

**JOURNAL
OF
THE COMMITTEE ON MDC GOVERNMENT
OF
THE METROPOLITAN DISTRICT
COMMISSION**

FOR THE YEAR
2011

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Office of the District Clerk

Membership of the District is made up of the City of Hartford and
The Towns of Bloomfield, Newington, Wethersfield, Windsor,
East Hartford, Rocky Hill and West Hartford

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MEMBERSHIP
OF
THE COMMITTEE ON MDC GOVERNMENT
2011

J. LAWRENCE PRICE Chairman, Committee on MDC Government

ALLEN HOFFMAN

TRUDE H. MERO

WILLIAM HORAN

J. LAWRENCE PRICE

MAUREEN MAGNAN

HECTOR M. RIVERA

ALPHONSE MAROTTA

ALVIN E. TAYLOR

MINUTES

OF

MEETINGS OF THE COMMITTEE ON MDC GOVERNMENT

HELD IN 2011

**SPECIAL MEETING
COMMITTEE ON MDC GOVERNMENT
The Metropolitan District
555 Main Street, Hartford
Monday, February 7, 2011**

Present: Commissioners Allen Hoffman, William P. Horan, Alphonse Marotta, Trude H. Mero, J. Lawrence Price, Hector Rivera, Alvin E. Taylor and District Chairman William A. DiBella (8)

Absent: Commissioner Maureen Magnan (1)

Also

Present: Commissioner Michael W. Gerhart
Charles P. Sheehan, Chief Executive Officer
Robert E. Moore, Chief Administrative Officer
Scott W. Jellison, Chief Operating Officer
John M. Zinzarella, Chief Financial Officer
R. Bartley Halloran, District Counsel
Christopher R. Stone, Assistant District Counsel
Brendan M. Fox, Jr., Assistant District Counsel
Erin Ryan, Assistant District Counsel
Kristine C. Shaw, District Clerk
Patricia Speicher Werbner, Director of Human Resources
Louise Guarnaccia, Program Controls Manager
Carol Fitzgerald, Manager of Financial Control
Kerry E. Martin, Assistant to the Chief Executive Officer
Cynthia A. Nadolny, Executive Assistant
Richard H. Goldstein, Attorney, McElroy, Deutsch, Mulvaney & Carpenter/PH, LLP

CALL TO ORDER

Chairman J. Lawrence Price called the meeting to order at 5:23 P.M.

ROLL CALL AND QUORUM

The District Clerk informed the Chairman that a quorum of the Committee on MDC Government was present, and the meeting was declared a legal meeting of the Committee on MDC Government of The Metropolitan District of Hartford County, Connecticut.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Marotta and duly seconded, the meeting minutes of December 6, 2010 were approved.

Commissioner Price abstained.

APPOINTMENT OF LEGISLATIVE CONSULTANTS – Report 4.

Attorney Stone reported that there are a couple issues before the Legislature that we are keeping a close eye on. He said the first is the municipal recreational immunity initiative that has been the subject of many proposed bills and has been introduced by legislators both within and outside our member towns. He said we are also keeping an eye on the streamflow regulations legislation. Attorney Stone said we are attempting to secure legislation to broaden the universe of contracts that are amenable to the Small Local Business Enterprise (SLBE) Program. He said presently, the contracts that we can apply the SLBE program to are non-DEP funded projects; we are trying to have the program included within DEP funded projects, which would open a good deal of work within our Clean Water project.

Attorney Stone announced that on February 25 at 8:00 a.m., Commissioners are invited to a breakfast at the Legislative Office Building cafeteria for a legislative update from our consultants.

To: Committee on MDC Government for consideration on February 7, 2011

Over the past several years, the firms of Doyle, D'Amore & Balducci and Capitol Strategies Group, LLC have provided exemplary service in the area of governmental relations. Based upon their collective past performance, and to maintain a level of continuity within the District's legislative and administrative lobbying activities, District staff recommends the reappointment of Doyle, D'Amore & Balducci and Capitol Strategies Group, LLC to represent the District during the 2011 legislative session. The term of their respective appointments would be from January 1, 2011 through December 31, 2011.

Further, in the event the Committee on MDC Government forwards the appointments to the District Board, District staff recommends that the annual fee for each lobbyist firm remain \$25,000.00, for a total of \$50,000.00. Payments would be prorated over a twelve-month period.

It is therefore recommended that it be:

Voted: That the Committee on MDC Government recommends to the District Board passage of the following resolution:

Resolved: That the firms of Doyle, D'Amore & Balducci and Capitol Strategies Group, LLC be retained to perform lobbying services for a period commencing on January 1, 2011 and terminating on December 31, 2011, for a fee of \$25,000.00 each, totaling \$50,000.00, to be prorated over a twelve-month period, subject to the execution of a written agreement prepared and approved by District Counsel as to form and content, reflecting the scope of services, reporting requirements and such other terms and conditions as District Counsel may stipulate.

Respectfully submitted,

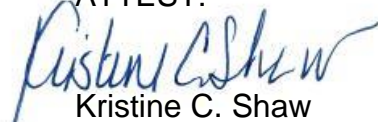
Charles P. Sheehan
Chief Executive Officer

On a motion made by District Chairman DiBella and duly seconded, the report was received and the resolution was recommended to the District Board by unanimous vote of those present.

ADJOURNMENT

The meeting was adjourned at 5:36 P.M.

ATTEST:


Kristine C. Shaw
District Clerk

June 6, 2011

Date of Approval

Public Hearing
COMMITTEE ON MDC GOVERNMENT
The Metropolitan District
555 Main Street, Hartford
Tuesday, April 26, 2011

Present: Commissioner Alvin E. Taylor
Christopher R. Stone, Assistant District Counsel
Brendan M. Fox Jr., Assistant District Counsel
Kristine C. Shaw, District Clerk
Kerry E. Martin, Assistant to the Chief Executive Officer
Cynthia Nadolny, Executive Assistant

**PUBLIC HEARING ON PROPOSED REVISION TO THE METROPOLITAN
DISTRICT GENERAL ORDINANCES**

Commissioner Taylor, acting as Chairman, called the public hearing to order at 5:00 p.m.

Chairman Taylor stated that no one from the public was in attendance; therefore, he waived the reading of the general statement and the public hearing procedures and guidelines.

Kristine Shaw, District Clerk, entered the following into the record:

The following hearing notice was published in the Hartford Courant on April 13 & 14, 2011 and again on April 20 & 21; and the notice and the complete text of the proposed ordinance revisions were filed, for public inspection, in the office of the town clerk in each municipality that is a member of The Metropolitan District, all as required by Section 2-14 of the Charter of The Metropolitan District:

Pursuant to Special Act 01-3, as adopted by the General Assembly of the State of Connecticut, the District Board of The Metropolitan District will hold a public hearing on the proposed revision of Section G6a and Section G8a and the proposed addition of Section G6h, Section G8d and Section G8e to The Metropolitan District's General Ordinances. The hearing will be held in the Board Room at Metropolitan District Headquarters, Hartford, Connecticut on **Tuesday, April 26, 2011 at 5:00 P.M.**

The proposed ordinance revisions are available for inspection at the Office of the District Clerk of The Metropolitan District, 555 Main Street, Hartford, Connecticut.

All interested parties from The Metropolitan District's member towns may appear to be heard.

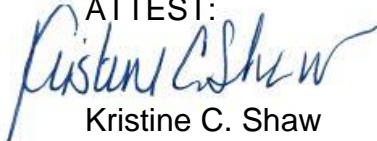
STATEMENT OF PURPOSE: The purpose of the proposed ordinances is to apply procurement processes consistent with the procedures set forth in the Federal Acquisition Regulations, as granted to the District under Section 1(g) of Special Act 08-9 (Regular Session 2008).

Kristine C. Shaw
District Clerk

ADJOURNMENT

The meeting was adjourned at 5:01 P.M.

ATTEST:

A handwritten signature in blue ink, appearing to read "Kristine C. Shaw", is written over the printed name and title.

Kristine C. Shaw
District Clerk

Date of Approval

**SPECIAL MEETING
COMMITTEE ON MDC GOVERNMENT
The Metropolitan District
555 Main Street, Hartford
Monday, June 6, 2011**

Present: Commissioners Allen Hoffman, Alphonse Marotta, Trude H. Mero, J. Lawrence Price, Hector Rivera and Alvin E. Taylor (6)

Absent: Commissioners William P. Horan and Maureen Magnan (2)

Also

Present: Commissioner Luis Caban
Commissioner Joseph H. Kronen
Commissioner Jamal R. Gatling
Charles P. Sheehan, Chief Executive Officer
Scott W. Jellison, Deputy Chief Executive Officer, Engineering & Operations
Christopher R. Stone, Assistant District Counsel
Brendan M. Fox, Jr., Assistant District Counsel
Erin Ryan, Assistant District Counsel
Kristine C. Shaw, District Clerk
Cynthia A. Nadolny, Executive Assistant
Richard H. Goldstein, Attorney, McElroy, Deutsch, Mulvaney & Carpenter/PH, LLP

CALL TO ORDER

Chairman J. Lawrence Price called the meeting to order at 4:54 P.M.

ROLL CALL AND QUORUM

The District Clerk informed the Chairman that a quorum of the Committee on MDC Government was present, and the meeting was declared a legal meeting of the Committee on MDC Government of The Metropolitan District of Hartford County, Connecticut.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Hoffman and duly seconded, the meeting minutes of February 7, 2011 were approved.

PROPOSED REVISIONS TO THE GENERAL ORDINANCES OF THE METROPOLITAN DISTRICT – Report 4.

To: Committee on MDC Government for consideration on June 6, 2011

District staff, through the Office of District Counsel, submits the following amendments to General Ordinances Section G6a & Section G8a and the inclusion of General Ordinances Section G6h, G8d, and G8e, for consideration by the Committee on MDC Government. Pursuant to the authority set forth in Section 1(g) of Special Act 08-9, these ordinances are part of the continuing process to conform the District's procurement process to the procedures set forth in the Federal Acquisition Regulations.

On April 26, 2011, a public hearing was held regarding the proposed ordinances; however, no one from the public appeared and no written correspondence has been received by the District Clerk in favor of or in opposition to the proposed ordinances.

Proposed changes to the General Ordinances are underscored.

G6a GENERAL

With the exception of those contracts for professional services of an architectural or engineering nature awarded pursuant to Section G6g and G6h below, all contracts for professional services in excess of the amount set forth in the Charter shall be awarded pursuant to the process set forth herein. For the purposes of this Chapter G6, "professional services" shall include engineering, architectural and environmental services, management studies and advice, project management, construction management, automation and computer systems analysis and design

G6h INDEFINITE-DELIVERY/INDEFINITE-QUANTITY SELECTION

Pursuant to the authority granted to the District under Section 1(g) of Special Act 08-9 (Regular Session 2008), and upon a determination by the Chief Executive Officer ("CEO") that the interests of the District would be best served by the procurement of engineering services through an indefinite-quantity as set forth in the Federal Acquisition Regulations ("the FAR"), as codified in the FAR Subparts 16.504 and 16.505, the District may solicit and award such engineering services when the District cannot predetermine, above a specified minimum, the precise quantities of engineering services it requires during a specific contract period, and it is inadvisable for the District to enter into a contract for more than the minimum quantity, and a recurring need for such services, from whatever source, is anticipated. The procedure for an award of an indefinite-quantity contract shall include: 1) a stated minimum value and quantity of services; 2) a request for qualifications procedure to establish a list of qualified engineers eligible to participate in the selection process, to include qualification and selection criteria; 3) a procedure to amend or supplement the list of qualified engineers on an ongoing basis through the request for qualification process; 4) standards and parameters for negotiations between the District and the engineer selected from the list

of qualified engineers for a particular indefinite-quantity task; and 5) standard contractual provisions, all of the foregoing being consistent with the FAR.

G8a SUPPLIES AND SERVICES

With the exception of the procurement of supplies and services pursuant to Section G-8b below when an unusual and compelling urgency exists, supplies and services which must be purchased following public bids, pursuant to Section 2-16 of the Charter of The Metropolitan District, if the expenditure for such supplies and services exceeds twenty-five thousand dollars, shall be the same types of supplies and services which must be purchased following competitive bids by the State of Connecticut pursuant to Section 4a-57(a) of the Connecticut General Statutes.

G8d EMERGENCY ACQUISITION OF SUPPLIES AND SERVICES

Pursuant to the authority granted to the District under Section 1(g) of Special Act 08-9 (Regular Session 2008), and upon a determination by the Chief Executive Officer ("CEO") or his or her designee that an emergency exists, full and open competitive bidding shall not be required and the District shall be allowed to limit the number of sources from which it solicits bids or proposals for work, materials or supplies needed to respond to the declared emergency, as permitted by the Federal Acquisition Regulations ("the FAR"), and as codified in the FAR Subparts 6.302-2 and 18.104.

An "emergency" shall exist: (i) if the delay in the award of a contract: (A) may threaten the public's safety; or (B) may place lives, health or property at risk; (ii) when services or supplies are necessary to respond to a natural disaster; or (iii) may cause serious injury, financial or otherwise, to the District. Contract awards made pursuant to this section shall be supported by written justifications and applicable written approvals. The District shall request offers from as many potential sources as is practicable under the circumstances.

The initial authorization to proceed with the authorized work shall be limited to the sum of one million dollars. Thereafter, District Board approval shall be required prior to any further contract award. Regardless of the amount of anticipated expenditures, the CEO shall notify the District Board of a determination of an emergency and the action taken in response thereto, no later than seven days from such determination.

District staff shall establish specific implementation protocols incorporating those provisions of the FAR necessary to implement an emergency acquisition process as set forth above, and subject to the provisions of any applicable federal or state law or regulation. The CEO may delegate to appropriate District staff such authority as may be necessary to conduct the procurement procedures established by this ordinance as he or she may determine.

G8e CONSTRUCTION MANAGEMENT SERVICES

Notwithstanding the provisions of Section G-8a above, and pursuant to the authority granted to the District under Section 1(g) of Special Act 08-9 (Regular Session 2008), upon a determination by the Chief Executive Officer ("CEO") that the interests of the District would be best served by the procurement of construction management services through a best value selection process as set forth in the Federal Acquisition Regulations ("the FAR"), as codified in FAR Part 15, the District may solicit and award such construction management services using such methods as the FAR permits for a best value based selection for a reasonable price as determined by a competitive bidding process and/or negotiations. "Construction management services" shall be defined as services relating to construction planning and implementation, project estimating, assistance in procurement, construction administration support, commissioning and startup assistance, payment review, claims assistance and submittal control on major projects.

The procedure for selection and award shall include:

- 1) Adequate public notice of the invitations for qualifications and response as set forth in sections G6b through e;
- 2) A determination of selection criteria prior to the issuance of the invitation to respond, consistent with the specific needs of the District and requirements of the project(s);
- 3) Formation of an objective, qualified selection panel to review responsive proposals and make recommendations to the CEO;
- 4) Standards and parameters for the negotiation of the contract with the best proposers; and
- 5) Standard contractual provisions, all of the foregoing being consistent with the FAR

District staff shall establish specific implementation protocols incorporating those provisions of the FAR necessary to implement a best value selection process as set forth above, and subject to the provision of any applicable federal or state law or regulation. The CEO may delegate to appropriate District staff such authority as may be necessary to conduct the procurement procedures established by this ordinance as he or she may determine.

It is RECOMMENDED that it be

Voted: That the Committee on MDC Government recommends to the District Board passage of the following resolution:

Resolved: That the revisions and additions to the Metropolitan District's General Ordinances be adopted as follows:

G6a GENERAL

With the exception of those contracts for professional services of an architectural or engineering nature awarded pursuant to Section G6g and G6h below, all contracts for professional services in excess of the amount set forth in the Charter shall be awarded pursuant to the process set forth herein. For the

purposes of this Chapter G6, "professional services" shall include engineering, architectural and environmental services, management studies and advice, project management, construction management, automation and computer systems analysis and design

G6h INDEFINITE-DELIVERY/INDEFINITE-QUANTITY SELECTION

Pursuant to the authority granted to the District under Section 1(g) of Special Act 08-9 (Regular Session 2008), and upon a determination by the Chief Executive Officer ("CEO") that the interests of the District would be best served by the procurement of engineering services through an indefinite-quantity as set forth in the Federal Acquisition Regulations ("the FAR"), as codified in the FAR Subparts 16.504 and 16.505, the District may solicit and award such engineering services when the District cannot predetermine, above a specified minimum, the precise quantities of engineering services it requires during a specific contract period, and it is inadvisable for the District to enter into a contract for more than the minimum quantity, and a recurring need for such services, from whatever source, is anticipated. The procedure for an award of an indefinite-quantity contract shall include: 1) a stated minimum value and quantity of services; 2) a request for qualifications procedure to establish a list of qualified engineers eligible to participate in the selection process, to include qualification and selection criteria; 3) a procedure to amend or supplement the list of qualified engineers on an ongoing basis through the request for qualification process; 4) standards and parameters for negotiations between the District and the engineer selected from the list of qualified engineers for a particular indefinite-quantity task; and 5) standard contractual provisions, all of the foregoing being consistent with the FAR.

G8a SUPPLIES AND SERVICES

With the exception of the procurement of supplies and services pursuant to Section G-8b below when an unusual and compelling urgency exists, supplies and services which must be purchased following public bids, pursuant to Section 2-16 of the Charter of The Metropolitan District, if the expenditure for such supplies and services exceeds twenty-five thousand dollars, shall be the same types of supplies and services which must be purchased following competitive bids by the State of Connecticut pursuant to Section 4a-57(a) of the Connecticut General Statutes.

G8d EMERGENCY ACQUISITION OF SUPPLIES AND SERVICES

Pursuant to the authority granted to the District under Section 1(g) of Special Act 08-9 (Regular Session 2008), and upon a determination by the Chief Executive Officer ("CEO") or his or her designee that an emergency exists, full and open competitive bidding shall not be required and the District shall be allowed to limit the number of sources from which it solicits bids or proposals for work, materials or supplies needed to respond to the declared emergency, as permitted by the

Federal Acquisition Regulations ("the FAR"), and as codified in the FAR Subparts 6.302-2 and 18.104.

An "emergency" shall exist: (i) if the delay in the award of a contract: (A) may threaten the public's safety; or (B) may place lives, health or property at risk; (ii) when services or supplies are necessary to respond to a natural disaster; or (iii) may cause serious injury, financial or otherwise, to the District. Contract awards made pursuant to this section shall be supported by written justifications and applicable written approvals. The District shall request offers from as many potential sources as is practicable under the circumstances.

The initial authorization to proceed with the authorized work shall be limited to the sum of one million dollars. Thereafter, District Board approval shall be required prior to any further contract award. Regardless of the amount of anticipated expenditures, the CEO shall notify the District Board of a determination of an emergency and the action taken in response thereto, no later than seven days from such determination.

District staff shall establish specific implementation protocols incorporating those provisions of the FAR necessary to implement an emergency acquisition process as set forth above, and subject to the provisions of any applicable federal or state law or regulation. The CEO may delegate to appropriate District staff such authority as may be necessary to conduct the procurement procedures established by this ordinance as he or she may determine.

G8e CONSTRUCTION MANAGEMENT SERVICES

Notwithstanding the provisions of Section G-8a above, and pursuant to the authority granted to the District under Section 1(g) of Special Act 08-9 (Regular Session 2008), upon a determination by the Chief Executive Officer ("CEO") that the interests of the District would be best served by the procurement of construction management services through a best value selection process as set forth in the Federal Acquisition Regulations ("the FAR"), as codified in FAR Part 15, the District may solicit and award such construction management services using such methods as the FAR permits for a best value based selection for a reasonable price as determined by a competitive bidding process and/or negotiations. "Construction management services" shall be defined as services relating to construction planning and implementation, project estimating, assistance in procurement, construction administration support, commissioning and startup assistance, payment review, claims assistance and submittal control on major projects.

The procedure for selection and award shall include:

- 1) Adequate public notice of the invitations for qualifications and response as set forth in sections G6b through e;

- 2) A determination of selection criteria prior to the issuance of the invitation to respond, consistent with the specific needs of the District and requirements of the project(s);
- 3) Formation of an objective, qualified selection panel to review responsive proposals and make recommendations to the CEO;
- 4) Standards and parameters for the negotiation of the contract with the best proposers; and
- 5) Standard contractual provisions, all of the foregoing being consistent with the FAR

District staff shall establish specific implementation protocols incorporating those provisions of the FAR necessary to implement a best value selection process as set forth above, and subject to the provision of any applicable federal or state law or regulation. The CEO may delegate to appropriate District staff such authority as may be necessary to conduct the procurement procedures established by this ordinance as he or she may determine.

Respectfully submitted,

Charles P. Sheehan
Chief Executive Officer

Chairman Price requested if there was no objection, all ordinances being considered would be taken up collectively. There was no objection.

On motion made by Commissioner Marotta and duly seconded, the report was received and the resolution was recommended to the District Board by unanimous vote of those present.

PROPOSED REVISIONS TO THE MDC SMALL LOCAL BUSINESS ENTERPRISE (SLBE) DEVELOPMENT PROGRAM – Report 5.

To: Committee on MDC Government for consideration on June 6, 2011

District staff, through the Office of the District Counsel, submits the following revisions to the Small Local Business Enterprise (SLBE) Development Program for consideration by the Committee on MDC Government. The proposed revisions will further clarify qualifying language for the business location of a small and/or local business and provide the SLBE Program Administrator the authority to make independent determinations as to a small and/or local business' "principal place of business", rather than requiring the SLBE Program Administrator to rely solely upon the address certified to DAS and/or DOT. Furthermore, the proposed revisions will allow the Program Administrator to conduct investigatory site visits to determine whether a small and/or local business maintains a principal place of business within one (1) of the

eight (8) MDC member towns, and if disqualified for failure to do so, would provide for the small and/or local business to submit an appeal to the MDC Chief Executive Officer.

Proposed additions are underscored and deletions are crossed out.

I. TERMS AND DEFINITIONS

Principal Place of Business-the “nerve center” of the business, where the majority of decision-makers work, as determined by the SLBE Program Administrator, with due consideration to the information, listed on the DAS/DOT certification.

III. SLBE PROGRAM ELIGIBILITY

- D. SLBEs must maintain (1) a ~~primary office or location~~ principal place of business and (2) a significant business presence within one or more of the MDC’s eight (8) member towns: Hartford, East Hartford, Bloomfield, Wethersfield, West Hartford, Newington, Windsor, and Rocky Hill. For the purposes of the Program, each contractor’s location shall be determined from the address listed by the contractor on its application to either the DAS or DOT for certification as a small contractor or disadvantaged business enterprise. However, the Administrator may exclude a SLBE from this Program that does not maintain (1) a ~~primary office or location~~ principal place of business and (2) a significant business presence within the eight (8) member towns.

If the Program Administrator has a reasonable, articulable belief that a company may not meet the criteria specified by the SLBE Policy Document, Section III (D), the Administrator or the Administrator’s designee shall conduct an investigatory site visit to determine whether the company maintains a principal place of business within one (1) of the eight (8) member towns, and whether the company has a significant business presence within the eight (8) member towns. Absent such investigatory site visits, the Administrator shall select at random three (3) SLBE-certified companies per quarter for a site visit to ensure compliance with the guidelines of the Policy Document, Section III (D).

IV. MICRO LOCAL BUSINESS ENTERPRISE (MLBE PROGRAM)

C. Other Eligibility Requirements

To qualify MLBEs, must maintain: (1) a ~~primary office or location~~ principal place of business and (2) a significant business presence within one or more of the MDC’s eight (8) member towns

VI. FRAUD OR ABUSE

- B. The Administrator shall investigate any complaint made to any commissioner, officer, agent or MDC employee regarding misrepresentations, fraud, or abuse of the

Program to benefit firms or individuals other than the intended beneficiaries of this Program. The Program Administrator may conduct one or more unannounced site visits to the contractor in question as part of the investigation.

VII. APPEALS

- A. Any person that is aggrieved by a decision by the Administrator under this Policy may appeal the decision of the Administrator to the CEO. Decisions for which appeals may be made under this section include:

5. Disqualification of a contractor from the SLBE program for failure to maintain either a principal place of business in one (1) of the eight (8) MDC member towns, or a significant business presence within the eight (8) member towns.

It is RECOMMENDED that it be

Voted: That the Committee on MDC Government recommends to the District Board passage of the following resolution:

Resolved: That the revisions and additions to the MDC Small Local Business Enterprise (SLBE) Development Program be adopted as follows:

I. TERMS AND DEFINITIONS

Principal Place of Business-the “nerve center” of the business, where the majority of decision-makers work, as determined by the SLBE Program Administrator, with due consideration to the information listed on the DAS/DOT certification.

III. SLBE PROGRAM ELIGIBILITY

- D. SLBEs must maintain (1) a principal place of business and (2) a significant business presence within one or more of the MDC’s eight (8) member towns: Hartford, East Hartford, Bloomfield, Wethersfield, West Hartford, Newington, Windsor, and Rocky Hill. For the purposes of the Program, each contractor’s location shall be determined from the address listed by the contractor on its application to either the DAS or DOT for certification as a small contractor or disadvantaged business enterprise. However, the Administrator may exclude a SLBE from this Program that does not maintain (1) a principal place of business and (2) a significant business presence within the eight (8) member towns.

If the Program Administrator has a reasonable, articulable belief that a company may not meet the criteria specified by the SLBE Policy Document, Section III (D), the Administrator or the Administrator’s designee shall conduct an investigatory site visit to determine whether the company maintains a principal place of business within one (1) of the eight (8) member towns, and whether the company has a significant business presence within the eight (8) member towns. Absent such investigatory site visits, the Administrator shall select at random three (3) SLBE-certified

companies per quarter for a site visit to ensure compliance with the guidelines of the Policy Document, Section III (D).

IV. MICRO LOCAL BUSINESS ENTERPRISE (MLBE PROGRAM)

C. Other Eligibility Requirements

To qualify MLBEs, must maintain: (1) a principal place of business and (2) a significant business presence within one or more of the MDC's eight (8) member towns.

VI. FRAUD OR ABUSE

- B. The Administrator shall investigate any complaint made to any commissioner, officer, agent or MDC employee regarding misrepresentations, fraud, or abuse of the Program to benefit firms or individuals other than the intended beneficiaries of this Program. The Program Administrator may conduct one or more unannounced site visits to the contractor in question as part of the investigation.

VII. APPEALS

- A. Any person that is aggrieved by a decision by the Administrator under this Policy may appeal the decision of the Administrator to the CEO. Decision for which appeals may be made under this section include:

5. Disqualification of a contractor from the SLBE program for failure to maintain either a principal place of business in one (1) of the eight (8) MDC member towns, or a significant business presence within the eight (8) member towns.

Respectfully submitted,

Charles P. Sheehan
Chief Executive Officer

***On motion made by Commissioner Mero and duly seconded,
the report was received and the resolution was recommended
to the District Board by unanimous vote of those present.***

ADJOURNMENT

The meeting was adjourned at 5:12 P.M.

ATTEST:



Kristine C. Shaw
District Clerk

December 12, 2011
Date of Approval

**SPECIAL MEETING
COMMITTEE ON MDC GOVERNMENT
The Metropolitan District
555 Main Street, Hartford
Monday, December 12, 2011**

Present: Commissioners Allen Hoffman, William P. Horan, Alphonse Marotta, James S. Needham, J. Lawrence Price, Hector Rivera, Alvin E. Taylor and District Chairman William A. DiBella (8)

Absent: Commissioners Michael Gerhart, Maureen Magnan and Trude H. Mero (3)

Also

Present: Commissioner Jamal R. Gatling
Scott W. Jellison, Deputy Chief Executive Officer, Engineering & Operations
John M. Zinzarella, Deputy Chief Executive Officer, Business Services
R. Bartley Halloran, District Counsel
Christopher R. Stone, Assistant District Counsel
Brendan M. Fox, Jr., Assistant District Counsel
Stanley Pokora, Manager of Treasury
Robert Constable, Manager of Budgeting & Analysis
Kristine C. Shaw, District Clerk
Kerry E. Martin, Assistant to the Chief Executive Officer
Cynthia A. Nadolny, Executive Assistant
Richard H. Goldstein, Attorney, McElroy, Deutsch, Mulvaney & Carpenter/PH, LLP

CALL TO ORDER

Chairman J. Lawrence Price called the meeting to order at 5:15 P.M.

ROLL CALL AND QUORUM

The District Clerk informed the Chairman that a quorum of the Committee on MDC Government was present, and the meeting was declared a legal meeting of the Committee on MDC Government of The Metropolitan District of Hartford County, Connecticut.

PUBLIC COMMENTS RELATIVE TO AGENDA ITEMS

No one from the public appeared to be heard.

APPROVAL OF MINUTES

On motion made by Commissioner Marotta and duly seconded, the meeting minutes of June 6, 2011 were approved.

Commissioners Needham and Price abstained.

REVISIONS TO DISTRICT WATER SUPPLY ORDINANCES – Report 4.

To: Committee on MDC Government

From: Water Bureau

December 12, 2011

The 2012 budget in support of Water Operations calls for a 3.4% water use rate increase from \$2.35 to \$2.43 per hundred cubic feet (CCF). The peripheral charges associated with the delivery and sale of water have been increased to cover a portion of the fixed operating, maintenance and debt costs. The water rate increases are attributable to 3.4% expenditure increase in the 2012 budget which increases the revenue required from the water rates to support the budget. The increases will become effective January 1, 2012.

A discussion of the several rates that comprise the proposed schedule for 2012 and the recommendations pertaining to each follows:

Water Used Charge – Treated Water

Staff recommends that the rate charged for the use of treated water based on actual metered consumption increase from \$2.35 per CCF to \$2.43 per CCF. The increase for fiscal year 2012 would increase the current water rate by \$0.08 cents per hundred cubic feet (CCF).

The recommended rate for treated water, based on actual metered consumption, is:

<u>WATER USAGE</u>	<u>CURRENT RATE</u>	<u>PROPOSED RATE</u>
All Customers	\$2.35/100 Cu. ft.	\$2.43/100 Cu ft.

Customer Service Charge

Revenues from this customer service charge have been revised for 2012 to support a portion of the fixed operating, maintenance and debt costs associated with water operations. The increase to the customer service charge in the residential category (5/8", 3/4", and 1" meters) will increase by \$24.00, from \$15.30 to \$39.30, per

quarter. Recommended increases for larger size meters range from \$41.60 to \$185.00 per quarter.

Surcharge Outside The Metropolitan District

A fixed “surcharge” rate is added to all accounts for service outside the boundaries of the District. The surcharge is based on the size of the meter that serves each delivery point. Revenues from this charge have been revised to for 2012 to support operating, maintenance and debt costs, are derived from approximately 7,200 accounts outside the District’s eight member municipalities. This proposed adjustment will result in increases ranging from \$26.37 per quarter on the smallest residential account to \$962.34 per quarter on the largest industrial metered service.

Water Used Charge – Untreated Water

The District provides untreated water to other agencies and water companies for a fixed rate based on actual consumption. The current rate for this untreated or “raw” water is \$0.99 per hundred cubic feet of consumption. It is recommended that the charge for untreated water be increased to \$1.00 cents per hundred cubic feet.

Private Fire Protection Charge

Rates for private fire protection are charged to all fire service accounts based on the size of the service connection. Staff recommends a 3.4% increase to all rates for private fire protection.

Conclusion

Staff believes that the foregoing rate change recommendations are justified, reflect the sound financial administration that has earned the District support among credit rating agencies and financial advisors, and are consistent with the policy direction of the Commission.

After reviewing the information contained herein

It is **RECOMMENDED** that it be

Voted: That the Water Bureau, acting under Section 5-4 of the District Charter, establishes revised water rates effective with the meter readings rendered on and after January 1, 2012, as set forth in the following “REVISIONS TO WATER SUPPLY ORDINANCES.”

Further Voted: That following the public hearing held on December 5, 2011, as required by Special Act 01-3, as adopted by the General Assembly of the State of

Connecticut, and Section 2-14 of the Charter of The Metropolitan District, the Water Bureau recommends to the District Board, through the Committee on MDC Government, approval of the following “REVISIONS TO WATER SUPPLY ORDINANCES” by the enactment of said proposed ordinances. (Additions are indicated by underscoring and deletions are crossed out).

REVISIONS TO WATER SUPPLY ORDINANCES**W-1 WATER RATES****SEC. W1a WATER USED CHARGE (TREATED WATER)**

The WATER USED CHARGE is the quantity of water used as read at the meter, as follows:

BILLS RENDERED	RATE
MONTHLY AND QUARTERLY	\$2.35 per 100 Cubic Feet
<u>BILLS RENDERED</u>	<u>RATE</u>
<u>MONTHLY AND QUARTERLY</u>	<u>\$2.43 per 100 Cubic Feet</u>

SEC. W1b CUSTOMER SERVICE CHARGE

The CUSTOMER SERVICE CHARGE is a service charge applicable to all metered services and services to be metered. The charge shall be determined from the size of each meter installed or to be installed on the premises, as follows:

Size of Meter	Monthly Billing	Quarterly Billing
5/8"	13.00	15.30
3/4"	13.00	15.30
1"	13.00	15.30
1 1/2"	21.48	40.90
2"	21.48	40.90
3"	124.72	350.26
4"	124.72	350.26
6"	124.72	350.26
8"	124.72	350.26
12"	124.72	350.26

<u>SIZE OF METER</u>	<u>MONTHLY BILLING</u>	<u>QUARTERLY BILLING</u>
5/8"	<u>13.10</u>	<u>39.30</u>
3/4"	<u>13.10</u>	<u>39.30</u>
1"	<u>13.10</u>	<u>39.30</u>
1 1/2"	<u>27.50</u>	<u>82.50</u>
2"	<u>27.50</u>	<u>82.50</u>
3"	<u>178.42</u>	<u>535.26</u>
4"	<u>178.42</u>	<u>535.26</u>
6"	<u>178.42</u>	<u>535.26</u>
8"	<u>178.42</u>	<u>535.26</u>
12"	<u>178.42</u>	<u>535.26</u>

SEC. W1c SURCHARGE OUTSIDE THE METROPOLITAN DISTRICT

In towns outside the limits of The Metropolitan District, in addition to charges under SEC. W1a and W1b, there shall be a surcharge determined from the size of the meter installed on the premises, as follows:

<u>SIZE OF METER</u>	<u>MONTHLY BILLING</u>	<u>QUARTERLY BILLING</u>
5/8"	<u>4.39</u>	<u>13.17</u>
3/4"	<u>5.97</u>	<u>17.91</u>
1"	<u>7.48</u>	<u>22.44</u>
1 1/2"	<u>13.19</u>	<u>39.57</u>
2"	<u>19.08</u>	<u>57.24</u>
3"	<u>35.38</u>	<u>106.14</u>
4"	<u>53.33</u>	<u>159.99</u>
6"	<u>100.44</u>	<u>301.32</u>
8"	<u>163.93</u>	<u>491.79</u>
12"	<u>270.70</u>	<u>812.10</u>

<u>SIZE OF METER</u>	<u>MONTHLY BILLING</u>	<u>QUARTERLY BILLING</u>
5/8"	<u>13.18</u>	<u>39.54</u>
3/4"	<u>14.32</u>	<u>42.96</u>
1"	<u>18.44</u>	<u>55.32</u>
1 1/2"	<u>23.73</u>	<u>71.19</u>
2"	<u>38.10</u>	<u>114.30</u>
3"	<u>144.36</u>	<u>433.08</u>
4"	<u>180.45</u>	<u>541.35</u>
6"	<u>280.70</u>	<u>842.10</u>
8"	<u>390.95</u>	<u>1,142.85</u>
12"	<u>591.48</u>	<u>1,774.44</u>

SEC. W1d CHARGES FOR UNTREATED WATER

Charges for untreated water sold to water companies and agencies under agreement between The Metropolitan District and such companies or agencies, or by other arrangement, shall be at the rate of ~~\$0.99~~ \$1.00 per hundred cubic feet, and the effective date of said rates shall be after six months' notice.

SEC. W6f CHARGES FOR PRIVATE FIRE PROTECTION SERVICE

Charges for connections to water mains supplying water for fire protection, metered, or unmetered, shall be in accord with the following table:

SIZE OF CONNECTION	MONTHLY CHARGE
2"	13.36
3"	17.39
4"	26.12
6"	43.77
8"	65.81
10"	110.23
12"	154.99

<u>SIZE OF CONNECTION</u>	<u>MONTHLY CHARGE</u>
<u>2"</u>	<u>13.81</u>
<u>3"</u>	<u>17.98</u>
<u>4"</u>	<u>26.99</u>
<u>6"</u>	<u>45.26</u>
<u>8"</u>	<u>68.05</u>
<u>10"</u>	<u>113.96</u>
<u>12"</u>	<u>160.27</u>

Respectfully submitted,

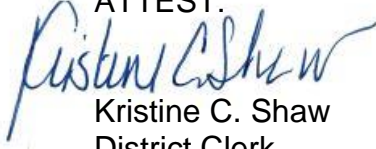
Charles P. Sheehan
Chief Executive Officer

On motion made by Commissioner Hoffman and duly seconded, the report was received and the resolution was recommended to the District Board by unanimous vote of those present.

ADJOURNMENT

The meeting was adjourned at 5:27 P.M.

ATTEST:

A handwritten signature in blue ink, appearing to read "Kristine C. Shaw", is written over the printed name and title.

Kristine C. Shaw
District Clerk

March 5, 2012
Date of Approval

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To

**MINUTES OF THE COMMITTEE ON MDC
GOVERNMENT**

Committee on MDC Government - 2011

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