

Office of the Clerk

POST AGENDA AND MINUTES*
REGULAR BOARD MEETING of 2/20/03, 2:00 p.m.
Board Room, 100 East Erie Street, Chicago, Illinois 60611

BOARD OF COMMISSIONERS

President: Terrence J. O'Brien

Vice President: Kathleen Therese Meany

Chairman, Finance Committee: Gloria Alitto Majewski

Frank Avila James C. Harris Barbara J. McGowan

Cynthia M. Santos Patricia Young Harry "Bus" Yourell

Present: Commissioners Avila, Harris, Majewski, McGowan,
Meany, O'Brien, Santos, Young, and Yourell

Absent: None

STANDING COMMITTEES

	<u>Chairman</u>	<u>Vice Chairman</u>
Affirmative Action	McGowan	Harris
Budget & Employment	Yourell	Santos
Engineering	Avila	McGowan
Ethics	Meany	Majewski
Federal Legislation	Meany	O'Brien
Finance	Majewski	Meany
Flood Control, Drainage & Storm Flow	Young	Yourell
Industrial Waste & Water Pollution	Santos	Avila
Judiciary	O'Brien	Majewski
Labor & Industrial Relations	Santos	Young
Maintenance & Operations	Young	Santos
Municipalities	Harris	O'Brien
Pension, Pers Relations & Civil Service	Majewski	Yourell
Public Health & Welfare	Avila	McGowan
Public Information & Education	Meany	Avila
Purchasing	Harris	Meany
Real Estate Development	O'Brien	McGowan
Research & Development	McGowan	Young
State Legislation & Rules	Yourell	Harris

OFFICERS

General Superintendent: John C. Farnan

Chief Engineer: Joseph Zurad

Chief of M&O: Thomas K. O'Connor

Director of Finance/Clerk: Mary C. West

Purchasing Agent: Darlene A. LoCascio

Treasurer: Harold G. Downs

Director of R&D: Richard Lanyon

Attorney: Michael G. Rosenberg

Director of Pers: Matthew H. Menze

Director of IT: Laurence B. Nybo

*Verbatim stenographic transcript will be available in District Library within 14 days

AGENDA

Meeting of: **February 20, 2003**

Committee: **FINANCE**

Chairman: **Commissioner Majewski**

Vice-Chairman: **Commissioner Meany**

Deferred
Deleted
Approved
Roll Call
Remarks

1. REPORT

- a. Treasurer’s cash receipts and cash disbursements for the month of December, 2002
Cash receipts: \$4,762,094,327.79
Cash disbursements: \$4,755,948,899.14
- b. Report on Government Finance Officers Association’s Award to the District for Excellence in Financial Reporting for fiscal year 2001
- c. Report on investment interest income during December, 2002
- d. Report on investments purchased during December, 2002
- e. Report on payment of principal and interest due December 1, 2002 for outstanding District bonds

Aye

Aye

Aye

Aye

Aye

2. AUTHORIZATION

- a. Cash disbursements (vouchers listings) for the month of December 2002, in the amount of \$26,157,486.11
- b. Authority to add Project 02-482-3P, south aeration battery and tertiary filter rehabilitation and miscellaneous work at Egan WRP and sludge piping modifications at Hanover Park WRP, to the Engineering Department Capital Improvements Program Fund and the Capital Improvements Bond Fund. The estimated cost of the project is \$3,400,000.00

8-0

8-0

AGENDA

Meeting of: **February 20, 2003**

Committee: **PURCHASING**

Chairman: **Commissioner Harris**

Vice-Chairman: **Commissioner Meany**

Deferred
Deleted
Approved
Roll Call
Remarks

1. REPORT OF BID OPENING

February 4, 2003

- a. Contract 02-101-11 Furnishing contract laboratory technicians to various locations – Est. \$338,600.00
- b. Contract 03-417-11 Furnishing and delivering one hundred forty-four (144) personal alarms for hydrogen sulfide gas (H2S) complete with accessories to the Stickney WRP – Est. \$38,000.00
- c. Contract 03-435-11 Furnishing, delivering and maintaining automatic external defibrillators complete with accessories at various locations – Est. \$41,000.00
- d. Contract 03-653-11 Sewer cleaning at various locations – Est. \$539,000.00
- e. Contract 03-901-11 Furnishing and delivering compressor parts to the Stickney WRP – Est. \$80,000.00
- f. Contract 03-909-11 Furnishing and delivering electric motors to the Stickney WRP – Est. \$60,000.00
- g. Contract 03-910-11 Furnishing and delivering variable frequency drives and motors to the Stickney WRP – Est. \$60,000.00

		Aye		
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AGENDA

Meeting of: **February 20, 2003**

Committee: **PURCHASING**

Chairman: **Commissioner Harris**

Vice-Chairman: **Commissioner Meany**

Deferred
Deleted
Approved
Roll Call
Remarks

1. REPORT OF BID OPENING (Cont'd.)

February 11, 2003

- h. Contract 02-119-11 Two-year preventive maintenance and repair service for a laboratory water purification system at the John E. Egan WRP laboratory – Est. \$14,000.00
- i. Contract 03-754-11 Furnishing and delivering sodium bisulfite to various locations in the North Side WRP – Est. \$95,000.00
- j. Contract 03-865-11 Repair and maintenance services for overhead cranes and hoists at the Calumet WRP – Est. \$80,000.00
- k. Contract 03-872-11 Furnishing and delivering a globe valve to the Calumet WRP – Est. \$20,000.00

2. AUTHORITY TO ADVERTISE

- a. Authority to advertise Contract 03-119-11 to furnish and deliver two automatic glassware washers for the R&D Department. Estimated cost: \$13,253.00 (101-16000-634970) Req. 1089491
- b. Authority to advertise Contract 03-430-11 for furnishing and delivering forty (40) fleet vehicles for use by various District facilities. Estimated cost: \$650,000.00 (101-15000-634860) Req. 1089482

		Aye	
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AGENDA

Meeting of: **February 20, 2003**

Committee: **PURCHASING**

Chairman: **Commissioner Harris**

Vice-Chairman: **Commissioner Meany**

Deferred
Deleted
Approved
Roll Call
Remarks

2. AUTHORITY TO ADVERTISE (Cont'd.)

- c. Authority to advertise Contract 03-809-11, furnishing and delivering a submersible chopper pump to the Calumet WRP. Total estimated cost: \$12,000.00 (101-68000-634650) Req. 1087792
- d. Authority to advertise Contract 03-811-11, furnish and deliver conveyor belt to the Calumet WRP. Total estimated cost is \$12,000.00 (101-68000-623270) Req. 1086914
- e. Authority to advertise Contract 03-874-11, replacing HVAC equipment at the Calumet WRP. Total estimated cost is \$75,000.00 (101-68000-612680) Req. 1082452
- f. Authority to advertise Contract 03-884-11, pavement repairs in the Calumet WRP area. Total estimated cost is \$180,000.00 (101-68000-612420) Req.'s 1085906 and 1086932
- g. Authority to advertise Contract 03-981-11, maintenance and repair services for switchgear, transformers and motors at the Stickney WRP. Total estimated cost: \$141,000.00 (101-69000-612650) Req.'s 1081089, 1086910
Estimated 2003 expenditure: \$93,000.00
Estimated 2004 expenditure: \$24,000.00
Estimated 2005 expenditure: \$24,000.00

Deferred	Deleted	Approved Roll Call	Remarks
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AGENDA

Meeting of: **February 20, 2003**

Committee: **PURCHASING**

Chairman: **Commissioner Harris**

Vice-Chairman: **Commissioner Meany**

Deferred
Deleted
Approved
Roll Call
Remarks

3. ISSUE PURCHASE ORDER

- a. Authority to enter into an agreement and issue a purchase order to Cityfront Center East Maintenance Association, for providing maintenance and security services and general liability insurance coverage for the Nicholas J. Melas Centennial Fountain and Park for a twenty-four (24) month period from March 1, 2003 through February 28, 2005, in an amount not to exceed \$148,000.00 (101-66000-612490) Corporate Fund (Req. 1083299)
- b. Issue a purchase order to Hach Company (Hach), to furnish a radiometer analytical preventative maintenance agreement for the Stickney Analytical Laboratory in an amount not to exceed \$27,087.00 (101-16000-612970) Req. 1085905
- c. Issue a purchase order to Sun Microsystems for computer maintenance, special installation and software support services for the District's Enterprise (SAP) servers for a 36-month period in an amount estimated not to exceed \$360,000.00 (101-27000-612810, 612820) Req. 1091076

4. AWARD CONTRACT

- a. Authority to award Contract 96-244-2M to McCauley Mechanical Construction, Inc., to replace sump pumps and miscellaneous work at the Calumet TARP Pumping Station, in an amount not to exceed \$1,465,000.00 (401-50000-645650) Req. 1066900

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X			Commissioner Young deferred item pending explanation regarding the sole source bidder
		8-0	In response to questions posed by Commr. McGowan and Harris, Ms. Crowe explained the review process that determined the bidder's compliance with Appendix D.

AGENDA

Meeting of: **February 20, 2003**

Committee: **PURCHASING**

Chairman: **Commissioner Harris**

Vice-Chairman: **Commissioner Meany**

Deferred
Deleted
Approved
Roll Call
Remarks

4. AWARD CONTRACT (Cont'd.)

b. Authority to award Contract 01-197-2D (Re-Bid) to F. H. Paschen, S. N. Nielsen, Inc., for relocation of utilities at Stickney Sludge Disposal Building at the Stickney WRP, in an amount not to exceed \$2,918,000.00 (201-50000-645600) Req. 1065091

X

Commissioner McGowan questioned the validity of the contractor's address

c. Authority to award Contract 02-049-12, to furnish and deliver work gloves to various locations for a period of one year, to Safety Supply Illinois in an amount not to exceed \$12,120.00 (101-20000-623700)

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d. Authority to award Contract 03-017-11 to furnish and deliver wire, cable, and electrical supplies to various locations for a period of one year to Helsel-Jepperson for Groups A, B, C and D in an amount not to exceed \$101,235.87 (101-20000-623070)

8-0

e. Authority to award Contract 03-947-11 to Today Cartage, Inc., for truck hauling of processed biosolids from lagoons and drying sites to various locations, in an amount not to exceed \$707,000.00 (101-69000-612520) Req. 1074862

8-0

f. Authority to award Contract 03-972-11 to Marine Services Corporation for preventive maintenance and repair services for debris and pontoon boats at various locations, in an amount not to exceed \$65,550.00 (101-69000-612790) Req. 1075613

8-0

In response to Comm. Young, Mr. Lanyon explained only the sole bidder has the heavy-duty lifting capability needed.

AGENDA

Meeting of: **February 20, 2003**

Committee: **PURCHASING**

Chairman: **Commissioner Harris**

Vice-Chairman: **Commissioner Meany**

5. INCREASE PURCHASE ORDER/CHANGE ORDER

**Deferred
Deleted
Approved
Roll Call
Remarks**

- a. Authority to increase Purchase Order 8001795 to Forces Inc. for providing electrical power services on the Chicago Sanitary and Ship Canal Aquatic Nuisance Species Barrier Project, in an amount not to exceed \$20,000.00 from \$8,500.00 to \$28,500.00 (101-50000-612620)
- b. Authority to decrease Purchase Order 3011776, common area maintenance for 111 East Erie St., Higgins Development Partners, in the amount of \$85,719.44, from \$165,000.00 to \$79,280.56 (101-15000-612390)
- c. Authority to decrease and close-out Purchase Order 3002936, professional services under the terms of 00-RFP-01, back injury prevention classes, to HealthSouth Corporation in the amount of \$12,015.00, from the amount of \$32,250.00 to \$20,235.00 (101-15000-601170)
- d. Authorization of a “change order” on Contact 75-208-2H, Calumet Tunnel System, Torrence Avenue Leg, Tunnel Shafts, and Connecting Structures at Chicago, IL, with Kenny/Kiewit/Shea – Joint Venture, in an amount of \$12,686.00 (401-50000-645600) P.O. 3000479
- e. Authorization of a “change order” on Contract 95-455-2P, plant improvements at the John E. Egan WRP, Schaumburg, IL, with IHC Group, Inc., in an amount of \$5,306.90 (401-50000-645650) P.O. 3001554

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In response to Comm. McGowan’s query, the General Superintendent indicated that the estimated completion date is March 31st

AGENDA

Meeting of: **February 20, 2003**

Committee: **PURCHASING**

Chairman: **Commissioner Harris**

Vice-Chairman: **Commissioner Meany**

Deferred

Deleted

**Approved
Roll Call**

Remarks

**5. INCREASE PURCHASE
ORDER/CHANGE ORDER (Cont'd)**

- f. Authorization of a change order on Contract 00-276-1E electrical improvements at Palos Hills P.S. and the centrifuge & preliminary tanks areas at the Calumet WRP with Electrical Systems, Inc. (ECI) in the amount not to exceed \$40,000.00 (101-50000-612650) PO 3016217

<p>f. Authorization of a change order on Contract 00-276-1E electrical improvements at Palos Hills P.S. and the centrifuge & preliminary tanks areas at the Calumet WRP with Electrical Systems, Inc. (ECI) in the amount not to exceed \$40,000.00 (101-50000-612650) PO 3016217</p>		<div style="border: 1px solid black; padding: 2px;">8-0</div>	

AGENDA

Meeting of: **February 20, 2003**

Committee: **ENGINEERING**

Chairman: **Commissioner Avila**

Vice-Chairman: **Commissioner McGowan**

Deferred **Deleted** **Approved
Roll Call** **Remarks**

1. REPORT

- a. Report to the Board of Commissioners on the release of funds in the amount of \$700,000.00 to the Village of Ford Heights to defray construction costs in connection with the execution of the Deer Creek Reservoir, Project 97-887-2F (201-50000-645620) Construction Fund

	Deferred	Deleted	Approved Roll Call	Remarks
<ul style="list-style-type: none"> a. Report to the Board of Commissioners on the release of funds in the amount of \$700,000.00 to the Village of Ford Heights to defray construction costs in connection with the execution of the Deer Creek Reservoir, Project 97-887-2F (201-50000-645620) Construction Fund 			<div style="border: 1px solid black; padding: 2px; display: inline-block;">Aye</div>	

AGENDA

Meeting of: **February 20, 2003**

Committee: **JUDICIARY**

Chairman: **Commissioner O'Brien**

Vice-Chairman: **Commissioner Majewski**

Deferred
Deleted
Approved
Roll Call
Remarks

1. REPORT

- a. Report on cases that were settled

2. AUTHORIZATION

- a. Settlement of the Workers' Compensation claims of Raymond Strama vs. MWRDGC, Case Nos. 02WC 22562 and 02WC 22563, Illinois Industrial Commission, in the sum of \$29,031.94 (901-30000-601090)

		Aye		
		8-0		

AGENDA

Meeting of: **February 20, 2003**

Committee: **MAINTENANCE AND OPERATIONS**

Chairman: **Commissioner Young**

Vice-Chairman: **Commissioner Santos**

Deferred **Deleted** **Approved**
Roll Call **Remarks**

1. AUTHORIZATION

- a. Request to the Board of Commissioners to declare an emergency for repair of the electrical bus duct and associated equipment at the Calumet WRP (101-50000-612650) Corporate Fund

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AGENDA

Meeting of: **February 20, 2003**

Committee: **PUBLIC INFORMATION
& EDUCATION**

Chairman: **Commissioner Meany**

Vice-Chairman: **Commissioner Avila**

Deferred

Deleted

**Approved
Roll Call**

Remarks

1. REPORT

- a. Report on Household Hazardous Waste Collection Day to be held on April 26, 2003

2. AUTHORIZATION

- a. Request authority to pay the State of Illinois Special State Projects Trust Fund, in an amount not to exceed \$40,000.00 for local cooperation for the spring 2003 collection and disposal of household hazardous waste (101-66000-612410) Corporate Fund

		Aye	
		8-0	

AGENDA

Meeting of: **February 20, 2003**

Committee: **REAL ESTATE
DEVELOPMENT**

Chairman: **Commissioner O'Brien**

Vice-Chairman: **Commissioner McGowan**

**Deferred
Deleted
Approved
Roll Call
Remarks**

1. AUTHORIZATION

- a. Increase Purchase Order 3006277 to the law firm of Earl L. Neal & Associates and Mr. Michael D. Leroy of that firm to conclude legal services to the District in connection with the acquisition of right-of-way for the Calumet Tunnel System, Tunnels, Shafts and Connecting Structures, Little Calumet Leg, Contract 75-213-2H, from \$165,000.00 to an amount not-to-exceed \$190,000.00 (401-50000-601170)

- b. Increase Purchase Order 3013301 to the law firm of Earl L. Neal & Associates and Mr. Michael D. Leroy of that firm to conclude legal services to the District in connection with the acquisition of right-of-way for the McCook Reservoir Distribution Tunnel, Contract 73-161-2H, from \$17,500.00 to an amount not-to-exceed \$24,000.00 (401-50000-601170)

- c. Amend Board Orders of December 19, 2002, to increase the amount of final just compensation to be paid for the taking of Parcels "X", "XCE-1" and "XCE-2" for the Thornton Composite Reservoir, Project 77-235-2F, in eminent domain proceedings entitled MWRDGC v. Reliance Electric, et al, Case No. 01L 50854, in the Circuit Court of Cook County, IL, from \$33,650.00 to \$34,200.00 (401-50000-656010)

		8-0	<div style="border: 1px solid black; padding: 5px;"> <p>Commissioner Young asked when the acquisition work (items 1a and 1b) would be finished and whether the requested funds are sufficient to complete work. The General Superintendent said the funds are believed to be sufficient.</p> </div>
		8-0	
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AGENDA

Meeting of: **February 20, 2003**

Committee: **REAL ESTATE
DEVELOPMENT**

Chairman: **Commissioner O'Brien**

Vice-Chairman: **Commissioner McGowan**

**Deferred
Deleted
Approved
Roll Call
Remarks**

1. AUTHORIZATION (Cont'd.)

- d. Amend easement with United States Army Corps of Engineers to add land to the south of the Aquatic Nuisance Species Barrier located approximately 1,300 feet north of the 135th Street Bridge in Will County, IL, to install hydrophones to monitor the effectiveness of the Fish Barrier project. Consideration shall be \$1.00. Main Channel Atlas Parcel No. 19.04

- e. Execute Amendment 4 to the Army Corps of Engineers License DACW 23-3-95-001, which permits the District to use a portion of the Chicago Harbor properties to moor its boats along the east-west wing wall of the Chicago River Controlling Works, west of the old Coast Guard Station and to maintain a boat house for an additional two years, beginning January 1, 2003 and ending December 31, 2004

- f. Grant a three-year temporary construction easement to the Illinois Department of Transportation (IDOT) to use District real estate located on the north and south sides of Devon Avenue east of McCormick Boulevard in Chicago and Lincolnwood, IL. Consideration is a nominal fee of \$10.00. North Shore Channel Atlas Parcel Nos. 8.06 and 7.03

Deferred	Deleted	Approved Roll Call	Remarks
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		8-0	

AGENDA

Meeting of: **February 20, 2003**

Committee: **REAL ESTATE
DEVELOPMENT**

Chairman: **Commissioner O'Brien**

Vice-Chairman: **Commissioner McGowan**

**Deferred
Deleted
Approved
Roll Call
Remarks**

1. AUTHORIZATION (Cont'd.)

- g. Amend lease with District tenant, McCormick Avenue Property Owners Association, removing land from its lease being sold to IDOT at Devon Avenue and McCormick Boulevard in Chicago, IL. Consideration is an annual rental reduction of \$1,871.33. North Shore Channel Atlas Parcel Number 8.06
- h. Issue orders accepting the sole bid of \$129,525.00 from Shell Oil Company and award it a 39-year lease of approximately 17 acres of real estate located at 8600 West 71st Street in Bedford Park, IL, and known as Main Channel Atlas Index Parcel 32.02
- i. Issue a 25-year easement to David G. Erickson of Northbrook, IL to use District property located south of Illinois Avenue and immediately east of his home at 1629 Illinois Avenue, Northbrook, IL, to regrade the existing drainage ditch and replace the existing cast iron pipe, for storm water drainage, for the period commencing February 20, 2003, and ending February 19, 2028. Consideration shall be a document preparation fee of \$2,000.00
- j. Grant a three-year temporary construction easement to the Illinois Department of Transportation (IDOT) to use District real estate located along the west side of Central Avenue just north of I-55 in Forestview, IL. Consideration is a nominal fee of \$10.00. Main Channel Atlas Parcel 38.13

Deferred	Deleted	Approved Roll Call	Remarks
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AGENDA

Meeting of: **February 20, 2003**

Committee: **REAL ESTATE
DEVELOPMENT**

Chairman: **Commissioner O'Brien**

Vice-Chairman: **Commissioner McGowan**

**Deferred
Deleted
Approved
Roll Call
Remarks**

1. AUTHORIZATION (Cont'd.)

k. Authorization to declare as surplus land not required for corporate purposes and to convey to the Illinois Department of Transportation (IDOT) approximately .022 acres of District real estate located along the west side of Central Avenue and north of I-55 in Forestview, IL. Consideration is \$1,600.00. Main Channel Atlas Parcel Number 38.13

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>				Commissioner Santos deferred items 1k and 1L pending a review of the Board's policy on the sale of channel land.
<input type="checkbox"/>	<input checked="" type="checkbox"/>			
				See above note

L. Authorization to declare as surplus land not required for corporate purposes and to convey to the Illinois Department of Transportation (IDOT) approximately .155 acres of District real estate located on the southeast and northeast corners of Devon Avenue and McCormick Boulevard in Chicago, IL. Consideration is \$232,600.00. North Shore Channel Atlas Parcel Numbers 8.06 and 7.03

AGENDA

Meeting of: **February 20, 2003**

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MISCELLANEOUS & NEW BUSINESS

Deferred **Deleted** **Roll Call** **Remarks**

Item 1a

Motion by Commissioner Harris to adopt security and safety procedures for the Main Office Building and Annex, said procedures will be disseminated to all employees

7-0-1

Commissioner Avila
ABSTAIN

Item 1b

Motion by Commissioner Meany to appoint the firm of Omni Communique, Inc. to develop and implement Public Information programs for the Metropolitan Water Reclamation District's spring and fall household Hazardous Waste Collection Days. Consultant shall be compensated at a rate of \$10,000.00 for each of the two events

8-0

Item 1c

Motion by Commissioner Yourell to adopt a new Section 5.29 to the Rules of the Board of Commissioners of the MWRDGC, as last amended March 21, 2002, entitled "Conduct of Visitors in the Board Room"

7-0-1

Commissioner Avila
ABSTAIN

POST AGENDA

PAGE 18

MEETING OF February 20, 2003

SPEAKERS:

Jeffrey Esser, Executive Director, Government Finance Association, presented the award for Excellence in Financial Reporting for the District's 2001 Comprehensive Annual Financial Report.

SUMMARY OF REQUESTS:

Mr. Farnan

President O'Brien requested a memorial resolution for Eleanor "Sis" Daley, mother of The Honorable Mayor, Richard Daley, be prepared for the March 6th Board meeting.

Commissioner Harris requested memorial resolution(s) for the twenty-one (21) men and women who lost their lives in the E2 Nightclub tragedy.

Mr. Rosenberg

Commissioner Young requested a response from the Law Department regarding the conclusion of right-of-way acquisition activities for TARP contracts 75-213-2H and 73-161-2H. (re: Real Estate Items 1a and 1b)

Ms. Crowe

Commissioner McGowan asked that the offered MBE's address be verified.

Mr. Nybo

Prepare report responding to Commissioner Young's request for information on the designation of "sole source" for the maintenance of SAP servers and the amount of the discount offered by Sun Microsystems (Purchasing 3c).

SCHEDULE FOR SUBSEQUENT BOARD MEETING of: March 6, 2003

The following cutoff dates are absolute. Board items should be prepared and submitted daily instead of in batch mode on the cutoff date(s). Potentially, numerous letters submitted at cutoff may not be processed, if the Purchasing Agent and/or General Superintendent lack sufficient review time.

Date agenda items due to Purchasing for preparation: **February 24, 2003**
Date Board letters due to Central Production: **noon, February 26, 2003**
Date Board letters due to General Superintendent: **1 p.m., February 27, 2003**

Mary C. West
Clerk/Director of Finance