

**Presented and Approved: July 2, 2020**

**SUBJECT: Approval to Execute Contract No. 20-PR-CFO-30,  
Aon Pic**

**#20-54  
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 July 2, 2020 upon consideration of a joint use matter, decided by a vote of eleven (11) in favor and none (0) opposed to approve Contract No. 20-PR-CFO-30, Aon Pic.

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute Contract No. 20-PR-CFO-30, Aon Pic. The purpose of the contract is to provide ROCIP 5 project administration services to include insurance brokerage services. The total contract value amount to include \$200,000 for the first-year base period and \$800,000 for four 1-year option periods is \$1,000,000.

  
Secretary to the Board of Directors

**Presented and Approved: July 2, 2020**

**SUBJECT: Approval to Execute Contract No. 20-PR-CFO-30A,  
Trinity Safety Group**

**#20-55  
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 July 2, 2020 upon consideration of a joint use matter, decided by a vote of eleven (11) in favor and none (0) opposed to approve Contract No. 20-PR-CFO-30A, Trinity Safety Group.

**Be it resolved that:**

The Board of Directors hereby authorizes the General Manager to execute Contract No. 20-PR-CFO-30A, Trinity Safety Group. The purpose of the contract is to provide ROCIP 5 project safety services for capital construction. The total contract value amount to include \$921,440 for the first-year base period and \$3,829,280 for four 1-year option periods is \$4,750,720.

  
Secretary to the Board of Directors

**Presented and Approved: July 2, 2020**

**SUBJECT: Approval to Execute the Memorandum of Understanding Agreement between District of Columbia Department of Transportation and DC Water**

**#20-56  
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 July 2, 2020 upon consideration of a non-joint use matter, decided by a vote of six (6) in favor and none (0) opposed to approve the Memorandum of Understanding Agreement between 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 Memorandum of Understanding Agreement (MOU) between the District of Columbia Department of Transportation (DDOT) and DC Water. The purpose of the MOU is to provide for construction of Green Infrastructure to control combined sewer overflows from Rock Creek CSO 049 by DDOT as part of DDOT's Kennedy Street NW Improvement Project. This work is required by the Consent Decree. The MOU amount is \$2,146,887.09.

  
Secretary to the Board of Directors

**Presented and Adopted: July 2, 2020**  
**SUBJECT: Approval to Publish Notice of Final Rulemaking for**  
**Amendments to Bill Challenge Regulations**

**#20-57**  
**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 July 2, 2020 upon consideration of a non-joint use matter, decided by a vote of six (6) in favor and none (0) opposed, to adopt and approve the following action with respect to amendments to the bill challenge regulations.

**WHEREAS**, on April 28, 2020, the DC Retail Water and Sewer Rates Committee met to consider amending the bill challenge regulations codified in 21 DC MR §§ 402.1 and 402.2, as proposed by the General Manager; and

**WHEREAS**, in accordance with 21 DCMR §§ 402.1 and 402.2, if a customer believes their bill is incorrect, they may challenge their bill and either: 1) pay their bill under protest and notify DC Water why they believe the bill is incorrect or 2) not pay the current charges in the bill and notify “[DC Water] in writing, within 10 working days after receipt of the bill of the reasons(s) why the bill is believed to be incorrect;” and

**WHEREAS**, in accordance with DC Water’s current procedures, Customer Service exercises discretion in the enforcement of the 10-day notice requirement because of the uncertainties when a customer in fact received their bill and may extend the notice period up to the bill due date or 30 days after bill issuance after reviewing the circumstances around receipt of the bill; and

**WHEREAS**, the General Manager recommends amending the bill challenge regulations to be consistent with DC Water’s current procedures; and

**WHEREAS**, the amendments to the regulations will: 1) clarify which bill the customer can pay under protest, “the current charges in the bill”; 2) clarify when a customer must pay their bill under protest, “within 30 days after the bill date;” 3) provide additional time for a customer to not pay their bill and notify DC Water that the bill is incorrect, revised from “10 working days after receipt of the bill” to “within 30 days after the bill date;” and 4) make other grammatical revisions; and

**WHEREAS**, this proposal to increase the time period when DC Water customers can challenge their bill from 10 working days after bill receipt to 30 days after the bill date is more than the 20 days other District utilities customers are provided under 15 DCMR §§ 305.1 and 304.7(l); and

**WHEREAS**, on April 28, 2020, upon further discussion and consideration of the General Manager's recommendation, the DC Retail Water and Sewer Rates Committee recommended to the Board amending the bill challenge regulations codified in 21 DCMR §§ 402.1 and 402.2; and

**WHEREAS**, on May 7, 2020, pursuant to Resolution 20-40, the Board authorized the General Manager to publish the Notice of Proposed Rulemaking (NOPR) in the *D.C. Register* to receive public comments on the proposed amendments to the bill challenge regulations; and

**WHEREAS**, on May 22, 2020, DC Water published the NOPR in the *D.C. Register* at 67 DCR 5404 for 30-day public comment period to amend the bill challenge regulations; and

**WHEREAS**, on June 23, 2020, the DC Retail Water and Sewer Rates Committee met to consider comments received during the public comment period for the NOPR and the General Manager's recommendations to amend to the bill challenge regulations codified in 21 DC MR §§ 402.1 and 402.2; and

**WHEREAS**, DC Water received comments from the Office of the People's Counsel (the "OPC") that expressed support for the proposed amendments and requested DC Water to consider similar charges in prior billing periods during the process of addressing the dispute; and

**WHEREAS**, based on the comments received and other considerations, the General Manager recommended no revisions to the amendments to the bill challenge regulations as proposed to be effective July 17, 2020;

**WHEREAS**, after further discussion and consideration of comments received and the recommendation of the General Manager, the DC Retail Water and Sewer Rates Committee recommended that the Board adopt the amended bill challenge regulations, effective July 17, 2020; and

**WHEREAS**, after consideration of the comments received from the OPC, the recommendations from the DC Water and Sewer Rates Committee and the General Manager, the District members of the Board of Directors, agreed to adopt and approve the amendments to the bill challenge regulations codified in 21 DCMR §§ 402.1 and 402.2; and

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Board adopts and approves the publication of the Notice of Final Rulemaking in the District of Columbia Register to promulgate the amendments bill challenge regulations codified in 21 DCMR §§ 402.1 and 402.2 as provided 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's Administrative Procedures.

This resolution is effective immediately.

  
Secretary to the Board of Directors

## Attachment A

### Final Amendment to Bill Challenge Regulations

- 402.1 An owner or occupant may challenge the most recent charges assessed by WASA for water, sewer and groundwater sewer service by either:
- (a) Paying the current charges in the bill and notifying WASA in writing, within thirty (30) calendar days after the bill date, the reason(s) why the bill is believed to be incorrect and that the bill is being paid under protest; or
  - (b) Not paying the current charges in the bill and notifying WASA in writing, within thirty (30) calendar days after the bill date, the reason(s) why the bill is believed to be incorrect.
- 402.2 Challenges received after the thirty-day (30) period as stated in § 402.1 will be deemed to have been filed in an untimely manner and will not stop the imposition of a penalty for nonpayment of charges or the possibility of termination of service for nonpayment.