

Minutes for the Mosquito Control Task Force for the Twenty-First Century Meeting

March 3, 2021, 1:00 p.m. via Zoom

The meeting was held remotely under the Governor's Order issued on March 12, 2020, which authorizes a public body to meet remotely and suspends the requirement of a quorum on the body being physically present at the meeting location. All votes were taken as roll call votes.

Members in Attendance: Dan Sieger, Kevin Cranston, Commissioner John Lebeaux, Stephen Doody, Kathy Baskin, Tonya Colpitts, Eve Schluter, Derek Brindisi, Julia Blatt, Anita Deeley, Russell Hopping, Kim LeBeau, Bob Mann, Priscilla Matton, Jennifer Pederson, Rich Pollack, Helen Poynton, Heidi Ricci, Stephen Rich, Richard Robinson and Sam Telford.

Dan Sieger called the meeting to order at 1:05 p.m. He requested that attendees introduce themselves by entering their name and organization into the chat box and reviewed the agenda for the meeting. He asked for comments on the minutes from the meeting on February 4, 2021 noting the correct spelling of Clarke would be added. Hearing none, he asked for a motion to approve the January 27th minutes. John Lebeaux moved to approve the minutes and Jennifer Pederson seconded the motion. A roll call vote was taken, and the February 4th minutes were approved unanimously.

Dan Sieger then turned to John Lebeaux for a summary of the Mosquito Control opt-out process and draft application. John Lebeaux provided a detailed overview of the application and noted an alternative management plan must be approved before opt-out requests would be recognized. John Lebeaux also noted the opt out runs through the end of this calendar year and that applications are due by May 15th. Dan Sieger explained the goal was for municipalities to show they have dedicated time and resources to mosquito control without creating an overly burdensome process.

Jennifer Pederson asked whether such plans must be approved before municipalities vote on whether to opt out. She was told the vote to opt out should happen first and then they can develop the plan. A plan must be approved by EEA before the opt out would be honored by the SRB.

Derek Brindisi asked whether the application implied that plan approval required only a demonstration of outreach and education and whether other plan components would be considered "extra." John Lebeaux explained that public outreach and education were required and that other activities were options about which they wanted to make municipalities aware. Dan Sieger agreed, reiterating that outreach and education were the bare minimum and that other pieces would be evaluated.

Heidi Ricci expressed gratitude for home rule flexibility and asked how mosquito control districts would get budgets approved. John Lebeaux said the budget is either accepted or rejected in full, without authority for line-item veto. Heidi Ricci also asked about provisions for storm basin and water catcher maintenance. John Lebeaux and Dan Sieger noted the inclusion of culvert language but stated that catch basin cleanout may need to be included elsewhere in the application.

The task force members then engaged in a discussion of the voting process at town meeting and what would indicate municipal intent to opt out of spraying.

Priscilla Matton asked how surveillance would be conducted. Jennifer Forman Orth stated non-member municipalities can use outside contractors for surveillance.

Jennifer Pederson asked whether a municipality would need to conduct a revote if EEA denied its plan. Dan Sieger said it would not, and that EEA would work collaboratively with the municipality to obtain more information.

Eve Schluter asked whether municipalities would need to submit a plan every year or if the opt out was a one-time choice. Dan Sieger said the legislation calls for the development of an opt-out but the legislation is only in effect for two years. John Lebeaux agreed, further explaining the plan was designed to expire at the end of this year so municipalities could assess whether they want to participate again in the future or otherwise amend their decision. Dan Sieger also said EEA would review and approve the plans and would work closely with DPH and MDAR throughout the process, although specific metrics had not yet been finalized.

The meeting then moved to the review and selection of a contractor pursuant to the mosquito control process study RFR. Dan Sieger reported that one complete bid submission was received. One other entity attempted to bid but did not complete the process prior to the deadline.

Caroline Higley discussed the bid review process. She reviewed the history of the RFR, with its goal to complete a comprehensive study on mosquito control processes in Massachusetts. Bids were due by the evening of Monday, March 1st. Only task force members would be permitted to participate in today's bid evaluation discussion because review was limited to the procurement team. Once discussion of the bid was complete, task force members would be instructed to begin their scoring. Once complete, score sheets were to be sent in one email to caroline.higley2@mass.gov and Robert.Monahan@mass.gov. A roll call reading of the scores would then be initiated. Task force members would read aloud their bottom-line score awarded to the bidder. Finally, a roll call vote to award the contract would be initiated.

Helen Poynton asked what would happen if the bid were not approved. Caroline Higley explained the RFR would need to be reissued, potentially with a changed scope.

Dan Sieger then proceeded through each section of the score sheet criteria, permitting task force members to raise questions about each section.

As to Section One, Helen Poynton expressed concerns about the lack of an ecotoxicologist in the proposal. She noted the submitted résumés showed experience for human risk assessment but not for ecological risk assessment, and that the fields are different.

Richard Pollack first asked about the criteria contained in Section (b)(3) and thought the bid did not provide enough information about the maximum amount to be expended on key versus supporting personnel. He asked whether that information would be available in the final contract. Rob Monahan confirmed this information could be fleshed out in the contract's scope of work. Richard Pollack reiterated it was impossible to know the level of effort to be expended, and that

this information was needed to evaluate the bid. He also noted that with respect to the first section's criteria, he found the key personnel to be limited in mosquito biology and management, in contrast to the consultants identified.

Richard Robinson noted he did not see off-target expertise in the bid.

Julia Blatt felt the bid paid considerable deference to a retired individual who created the current program and questioned whether the bidder therefore could be objective in evaluating the program.

Stephen Rich felt the proposal was well constructed and urged fellow task force members not to let the great be the enemy of the good.

Several task force members expressed concern about the number of hours that would be dedicated to the work by consultants and subcontractors as opposed to key personnel, with a preference expressed for more detailed work descriptions and the formal inclusion of "informal" associates assisting with the proposal. Jennifer Pederson asked whether task force members sought more information on this issue than what had been provided in Table 5, which both she felt provided adequate detail.

Several task force members also expressed concern about the lack of ecosystem risk analysis and the bidder's lack of knowledge about, or failure to include information related to, bee issues.

As to Section Two, Richard Robinson noted he could not locate Lauren Brown's perchlorate study listed under the "experience" section. He emphasized he was not making any negative implications with this observation, and stated his belief that the group of individuals noted was impressive.

Kathleen Baskin explained that consultants frequently do not put their names on a project in bids such as these.

As to Section Three, Helen Poynton asked whether the task force could ask the bidder to bring in an ecotoxicologist and whether that would result in a budgetary change. Robert Monahan explained the request could be made as long as it was originally required in the RFR. If so, then they were permitted to make the request to the bidder.

Anita Deeley did not want to vote yes if there were no pollinator expert and asked if the task force could ask the bidder to rectify that omission before voting on whether to advance the bid. Dan Sieger explained the task force would first vote and then proceed to contract negotiation. He also cautioned the task force to remember there was only one bid and if they voted no, they would need to restart the entire procurement process.

As to Section Four, Helen Poynton thought the project approach regarding interviews with agencies and stakeholders was a little weak as compared to the RFR's emphasis on these issues.

Richard Robinson thought one of the individuals named in the bid had witness interview experience.

Eve Schluter thought the section on non-pollinators was not as fleshed out as other sections had been.

As to Section Five, Dan Sieger believed there was nothing in the bid to indicate the bidder could not keep up with the demanding schedule set forth for the program review.

Richard Pollack thought the timeframe provided might be optimistic.

As to Section Six, no comments.

As to Section Seven, Richard Robinson thought the bid overall was really high quality.

Helen Poynton stated she liked the meeting schedule, which made her feel as though the bidder would be receptive to task force feedback.

Heidi Ricci was concerned about the section (h) option description.

With discussion of each criteria section concluded, Dan Sieger instructed task force members to compile their score sheets and email them along as indicated. Caroline Higley confirmed only full points should be awarded. The task force took a ten (10) minute break to vote. Results were as follows:

Task Force Member	Score	Vote
Dan Sieger	34	Y
Kevin Cranston	36	Y
John Lebeaux	26	Y
Stephen Doody	33	Y
Kathleen Baskin	38	Y
Eve Schluter	32	Y
Heidi Porter	31	Y
Derek Brindisi	-----	-----
Julia Blatt	34	Y
Tanya Colpitts	38	Y
Anita Deeley	22	N
Russell Hopping	28	Y
Kim LeBeau	29	Y
Robert Mann	36	Y
Priscilla Matton	29	Y
Brad Mitchell	-----	-----
Jennifer Pederson	33	Y
Rich Pollock	17	N
Helen Poynton	20	N
Heidi Ricci	31	Y
Stephen Rich	29	Y
Richard Robinson	36	Y
Sam Telford	27	Y
TOTAL	18 Y, 3N	

Dan Sieger asked for a motion to approve the bid. John Lebeaux moved to award, which was seconded by Jennifer Pederson.

Dan Sieger concluded by asking whether there were any items for next meeting. Heidi Ricci asked about edits to be made to the opt-out plan. Kevin Cranston requested that Katie Brown be invited. Dan Sieger then asked for a motion to adjourn the meeting. Jennifer Pederson moved to adjourn, which was seconded by John Lebeaux. The meeting ended at 2:56 p.m.