

**EXECUTIVE COMMITTEE OF THE  
MASSACHUSETTS CLEAN WATER TRUST**

**Meeting Minutes**

**Meeting Date:** Wednesday, August 10, 2022  
**Time:** 1:30 PM  
**Location:** Remote  
**Notice:** Due public notice given  
**Attendees** Sue Perez, Executive Director, Trust  
Maria Pinaud, Director of Program Development, Trust  
Timur Yontar, Director of Finance & Administration, Trust  
**Also Present** Sally Peacock, Controller, Trust  
Nicole Munchbach, Accountant, Trust  
Pam Booker, Accountant, Trust  
Sunkarie Konteh, Accountant, Trust  
My Tran, Treasurer, Trust  
Joshua Derouen, Senior Program Associate, Trust  
Kailyn Fellmeth, Program Associate, Trust  
Julian Honey, Program Associate, Trust  
Jonathan Maple, Senior Policy Analyst, Trust  
Robin McNamara, Deputy Director of Municipal Services,  
MassDEP  
Ashraf Gabour, Program Manager, MassDEP

**SUMMARY OF DISCUSSIONS**

**Open the Meeting:** Ms. Perez opened the meeting after confirming the attendees present.

- 1. Drinking Water State Revolving Fund (DWSRF) Set-Aside Reporting:** Mr. Derouen explained that each year the Massachusetts Clean Water Trust (The Trust) must submit Federal Accountability and Transparency Act (FFATA) reports for the annual capitalization grants. For Drinking Water (DW), the Trust is required to report on set-aside contract information. In the past, the Trust has obtained contract and vendor information from Massachusetts Department of Environmental Protection (MassDEP). The last time the Trust entered this information on a FFATA report was 2019. Due to a clerical error in 2020, the Trust did not report on DW set-asides and the Environmental Protection Agency (EPA) signed off on it.  
  
The information the Trust requests includes the Data Universal Numbering System (DUNS) number, which has been phased out, as well as contract amounts, the portions of the contracts funded by set-asides, and the contract execution dates.  
  
Because of policy changes at the federal level, the Trust now needs to use Unique Entity Identification numbers for FFATA reporting instead of the DUNS numbers.

	<p>Ms. Perez said that most vendors have already obtained Unique Entity ID numbers. Collecting and tracking Unique Entity ID numbers should be part of the vendor contract process going forward.</p> <p>Mr. Derouen said that the Trust has received the same contract information since 2019 from DEP for its contract with UMass.</p> <p>Ms. McNamara asked what the FFATA reporting policy on multi-year contracts where the information does not change year-to-year.</p> <p>Ms. Perez said that we may need to use amendment dates instead of contract execution dates if the same contract needs to be reported multiple years.</p> <p>Ms. McNamara stated that some contract terms originate as multiple years and will not have amendment dates.</p> <p>The Trust and DEP should have a meeting with the EPA to discuss set-aside contract reporting for FFATA.</p>
2.	<p><b><u>2% Technical Assistance Set-Aside for Small, Rural, and Tribal publicly owned treatment works using Clean Water State Revolving Fund (CWSRF):</u></b> Mr. Maple stated that on August 4<sup>th</sup> the Trust and MassDEP met about the scope of work for this 2% Technical Assistance Set-Aside program. A list of questions for the EPA was developed. One of these questions was whether the non-profit organization or organizations that provide the technical assistance can subcontract with for-profit organizations. The EPA confirmed that this is indeed allowed.</p> <p>The original procurement timeline of September to November to find service providers needs to be extended to account for a more detailed response from potential providers. This procurement process will be handled in a similar way to the Asset Management Planning program prequalification but will include a more rigorous plan for establishing the program activities from the respondent such as procuring subcontractors and outreach plans. The Trust should conduct outreach to technical assistance providers that are potential respondents. It will also be important to know which region or regions these providers will be servicing and what scope of work tasks they will be initiating.</p> <p>MassDEP has been asked to provide a list of potentially eligible water systems so that respondents can potentially identify activities for their response. MassDEP will need to develop selection criteria based on the scope of work. The goal is to have this program finalized in time to include language to detail the set-aside work plan for the draft 2023 IUP.</p> <p>Ms. Perez said that \$2 million of funding is available for this program from the 2023 Clean Water capitalization grant. In addition, \$1.2 million has been set-aside from the 2022 capitalization grant. In the end, the number of projects financed will depend on the availability of funds.</p>

	<p>Ms. Pinaud and Ms. Perez said that the plan is to offer multi-year contracts to service providers with options for us to reconsider the terms or whole contracts based on performance.</p> <p>Ms. Pinaud said there will be no cap on the number of technical assistance service providers per region. Having providers familiar to participating communities in each region will be very helpful.</p> <p>Mr. Maple said that we may want to consider having operator training and needs assessment follow ups be eligible assistance types under this program. The Trust’s intern has conducted research which has found that other similar programs in different states have offered this kind of technical assistance.</p> <p>Next, we are to draft of a request for responses (RFR) then get feedback from the working group before this RFR is published.</p> <p>Ms. Perez asked that the finalized draft be provided to the Executive Committee once settled.</p>
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**Other Business** (Items not reasonably anticipated by the Chair 48 hours in advance of the meeting)

**EPA Outreach on Bipartisan Infrastructure Law (BIL) Funded Projects**

Ms. Pinaud said that the EPA informed the Trust and DEP that Massachusetts might be the first state in the country to receive BIL funding. If this is the case, there will likely be a press event. EPA would like to hold the press event in a community issued a loan by the Trust that is receiving a BIL funded subsidy. DEP will work with the Trust to create a list of communities with these projects to suggest to the EPA.

**Update After the Massachusetts State Legislature’s Formal Session**

Mr. Yontar stated that the bill which contained the Trust’s state matching component for BIL funds did not pass.

Governor Baker signed the bill into law that contains the other state match funds.

There are existing funds and authorizations sufficient to cover the state matching component through FY 2023. Additional authorization is needed to cover the BIL funding from the legislature.

Ms. Perez said that there is still time for the Legislature to pass a bond bill to cover through FY 2024. The Trust will just need to provide an estimated base grant amount. We can see what funds come from the supplemental budget to help in the meantime.

The bill that Governor Baker signed provides \$20 Million for the pilot lead service line planning program.

**Adjourn the Meeting:** Ms. Perez requested a motion to adjourn the meeting. Ms. Pinaud moved the motion. A roll call was held, and all members approved the motion.

Minutes Approved: September 14, 2022