Total Option Year 1-4 Value:	\$2,930,000.00
Proposal Closing Date:	05-18-2022
Total Number of Proposals:	2
Proposal Price Range	\$3,602,996.80 - \$6,264,286.18

**Purpose of the Contract:**

DC Water requires a qualified contractor to provide maintenance and on-call and emergency repair services to ensure the continued proper, safe and reliable operation of access control, alarm and video surveillance systems utilized at DC Water Facilities.

**Contract Scope:**

To provide preventative and operational maintenance of DC Water’s security system. The work includes: the maintenance, repair, installation, testing, troubleshooting, replacement and reconfiguration of existing and future hardware and software that comprise the facilities security and access control systems: including card readers, locking devices, cabling, wiring, control panels, software, etc. The contractor is also responsible for maintaining an on-site spare parts inventory for all security systems installed at DC Water facilities.

**Supplier Selection:**

This was an open market solicitation. Ten suppliers were invited to participate we received two responses. Enterprise Security Solutions is recommended for this contract award because they were the highest rated supplier on the evaluation criteria of qualifications, experience, technical approach, and price.

Each option year will be awarded based on requirements, availability of funds and performance.

Enterprise Security Solutions is the incumbent. They have proven success and expertise in performing the requirements set forth in the scope of work. The COTR is satisfied with Enterprise Security Solution’s performance.

**PROCUREMENT INFORMATION**

<b>Contract Type:</b>	Good and Services	<b>Award Based On:</b>	Highest Ratings
<b>Commodity:</b>	Security	<b>Contract Number:</b>	10279
<b>Contractor Market:</b>	Open Market with DBE/WBE Goal		

**BUDGET INFORMATION**

<b>Funding:</b>	Operating Capital Equipment	<b>Department:</b>	Security
<b>Project Area:</b>	DC Water Wide	<b>Department Head:</b>	Ivelisse Cassas

**ESTIMATED USER SHARE INFORMATION**

User - Operating	Share %	Dollar Amount
District of Columbia	70.33%	\$1,589,458.00
Washington Suburban Sanitary Commission	22.20%	\$501,720.00
Fairfax County	4.75%	\$107,350.00
Loudoun Water	2.35%	\$53,110.00
Other (PI)	0.37%	\$8,362.00
<b>TOTAL ESTIMATED DOLLAR AMOUNT</b>	<b>100.00%</b>	<b>\$2,260,000.00</b>

**ESTIMATED USER SHARE INFORMATION**

User – Capital EQ	Share %	Dollar Amount
District of Columbia	43.57%	\$588,195.00
Washington Suburban Sanitary Commission	42.12%	\$568,620.00
Fairfax County	9.02%	\$121,770.00
Loudoun Water	4.50%	\$60,750.00
Other (PI)	0.79%	\$10,665.00
<b>TOTAL ESTIMATED DOLLAR AMOUNT</b>	<b>100.00%</b>	<b>\$1,350,000.00</b>

 Esq. /08/30/2022  
 Maureen Holman Date  
 VP of Shared Services

**Joel Grosser** Digitally signed by Joel Grosser  
DN: cn=Joel Grosser, o=WMATA  
Email=Joel.Grosser@wmata.com /09/01/2022  
 Dan Bae Date  
 VP of Procurement

**Matthew T. Brown** Digitally signed by Matthew T. Brown  
Date: 2022.09.07 15:53:16 -04'00'  
 Matthew T. Brown Date  
 CFO and EVP of Finance and Procurement

 /9/22/2022  
 David L. Gadis Date  
 CEO and General Manager

**Presented and Adopted: October 6, 2022**

**SUBJECT: Approval to Execute Contract No. DCFA-480, Jacobs Engineering Group, Inc.**

**#22-60  
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 October 6, 2022, upon consideration of a joint use matter, decided by a vote of \_\_\_ in favor and \_\_\_ opposed to approve the execution of Contract No. DCFA-480, Jacobs Engineering Group, Inc.

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute Contract No. DCFA-480, Jacobs Engineering Group, Inc. The purpose of the contract is to provide electrical feasibility studies, microgrid roadmap, concept designs and other as needed engineering services at Blue Plains AWTP under the Basic Order Agreement (BOA). The contract amount is \$4,000,000.

\_\_\_\_\_  
Acting Secretary to the Board of Director

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY  
BOARD OF DIRECTORS CONTRACTOR FACT SHEET**

**ACTION REQUESTED**

**ARCHITECTURAL AND ENGINEERING SERVICES:**

**Electrical Improvements and Microgrid Implementation at Blue Plains AWTP  
(Joint Use)**

Approval to execute architectural and engineering services contract for \$4,000,000.00.

**CONTRACTOR/SUB/VENDOR INFORMATION**

<b>PRIME:</b>	<b>SUBS:</b>	<b>PARTICIPATION:</b>
Jacobs Engineering Group Inc. 1010 Wayne Ave. 1150 Silver Spring , MD 20910	Astute Engineering Vienna, Virginia DBE	23.0%
<u>Headquarters</u> 1999 Bryan Street, Suite 1200, TX 75201	CCJM Washington , DC DBE	3.0%
	Ontiveros Energy Austin, TX DBE	2.0%
	McKissack & McKissack Washington , DC WBE	3.0%
	SZ PM Consultants Washington , DC WBE	1.0%

DBE Total = 28.0% WBE Total = 4.0%

Jacobs Engineering intends to enter into a mentor relationship with CCJM

**DESCRIPTION AND PURPOSE**

Contract Value, Not-To-Exceed:	\$4,000,000.00
Contract Time:	1826 Calendar Days (5 Years)
No. of Option Years in Contract:	2
Anticipated Contract Start Date (NTP):	11-01-2022
Anticipated Contract Completion Date:	11-01-2027
Bid Opening Date:	05-05-2022
Bids Received:	7

Other firms submitting proposals/qualification statements:

- Arup Inc.
- Black & Veatch\*
- CHA Consulting
- Ramboll Engineering
- Stantec Inc.\*
- Wiley & Wilson

\* Indicates shortlisted firms.

**Purpose of the Contract:**

To provide electrical feasibility studies, microgrid roadmap, concept designs and other as needed engineering services at Blue Plains AWTP under a Basic Order Agreement (BOA). When fully implemented based on projects recommended in the roadmap, the microgrid will: Improve safety, maintain reliability, support sustainable DC Climate goals including Justice 40 initiatives. It will also help reduce operational costs, invest effectively in infrastructure, improve resilience, enable management and optimization of existing and future distributed energy resources at Blue Plains.

**Contract Scope:**

- Prepare a microgrid roadmap that will identify portfolio of projects required to implement a microgrid at the Blue Plains Advanced Wastewater Treatment Plant (AWTP)
- Assess condition of the existing electrical distribution system and provide recommendations for improvements
- Prepare concept designs for automating selected breakers, upgrading power monitoring devices and electrical communication networks
- Assist in identifying grant funding sources and preparing application for the selected grants
- Coordinate and facilitate discussions with internal and external stakeholders including supporting the ongoing AEG challenge work.
- Feasibility studies for Battery Energy Storage Systems (BESS) and interfaces to the existing Process Control System (PCS)
- Provide assessment and cost estimates of Operational & Maintenance requirements of the upgraded electrical system
- Recommend delivery methods (Design Build, Design Bid Build, Progressive Design Build) of the microgrid related projects

**Federal Grant Status:**

- This Contract is funded in part by Federal grant.

**PROCUREMENT INFORMATION**

<b>Contract Type:</b>	Lump Sum and Cost Plus Fixed Fee	<b>Award Based On:</b>	Highest Ranking Score
<b>Commodity:</b>	Engineering Design Services	<b>Contract Number:</b>	DCFA-480
<b>Contractor Market:</b>	Open Market		

**BUDGET INFORMATION**

<b>Funding:</b>	Capital	<b>Department:</b>	Wastewater Engineering
<b>Service Area:</b>	Wastewater	<b>Department Head:</b>	David Parker
<b>Project:</b>	IC		

**ESTIMATED USER SHARE INFORMATION**

User	Share %	Dollar Amount
District of Columbia	37.47%	\$1,498,800.00
Federal Funds**	3.75%	\$150,000.00
Washington Suburban Sanitary Commission	45.84%	\$1,833,600.00
Fairfax County	8.38%	\$335,200.00
Loudoun County & Potomac Interceptor	4.56%	\$182,400.00
<b>Total Estimated Dollar Amount</b>	<b>100.00%</b>	<b>\$4,000,000.00</b>

\*\* In July 2022 DC Water was awarded \$150,000 scoping grant from FEMA that contribute funds towards feasibility studies under this project. We anticipate applying for additional grants funding when microgrid related projects are defined during feasibility study phase of this project.

*Kishia L. Powell* \_\_\_\_\_  
 September 6, 2022  
 Kishia L. Powell Date  
 COO and EVP

*Dan Bae* \_\_\_\_\_  
 September 7, 2022  
 Dan Bae, VP Date  
 Procurement and Compliance

*Matthew T. Brown* \_\_\_\_\_  
 September 7, 2022  
 Matthew T. Brown Date  
 CFO and EVP  
 Finance and Procurement

*David L. Gadis* \_\_\_\_\_  
 9/22/2022  
 David L. Gadis Date  
 CEO and General Manager

**Presented and Adopted: October 6, 2022**  
**SUBJECT: Approval to Execute Contract No. 18-PR-CFO-56A,**  
**Applications Software Technology LLC**

**#22-61**  
**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 October 6, 2022, upon consideration of a joint use matter, decided by a vote of \_\_\_ in favor and \_\_\_ opposed to approve the execution of Contract No. 18-PR-CFO-56A, Applications Software Technology LLC.

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute Contract No. 18-PR-CFO-56A, Applications Software Technology LLC. The purpose of the contract is to purchase a system integration service for the new Oracle Cloud ERP software for the duration of implementation and subsequent support period. The contract amount is \$315,000.

\_\_\_\_\_  
Secretary to the Board of Director

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY  
BOARD OF DIRECTORS CONTRACTOR FACT SHEET**

**ACTION REQUESTED**

**GOODS AND SERVICES CONTRACT AWARD**

**System Support and Process Improvements for Oracle ERP Software  
(Joint Use)**

Approval of \$315,000.00 to extend managed care support of the Oracle ERP system.

**CONTRACTOR/SUB/VENDOR INFORMATION**

<b>PRIME:</b> Applications Software Technology LLC 4343 Commerce Court, Suite 701, Lisle, Illinois 60532	<b>SUBS:</b> N/A	<b>PARTICIPATION:</b> N/A
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**DESCRIPTION AND PURPOSE**

Original Contract Value:	\$9,698,930.00
Base-Term of Contract:	10-03-2019 – 10-30-2021
No. of Option Years in Contract:	0
Previous Modifications Value	\$699,890.00
Previous Modifications Dates	10-03-2019 – 09-30-2022
<b>This Request Value</b>	<b>\$315,000.00</b>
<b>This Request Dates</b>	<b>10-01-2022 – 09-30-2023</b>

**Purpose of the Contract:**

The purpose of this contract is to purchase a system integration service for the new Oracle Cloud ERP software for the duration of implementation and subsequent support period.

**Contract Scope and Purpose of This Request:**

DC Water selected and purchased the Oracle Cloud ERP software service for its future financial, HCM, and Procurement system. Applications Software Technology LLC (AST) integrated and launched the software, and has provided system support since launch. This request is to add contract funding for FY23 continued AST support (“managed care”) for the departments of Finance, Procurement and People & Talent.

**Spending Previous Years:**

Cumulative Contract Value:	10-03-2019 to 09-30-2022: \$10,398,820.00
Cumulative Contract Spending:	10-03-2019 to 09-13-2022: \$9,172,863.00

No LSBE participation

**PROCUREMENT INFORMATION**

<b>Contract Type:</b>	Goods / Services	<b>Award Based On:</b>	Best Value
<b>Commodity:</b>	Software	<b>Contract Number:</b>	18-PR-CFO-56A
<b>Contractor Market:</b>	Open Market with Preference Points for LBE and LSBE participation		

**BUDGET INFORMATION**

<b>Funding:</b>	Operating	<b>Department:</b>	Finance and Procurement
<b>Project Area:</b>	DC Water-wide	<b>Department Head:</b>	Matthew Brown

**ESTIMATED USER SHARE INFORMATION**

User - Operating	Share %	Dollar Amount
District of Columbia	70.33%	\$221,539.50
Washington Suburban Sanitary Commission	22.20%	\$69,930.00
Fairfax County	4.75%	\$14,962.50
Loudoun Water	2.35%	\$7,402.50
Other (PI)	0.37%	\$1,165.50
<b>TOTAL ESTIMATED DOLLAR AMOUNT</b>	<b>100.00%</b>	<b>\$315,000.00</b>

  
Dan Bae  
 C=US, E=dan.bae@dcwater.com,  
 O=District of Columbia Water and  
 Sewer Authority, OU=VP of  
 Procurement & Compliance, CN=Dan  
 Bae  
 2022.09.13 15:05:37-04'00'

Dan Bae Date  
 VP of Procurement

**Matthew T. Brown** Date  
Digitally signed by  
 Matthew T. Brown  
 Date: 2022.09.15 11:33:07  
 -04'00'

Matthew T. Brown Date  
 CFO and EVP of Finance and Procurement

 9/22/2022

David L. Gadis Date  
 General Manager and CEO

**Presented and Adopted: October 6, 2022**

**SUBJECT: Approval of Performance Evaluation, Salary Increase and Bonus for the CEO and General Manager**

**#22-62  
RESOLUTION  
OF THE  
BOARD OF DIRECTORS  
OF THE  
DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

The Board of Directors (“Board”) of the District of Columbia Water and Sewer Authority (“DC Water”) at the Board meeting held on October 6, 2022, upon consideration of a joint use matter, decided by a vote of \_\_\_ () in favor and \_\_\_ () opposed, to take the following action with respect to the performance evaluation, salary increase and bonus for the Chief Executive Officer (CEO) and General Manager.

**WHEREAS**, on September 21, 2020, the Board, through Resolution #20-21, approved the performance evaluation for David L. Gadis, extended the contract term to three years, October 1, 2020 through September 30, 2023, increased the salary to \$292,125, effective October 1, 2020, and maintained other material contract terms; and

**WHEREAS**, the Authority and Mr. Gadis executed an Employment Agreement, effective October 1, 2020, which requires the Board’s Evaluation Committee to conduct a performance evaluation of Mr. Gadis’ performance on an annual basis for the evaluation period of October 1 – September 30 with any adjustments in compensation based on performance being effective as of the beginning of each fiscal year; and

**WHEREAS**, on November 4, 2021, the Board through Resolution #21-97 approved the CEO and General Manager’s Performance Evaluation and increased Mr. Gadis’ salary to \$300,888 based on the recommendation from the Executive Committee; and

**WHEREAS**, on August 1, 2022 and September 1, 2022, the Executive Committee met to conduct the performance evaluation of Mr. Gadis for the period of October 1, 2021 to September 30, 2022, and based on the results of the performance evaluations consider salary increase and bonus; and

**WHEREAS**, the Executive Committee determined Mr. Gadis met the performance goals for Fiscal Year 2022 and continued to effectively manage the operations of DC Water through the challenges of the pandemic caused by COVID-19, including: hiring a high performing team over the past year, engaging the community through virtual townhall meetings and virtual meetings with AOBA, Constituent Services Directors for District Councilmembers, virtual briefings with the Mayor’s Office of Community Relations staff, and virtual briefings to local non-profit community partners to discuss DC Water’s

proposed FY 2023 and 2024 rates and fees; promoting a positive image for DC Water; and keeping the Clean River Project on time and on budget; and

**WHEREAS**, based on Mr. Gadis' performance and achievement for the Authority, the Executive Committee recommended the Board approve a 5% salary increase to \$315,932 and 8% bonus of \$24,071 effective October 1, 2022; and

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Board approves the General Manager's Performance Evaluation for David L. Gadis for the period of October 1, 2021 through September 30, 2022.
2. The Board approves a 5% increase of the annual compensation terms for Mr. Gadis as provided in the Employment Agreement for Fiscal Year 2022 to \$315,992, which shall be paid in the manner provided in the Employment Agreement, effective and retroactive to October 1, 2022.
3. The Board approves an 8% bonus, based on Mr. Gadis' Fiscal Year 2022 annual compensation, equaling \$24,071, which shall be paid immediately.
4. The Board requires Mr. Gadis to continue the conditions for continued employment and expectations for Fiscal Year 2023.
5. The Employment Agreement between the Authority and Mr. Gadis remains extended to September 30, 2023, as provided in the Employment Agreement.

This resolution is effective immediately.

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Acting Secretary to the Board of Directors

**Presented and Adopted: October 6, 2022**  
**SUBJECT: Approval to Execute Contract No. 180040, Capitol Paving of D.C., Inc.**

**#22-63**  
**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 October 6, 2022, upon consideration of a non-joint use matter, decided by a vote of \_\_\_ in favor and \_\_\_ opposed to approve the execution of Contract No. 180040, Capitol Paving of D.C., Inc.

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute Contract No. 180040, Capitol Paving of D.C., Inc. The purpose of the contract is to replace small diameter water mains that have experienced failures, or have a history of low water pressure, or water quality issues across various locations within the District of Columbia. The contract amount is \$21,544,813.

\_\_\_\_\_  
Secretary to the Board of Director

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY  
BOARD OF DIRECTORS CONTRACTOR FACT SHEET**

**ACTION REQUESTED**

**CONSTRUCTION CONTRACT:**

**Small Diameter Water Main Replacement - 15D  
(Non-Joint Use)**

Approval to execute a construction contract for \$21,544,813.00

**CONTRACTOR/SUB/VENDOR INFORMATION**

<b>PRIME:</b>	<b>SUBS:</b>	<b>PARTICIPATION:</b>
Capitol Paving of D.C., INC 2211 Channing St NE Washington, DC 20018	Amerigal Construction Glen Dale, MD DBE	32.0%
	Acorn Supply LLC White Marsh, MD WBE	6.0%

**DESCRIPTION AND PURPOSE**

Contract Value, Not-To-Exceed:	\$21,544,813.00
Contract Time:	420 Days (1 Year 2 Months)
Anticipated Contract Start Date (NTP):	12-08-2022
Anticipated Contract Completion Date:	02-01-2024
Bid Opening Date:	05-19-2022
Bids Received:	5
Other Bids Received	
Fort Myers Construction	\$21,990,245.00
Sagres Construction	\$24,397,457.00
Anchor Construction	\$25,433,297.00
Spiniello	

**Purpose of the Contract:**

Replacement of small diameter water mains that have experienced failures, or have a history of low water pressure, or water quality issues across various locations within the District of Columbia.

**Contract Scope:**

- Replace 4.81 miles of water mains ranging from 3" to twelve 12" diameter and associated valves and appurtenances.
- Replace water services 2" in diameter and smaller in public and private space as needed.
- Replace curb stop / curb stop box, meter box and penetration through building wall and connection to first fitting inside the building including installation of a shut-off valve and pressure reducing valve.
- Provide permanent pavement and surface restoration.

**Federal Funding Status:**

- Construction contract is anticipated to be funded in part from a Water Infrastructure Finance and Innovation Act (WIFIA) loan.

**PROCUREMENT INFORMATION**

<b>Contract Type:</b>	Unit Price	<b>Award Based On:</b>	Lowest responsive, responsible bidder
<b>Commodity:</b>	Construction	<b>Contract Number:</b>	180040
<b>Contractor Market:</b>	Open Market		

**BUDGET INFORMATION**

<b>Funding:</b>	Capital	<b>Department:</b>	Engineering and Technical Services
<b>Service Area:</b>	Water	<b>Department Head:</b>	William Elledge
<b>Project:</b>	GR, BW		

**ESTIMATED USER SHARE INFORMATION**

User	Share %	Dollar Amount
District of Columbia	100.00%	\$21,544,813.00
Federal Funds	0.00%	\$0.00
Washington Suburban Sanitary Commission	0.00%	\$0.00
Fairfax County	0.00%	\$0.00
Loudoun County & Potomac Interceptor	0.00%	\$0.00
<b>Total Estimated Dollar Amount</b>	<b>100.00%</b>	<b>\$21,544,813.00</b>

*Kishia L. Powell* / September 2, 2022  
 \_\_\_\_\_  
 Kishia L. Powell / Date  
 COO and EVP

*Dan Bae* / September 6, 2022  
 \_\_\_\_\_  
 Dan Bae, VP / Date  
 Procurement and Compliance

*Matthew T. Brown* / September 7, 2022  
 \_\_\_\_\_  
 Matthew T. Brown / Date  
 CFO and EVP  
 Finance and Procurement

 / 9/22/2022  
 \_\_\_\_\_  
 David L. Gadis / Date  
 CEO and General Manager

**Presented and Adopted: October 6, 2022**

**SUBJECT: Approval to Participate in DDOT's Project to Revitalize South Capitol Street Circulator Facility under the Terms of the 2002 Memorandum of Understanding between District of Columbia Department of Transportation and DC Water**

**#22-64  
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 October 6, 2022, upon consideration of a non-joint use matter, decided by a vote of \_\_\_ in favor and \_\_\_ opposed to approve the Participation in DDOT's Project to Revitalize South Capitol Street Circulator Facility under the terms of the 2002 MOU between the District of Columbia Department of Transportation and DC Water.

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute the approval of the Participation in DDOT's Project to revitalize South Capitol Street Circulator Facility under the terms of the 2002 MOU between the District of Columbia Department of Transportation and DC Water. DC Water's participation is to slipline approximate 200 LF of the West Influent Sewer with a 90" diameter fiberglass reinforced polymer mortar pipe, connect two 6" diameter sanitary sewer laterals, one 15" diameter stormwater bioswale overflow pipe and one 8" diameter water lateral to existing 16" water main, etc. The total cost is \$1,488,500.

\_\_\_\_\_  
Acting Secretary to the Board of Director

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY  
BOARD OF DIRECTORS FACT SHEET**

**ACTION REQUESTED**

**PARTICIPATION IN DDOT PROJECT:  
DDOT – South Capitol Street Circulator Facility  
(Non-Joint Use)**

Approval to participate in DDOT’s project to revitalize South Capitol Street Circulator Facility under the terms of the 2002 Memorandum of Agreement (MOA) between District of Columbia Department of Transportation (DDOT) and DC Water for an amount up to \$1,488,500.00. This amount exceeds the General Manager’s approval authority.

**PARTY INFORMATION**

<b>PARTY:</b> District Department of Transportation 55 M Street, SE, Suite 400, Washington, DC 20003	<b>SUBS:</b> DBE and WBE fair share objectives will follow DDOT goals.	<b>PARTICIPATION:</b>
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**DESCRIPTION AND PURPOSE**

MOA Value, Not-To-Exceed:	\$1,488,500.00
MOA Time:	912 Days (2 Years, 6 Months)
Anticipated MOA Start Date:	11-01-2022
Anticipated MOA Completion Date:	05-01-2025

**Purpose DC Water’s Participation:**

DDOT is expanding and developing the DC Circulator Program at the South Capitol Street Circulator Facility. Therefore, DDOT requires an adequate facility for the expansion of the DC Circulator bus fleet and additional maintenance, charging, and parking spaces for their new electric buses. The proposed improvement will occur adjacent to and over the East and West Outfall Sewers which are approximately 90” diameter and 100”x112” respectively in size and feed the Blue Plain Advanced Wastewater Treatment Plant. The West Outfall sewer will be structurally lined during this DDOT project to ensure that the 116-year-old non-reinforced concert pipe is protected during and following the proposed construction. The East Outfall sewer will not be lined during this project because this portion of the sewer was lined in 2010 following a pipe collapse.

**Scope of DC Water’s Participation:**

- Slipline approximately 200 LF of the West Influent Sewer with a 90” diameter fiberglass reinforced polymer mortar pipe.
- Connect two (2) – 6” diameter sanitary sewer laterals to the West Influent Sewer.
- Connect one (1) – 15” diameter stormwater bioswale overflow pipe to existing 54” storm sewer.
- Connect one (1) – 8” diameter water lateral to existing 16” water main.
- Reset water valve boxes and manhole frames and covers as required.
- Provide permanent pavement and surface restoration.

**Federal Grant Status:**

- Work is not eligible for Federal grant funding assistance.

**AGREEMENT INFORMATION**

<b>Contract Type:</b>	MOA	<b>Award Based On:</b>	N/A
<b>Commodity:</b>	Design and Construction	<b>Contract Number:</b>	N/A

**BUDGET INFORMATION**

<b>Funding:</b>	Capital	<b>Department:</b>	Engineering and Technical Services
<b>Service Area:</b>	Sewer	<b>Department Head:</b>	William Elledge
<b>Project:</b>	RC		

**ESTIMATED USER SHARE INFORMATION**

User	Share %	Dollar Amount
District of Columbia	100.00%	\$ 1,488,500.00
Federal Funds	0.00%	\$
Washington Suburban Sanitary Commission	0.00%	\$
Fairfax County	0.00%	\$
Loudoun County & Potomac Interceptor	0.00%	\$
<b>Total Estimated Dollar Amount</b>	<b>100.00%</b>	<b>\$ 1,488,500.00</b>

\_\_\_\_\_/\_\_\_\_\_  
 Kishia L. Powell Date  
 COO and EVP

\_\_\_\_\_/\_\_\_\_\_  
 Dan Bae Date  
 VP of Procurement

\_\_\_\_\_/\_\_\_\_\_  
 Matthew T. Brown Date  
 CFO and EVP  
 Finance & Procurement

\_\_\_\_\_/\_\_\_\_\_  
 David L. Gadis Date  
 CEO & General Manager

**Presented and Adopted: October 6, 2022**

**SUBJECT: Approval to Participate in DDOT's Project to Revitalize S Street from 7<sup>th</sup> Street, NW to Florida Avenue NW under the Terms of the 2002 Memorandum of Understanding between District of Columbia Department of Transportation and DC Water**

**#22-65  
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 October 6, 2022, upon consideration of a non-joint use matter, decided by a vote of \_\_\_ in favor and \_\_\_ opposed to approve the Participation in DDOT's Project to Revitalize S Street from 7<sup>th</sup> Street, NW to Florida Avenue NW under the terms of the 2002 MOU between the District of Columbia Department of Transportation and DC Water.

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute the approval of the Participation in DDOT's Project to S Street from 7<sup>th</sup> Street, NW to Florida Avenue NW under the terms of the 2002 MOU between the District of Columbia Department of Transportation and DC Water. DC Water's participation is to replace 0.28 miles of water mains ranging from 6" to 8 diameter, copper water services 2" diameter and smaller in public and private space and replace curb stop/curb box and penetration through building wall. Provide permanent pavement and surface restoration and collaborate with DDOT on storm sewer/sanitary sewer design. The total cost is \$1,500,000.

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Acting Secretary to the Board

**DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY  
BOARD OF DIRECTORS FACT SHEET**

**ACTION REQUESTED**

**PARTICIPATION IN DDOT PROJECT:**

**DDOT – S St Revitalization from 7<sup>th</sup> St NW to Florida Ave NW**

**(Non-Joint Use)**

Approval to participate in DDOT’s project to revitalize S St from 7<sup>th</sup> St NW to Florida Ave NW under the terms of the 2002 Memorandum of Agreement (MOA) between District of Columbia Department of Transportation (DDOT) and DC Water for an amount up to \$1,500,000.00. This amount exceeds the General Manager’s approval authority.

**PARTY INFORMATION**

<b>PARTY:</b> District Department of Transportation 55 M Street, SE, Suite 400, Washington, DC 20003	<b>SUBS:</b> DBE and WBE fair share objectives will follow DDOT goals.	<b>PARTICIPATION:</b>
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**DESCRIPTION AND PURPOSE**

MOA Value, Not-To-Exceed: \$1,500,000.00  
 MOA Time: 818 Days (2 Years, 3 Months)  
 Anticipated MOA Start Date: 09-01-2022  
 Anticipated MOA Completion Date: 11-27-2024

**Purpose of DC Water’s Participation:**

Replacement of small diameter water mains that have experienced failures, or have a history of low water pressure, or water quality issues within the District of Columbia.

**Scope of DC Water’s Participation:**

- Replace 0.28 miles of water mains ranging from 6” to 8” diameter and associated valves and appurtenances.
- Replace copper water services 2” diameter and smaller in public and private space.
- Replace curb stop/curb stop box, meter box and penetration through building wall and connection to first fitting inside the building including installation of a shut-off valve and pressure reducing valve.
- Provide permanent pavement and surface restoration.
- Collaborate with DDOT on storm sewer/sanitary sewer design.

**Federal Grant Status:**

- Work is not eligible for Federal grant funding assistance.

**AGREEMENT INFORMATION**

<b>Contract Type:</b>	MOA	<b>Award Based On:</b>	N/A
<b>Commodity:</b>	Design and Construction	<b>Contract Number:</b>	N/A

**BUDGET INFORMATION**

<b>Funding:</b>	Capital	<b>Department:</b>	Engineering and Technical Services
<b>Service Area:</b>	Water	<b>Department Head:</b>	William Elledge
<b>Project:</b>	KH		

**ESTIMATED USER SHARE INFORMATION**

User	Share %	Dollar Amount
District of Columbia	100.00%	\$ 1,500,000.00
Federal Funds	0.00%	\$
Washington Suburban Sanitary Commission	0.00%	\$
Fairfax County	0.00%	\$
Loudoun County & Potomac Interceptor	0.00%	\$
<b>Total Estimated Dollar Amount</b>	<b>100.00%</b>	<b>\$ 1,500,000.00</b>

*KPowell* / 09.06.22  
 Kishia L. Powell Date  
 COO and EVP

\_\_\_\_\_ / \_\_\_\_\_  
 Dan Bae Date  
 VP of Procurement

\_\_\_\_\_ / \_\_\_\_\_  
 Matthew T. Brown Date  
 CFO and EVP  
 Finance and Procurement

\_\_\_\_\_ / \_\_\_\_\_  
 David L. Gadis Date  
 CEO and General Manager

**Presented and Adopted: October 6, 2022**

**SUBJECT: Approval to Publish Notice of Final Rulemaking to Extend the DC Water Cares Emergency Relief Program for Low-Income Customers (Residential Assistance Program “RAP”) and Multifamily Assistance Program for Low Income Multifamily Tenants (Multifamily Assistance Program “MAP”) for Fiscal Year 2023 and Amend the CAP2 Recertification Requirements**

**#22-66  
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 (“DC Water”) at the Board meeting held on October 6, 2022 upon consideration of a non-joint use matter, decided by a vote of \_\_\_ ( ) in favor and \_\_\_ ( ) opposed, to approve the following action with respect to the final proposal to extend the DC Water Cares Emergency Relief Program for Low-Income Customers (“Residential Assistance Program” or “RAP”) and Multifamily Assistance Program for Low-Income Multifamily Tenants (“MAP”) for Fiscal Year 2023 and amend the CAP2 recertification requirements.

**WHEREAS**, on September 3, 2020, the Board, through Resolution #20-65, approved the allocation of 1) \$3 million to continue the District’s Emergency Residential Program in FY 2021 to provide one-time assistance up to \$2,000 to residential customers economically impacted by COVID-19, 2) \$7 million to establish a new program to provide one-time assistance to multi-family buildings where the occupants have been impacted by COVID and payment plans are established and adhered with the assistance determined and provided per affordable unit, and on a matching basis, and 3) \$5 million was held for FY 2022 targeted assistance for customers in need; and

**WHEREAS**, on November 4, 2021 the Board, through Resolution #21-99 approved: 1) transferring from the FY 2022 \$5.0 million Targeted Assistance Fund: \$223,962.95 to the FY 2021 CAP and CAP2 Programs Budget, \$634,401.00 to the FY 2022 CAP and CAP2 Programs Budget, \$1,892,843.08 to the FY 2022 RAP Program Budget and \$2,248,792.97 to the MAP Program Budget, 2) rolling over \$5,332,200.77 of the FY 2021 RAP and MAP balance amount for RAP and MAP Programs to the FY 2022 RAP and MAP Programs Budget, and 3) allocating \$250,000.00 from FY 2021 MAP unexpended balance to Administrative Costs for RAP, MAP and CAP Programs for FY 2022; and

**WHEREAS**, on June 28, 2022, the DC Water and Sewer Rates Committee met to consider the status of the DC Water Cares: RAP and MAP programs and the General Manager's recommendations for Fiscal Year 2023 and recommended the Board adopt and approve for immediate implementation the Notice of Emergency and Proposed Rulemaking (NOEPR) to amend the Customer Assistance Program regulations to extend the DC Water Cares: RAP and MAP programs for FY 2023 and delete the FY 2022 CAP2 recertification waiver language; and

**WHEREAS**, on July 7, 2022, the Board through Resolution #22-46, adopted and approved the publication of the NOEPR for immediate implementation and directed the General Manager to take all steps necessary in his judgement to initiate the public comment process, including the publication of Notice of Public Hearing (NOPH) to receive public comments and testimony on the NOEPR; and

**WHEREAS**, on July 22, 2022, DC Water published the NOEPR and NOPH in the *D.C. Register* at 69 DCR and 009063 and 009019, respectively; and

**WHEREAS**, on September 14, 2022, the Board held a Public Hearing to present the proposed amendments and receive testimony on the NOEPR; and

**WHEREAS**, on September 27, 2022, the DC Retail Water and Sewer Rates Committee met to consider testimony presented during the Public Hearing, comments submitted during the public comment period and the General Manager's final proposal to amend the Customer Assistance Program regulations; and

**WHEREAS**, the General Manager reported to the Committee that no public testimony was presented at the Public Hearing and no comments were received during the public comment period, which closed on September 19, 2022; and

**WHEREAS**, the General Manager recommended no additional substantive revisions, except for clarifying revisions to 21 DCMR §§ 4102.10(e)(5) and (i)(1) to change the written terms for 80% as "eighty percent" and 20% as "twenty percent" as presented in Attachment A; and

**WHEREAS**, the General Manager also presented the projected DC Water Cares unexpended balance of \$1.8 million for RAP and \$4.3 million for MAP that would be available to fund the program in FY 2023; and

**WHEREAS**, on September 27, 2022, the DC Retail Water and Sewer Rate Committee, after considering that no testimony or comments were received or submitted during the Public Hearing and public comment period, and the General Manager's recommendation, recommended the Board adopt and approve the publication of the Notice of Final Rulemaking to amend the Customer Assistance Program regulations as presented in the Attachment A; and

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Board hereby adopts and approves the publication of the Notice of Final Rulemaking (NOFR) to amend 21 DCMR 4102 Customer Assistance Program as recommended by the DC Retail Water and Sewer Rates Committee and the General Manager to extend the DC Water Cares: RAP and MAP for FY 2023 and amend the CAP2 recertification requirements, as presented in Attachment A.
2. The General Manager is authorized to take all steps necessary in his judgment and as otherwise required to publish the Notice of Final Rulemaking in accordance with the District of Columbia Administrative Procedure Act.
3. This resolution is effective immediately.

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Acting Secretary to the Board of Directors

## Attachment A

### 1. Subsection 4102.2, Customer Assistance Program II (CAP2), of Section 4102, CUSTOMER ASSISTANCE PROGRAMS, amended to read as follows:

#### 4102.2 CUSTOMER ASSISTANCE PROGRAM II (CAP2)

- (c) Upon DC Water's receipt of notice from DOEE that the CAP2 customer meets the financial eligibility requirements, DC Water shall provide the CAP2 benefits for not more than the entire fiscal year, beginning October 1st and terminating on September 30th, subject to the availability of budgeted funds.
  - (1) Approved CAP2 customers that submitted a complete application to DOEE before November 1st, shall receive CAP2 benefits retroactive to October 1st and terminating on September 30th of that fiscal year.
  - (2) Approved CAP2 customers that submitted a complete application on or after November 1st, shall receive CAP2 benefits as of the date of submittal and terminating on September 30th of that fiscal year.
  - (3) Customers shall reapply each year for CAP2 benefits to receive CAP2 benefits.

### 2. Subsection 4102.9, DC Water Cares Emergency Relief Program for Low-Income Residential Customers, of Section 4102, CUSTOMER ASSISTANCE PROGRAMS, amended to read as follows:

#### 4102.9 DC Water Cares Emergency Relief Program for Low-Income Residential Customers

- (a) Participation in the DC Water Cares Emergency Relief Program (DC Water Cares) shall be limited to a single-family or individually metered low-income Residential Customer that meets the following eligibility requirements:
  - (1) The applicant maintains an active DC Water account and is responsible for paying for water and sewer services; and
  - (2) DOEE has determined that the applicant's annual household income is equal to or below eighty percent (80%) of the Area Median Income (AMI) for the District of Columbia, not capped by the United States median low-income limit.

- (b) An approved customer shall receive the following benefits:
  - (1) Credit of one hundred percent (100%) off of the past due water and sewer bill balance; and
  - (2) The total amount of credits provided shall not exceed Two Thousand (2,000) dollars during Fiscal Year 2023.
- (c) Upon DC Water's receipt of notice from DOEE that the applicant meets the financial eligibility requirements, DC Water shall provide the credits to the customer's account from the date that DOEE accepts a completed application and for future qualifying events that may lead to collection activities to the end of the fiscal year in which the application was submitted.
- (d) The DC Water Cares Emergency Relief Program shall terminate on September 30, 2023.
- (e) Customer that received DC Water Cares benefits in FY 2022 must submit a renewal CAP or CAP2 application to DOEE to receive DC Water Cares benefits in Fiscal Year 2023.
- (f) If DC Water determines that the remaining budgeted funds are insufficient to provide DC Water Cares benefits, DC Water may:
  - (1) Suspend the process for accepting DC Water Cares applicants; or
  - (2) Suspend or adjust providing DC Water Cares benefits to eligible recipients.

**3. Subsection 4102.10, DC Water Cares: Multifamily Assistance Program (MAP), Section 4102, CUSTOMER ASSISTANCE PROGRAMS, is amended to read as follows:**

4102.10 DC Water Cares: Multifamily Assistance Program (MAP).

- (a) The DC Water Cares: Multifamily Assistance Program (MAP) provides up to two thousand (\$2,000) per eligible unit of emergency relief to an eligible Occupant residing in a participating Multi-Family Customer's premises.
- (b) For purposes of this subsection, Non-Residential Customers whose premises has four or more dwelling units, are deemed Multi-Family Customers, as defined in 21 DCMR 4104, and eligible to apply to participate in the MAP.

- (c) For purposes of this subsection, the term “Occupant” includes a person that resides in a dwelling unit in an apartment, condominium, or cooperative housing association.
- (d) Multi-Family Customers and their eligible Occupants may participate in the MAP by complying with the requirements in this subsection.
- (e) To participate in the MAP, a Multi-Family Customer shall:
  - (1) Maintain an active DC Water account and be responsible for paying for water and sewer services at a Multi-Family Customer’s property that is:
    - (A) Not owned or operated by the District of Columbia or
    - (B) Not owned or operated by the Federal Government.
  - (2) Have one or more eligible Occupant in an active lease or rental agreement, condominium housing association deed or title, or cooperative housing association occupancy agreement or title to reside in their premises;
  - (3) Complete and submit a DC Water Cares: Multifamily Assistance Program Terms and Conditions Application and comply with DC Water requests for information and access to the premises as necessary to determine compliance with the MAP requirements;
  - (4) Upon approval to participate in the MAP, comply with all the MAP Terms and Conditions, post the MAP flier in a conspicuous location in the building or include the MAP flier in a notice or invoice to all unit Occupants to inform the Occupants about the MAP and encourage them to apply for assistance, if eligible;
  - (5) Upon receipt of MAP Credits, apply ~~ninety-eighty~~ percent (80%) of the MAP Credits to the DC Water approved eligible Occupant’s account within thirty (30) days of receipt of the MAP Credit, and the remaining ~~ten-twenty~~ percent (20%) shall be maintained as a credit on the DC Water account;
  - (6) Notify the eligible Occupant in writing that the credits were applied to their account within thirty (30) days of the receipt of the MAP Credit;
  - (7) Enter a payment plan agreement with DC Water for any remaining arrears outstanding on the DC Water account within sixty (60) days of receipt of the first MAP Credits; and

- (8) Notify DC Water within thirty (30) days of any change in ownership or the eligible Occupant's occupancy.
  
- (f) To be eligible to participate in the MAP, an Occupant shall be (1) named on the occupancy agreement, including, but not limited to a lease or rental agreement, condominium deed or title, or cooperative housing association occupancy agreement or title, (2) reside in a Multi-Family Customer's property that is master metered and approved to participate in the MAP, and (3) meet one of the following requirements:
  - (1) Reside in an Affordable Housing Unit as defined in 21 DCMR § 199.1, provided the Occupant does not notify DC Water to be excluded from receiving MAP assistance within ten (10) days of receipt of notice of eligibility from DC Water; or
  
  - (2) Meet the annual household income limits equal to or below eighty percent (80%) of the Area Median Income (AMI) for the District of Columbia, not capped by the United States median low-income limit as follows:
    - (A) Occupant submits a Resident Application for DC Water Cares: Multifamily Assistance Program to the District of Columbia Department of Energy and Environment (DOEE) and DOEE determines that the applicant meets the annual household income requirements;
  
    - (B) Occupant that is eligible to receive Low-Income Energy Assistance Program (LIHEAP) or Utility Discount Program (UDP) assistance during Fiscal Year 2023 as determined by DOEE, shall be categorically eligible to participate in the MAP, provided they do not notify DC Water to be excluded from participating within ten (10) days of receipt of the notice of eligibility from DC Water; or
  
    - (C) Occupant that is eligible to receive assistance for public benefits programs during Fiscal Year 2023, including, but not limited to, the Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), or medical assistance programs, through Medicaid, Alliance and DC Healthy Families programs as determined by the District of Columbia Department of Human Services, shall be categorically eligible to participate in the MAP, provided they notify DC Water that they agree to participate in the MAP within ten (10) days of receipt of the notice of eligibility, but not later than September 21, 2023.

- (3) Occupant is not eligible to receive MAP assistance if they:
  - (A) Reside in a dwelling unit that is 100% subsidized.
- (g) DC Water shall notify the approved Multi-Family Customer and approved Occupant(s), setting forth the amount of the approved MAP Credits.
- (h) DC Water shall apply up to two thousand dollars (\$2,000) in MAP Credits per eligible unit during Fiscal Year 2023 on an approved Multi-Family Customer's DC Water account that has one or more eligible Occupant as follows:
  - (1) The MAP Credits provided per eligible unit shall be calculated based on the greater of A. or B., which is then divided by the total number of dwelling units in the premises:
    - (A) The average of the Multi-Family Customer's DC Water charges billed from October 1, 2021 to September 30, 2022 subtracting any amount of water and sewer charges applicable to any retail/commercial units and that result is multiplied by six (6); or
    - (B) Total amount of the outstanding balance on the Multi-Family Customer's DC Water account as of September 30, 2022 subtracting any water and sewer charges applicable to any retail/commercial units.
  - (2) DC Water shall revoke the amount of the MAP Credits applied to a Multi-Family Customer's DC Water account and charge the customer's account the full amount of the MAP Credits, if one or more of the following violations is not corrected within ten (10) days of the date of the notice of violation from DC Water:
    - (A) Failure to comply with the MAP Terms and Conditions;
    - (B) Failure to enter into a payment plan agreement within sixty (60) days of the receipt of the first MAP Credits to establish a payment schedule for any remaining outstanding charges;
    - (C) Failure to apply the MAP Credits to the Occupant's account within thirty (30) days of receipt of the MAP Credits; or
    - (D) Multi-Family Customer or Occupant commits fraud or makes false statements in connection with the MAP.

- (i) Multi-Family Customer that receives MAP Credits on their DC Water account shall:
  - (1) Apply ~~ninety-eighty~~ percent (80%) of the total MAP Credits for the approved Occupant on their account within thirty (30) days of the date of the notice of the amount of the Credits from DC Water, and the remaining ~~ten-twenty~~ percent (20%) shall be maintained as a credit on the DC Water account;
  - (2) Notify the approved Occupant, in a statement or separate writing, that the credit has been applied to their account within thirty (30) days of receipt of the MAP Credits from DC Water;
  - (3) Notify DC Water within thirty (30) days of any change in ownership if DC Water has not applied the MAP Credits to the Multi-Family Customer's DC Water account;
  - (4) Notify DC Water within thirty (30) days of any change in the Occupant's occupancy if the MAP Credits have not been applied to the Occupant's account;
  - (5) Provide the Occupant any MAP Credits remaining in their account if the Occupant terminates their occupancy;
  - (6) Provide, upon DC Water's request, documentation confirming that the MAP Credits have been applied to the Occupant's account;
  - (7) Provide DC Water access to the premises and records to conduct an audit to determine compliance with these regulations and the MAP Terms and Conditions; and
  - (8) Maintain all documents related to the MAP Terms and Conditions Application, receipt and handling of MAP Credits, and notices to approved Occupant(s).
- (j) The DC Water Cares MAP shall terminate September 30, 2023.
- (k) Multi-Family Customer that received MAP Credits in FY 2022 must submit a renewal DC Water Cares: Multifamily Assistance Program Terms and Conditions Application to DC Water to receive MAP Credits in Fiscal Year 2023.
- (l) Occupant residing in multifamily properties that received MAP Credits on their account in FY 2022 must submit a renewal Resident Application for DC Water Cares: Multifamily Assistance Program to DOEE to receiving MAP Credits in Fiscal Year 2023.

- (m) If DC Water determines that budgeted funds are insufficient to provide DC Water Cares MAP Credits, DC Water may:
  - (1) Suspend the process for accepting DC Water Cares MAP applications; or
  - (2) Suspend or adjust providing DC Water Cares MAP Credits to eligible Multi-Family Customer's DC Water account.
  
- (n) DC Water shall notify a Multi-Family Customer or Occupant if they are denied eligibility for the MAP by issuing a Notice of Denial, which shall contain a written statement of the basis for the denial and advising the Multi-Family Customer or Occupant of the following:
  - (1) Multi-Family Customer or Occupant may challenge the denial of eligibility to participate in the MAP by:
    - (A) Submitting a written Request for Reconsideration within fifteen (15) days of the date of the Notice of Denial; and
    - (B) Providing a statement of the basis why they should be eligible and supporting documentation.
  - (2) The General Manager shall review the Request for Reconsideration and make a final determination of eligibility.
  - (3) The Multi-Family Customer or Occupant may request an Administrative hearing in writing, within fifteen (15) days of the date of the General Manager's written final determination, if he or she is not satisfied with the General Manager's determination; and
  - (4) The Customer shall be notified in writing of the date and time of the Administrative Hearing, if requested.