

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, March 4, 2010

10:00 AM

Board Room

Board of Commissioners

*Commissioner Frank Avila, Commissioner Patricia Horton, Chairman of Finance
Gloria Alitto Majewski, Commissioner Barbara J. McGowan, Vice-President Kathleen
Therese Meany, Commissioner Cynthia M. Santos, Commissioner Debra Shore,
Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien*

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 8 - Frank Avila; Patricia Horton; Gloria Alitto Majewski; Barbara J. McGowan; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

Absent: 1 - Kathleen Therese Meany

Approval of Previous Board Meeting Minutes

A motion was made by Debra Shore, seconded by Gloria Alitto Majewski, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee on the Whole

A motion was made by Gloria Alitto Majewski, seconded by Debra Shore, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 11:10 a.m. President O'Brien reconvened the regular board meeting to order

Procurement Committee**Report**

- 1 [10-0269](#) Report of bid opening of Tuesday, February 9, 2010

 Published and Filed
- 2 [10-0278](#) Report of bid opening of Tuesday, February 23, 2010

 Published and Filed
- 3 [10-0290](#) Report on rejection of bids for Contract 09-610-12 (Re-Bid), Group C, Furnish and Deliver Trucks to Various Locations, estimated cost \$160,000.00

 Published and Filed

Authorization

- 4 [10-0287](#) Authorization to cancel Contract 06-157-3P Diffuser Plates Replacement Batteries C & D at the Stickney Water Reclamation Plant, from the Engineering Department Capital Improvements Program and the Corporate and Capital Improvements Bond Funds, estimated cost was \$17,000,000.00, Accounts 101-50000-612650 and 401-50000-645750, Requisition 1248020

Deferred by Barbara J. McGowan

- 5 [10-0300](#) Authorization to Amend Board Orders for Contract 07-438-12, Contract 08-404-11, and Contract 08-424-11, Amend Agreements with Carlson Environmental, Inc. and RMT, Inc. and Transfer Funds between General Administration and the Human Resources and Maintenance & Operations Department Budgets for the 2009, 2010, and 2011 Budget Years, Purchase orders 3052252, 3052255, 3052325, 5000770, and 5000916

Attachments: [Safety and Site Rem Contracts changes follow-up attachment.pdf](#)

Approved

Authority to Advertise

- 6 [10-0271](#) Authority to advertise Contract 09-499-3D Twin Lakes Reservoir Rehabilitation, in the North Service Area, estimated cost \$4,600,000.00, Accounts 101-50000-612620, 401-50000-645720, Requisition 1298619

Approved

- 7 [10-0272](#) Authority to advertise Contract 10-627-11 Services to Maintain Air Compressors and Air Dryers at the Calumet and North Side Water Reclamation Plants, estimated cost \$136,500.00, Accounts 101-67000, 68000-612650, Requisitions 1297051 and 1291904

Approved

- 8 [10-0276](#) Authority to advertise Contract 10-665-11 Landscape Maintenance at Various Service Areas, estimated cost \$2,296,900.00, Accounts 101-66000/67000/68000/69000-612420, Requisitions 1292510, 1293683, 1289221, 1288590, 1295029, 1291325, and 1293051

Approved

- 9 [10-0277](#) Authority to advertise Contract 10-033-11 Furnish and Deliver Miscellaneous Air Filters to Various Locations for a One (1) Year Period, estimated cost \$56,800.00, Account 101-20000-623270

Approved

- 10 [10-0285](#) Authority to advertise Contract 10-676-11 Pest and Rodent Control and Termite Eradication at Various Locations in the Stickney and Calumet Service Areas, the Main Office Building and Main Office Building Annex, estimated cost \$137,400.00, Accounts 101-15000/68000/69000-612370/612390/612420, Requisitions 1296535, 1297580 and 1297591

Approved

- 11 [10-0286](#) Authority to advertise Contract 10-881-3P to furnish and deliver temporary technical personnel services to the Engineering Department at the Annex Office Building Complex, estimated cost is \$270,000.00, Account 401-50000-601420, Requisition 1299071

Deferred by Cynthia M. Santos

- 12 [10-0293](#) Authority to advertise Contract 10-925-11 Services to Perform Preventive Maintenance on Synchronous Motors at the Stickney Water Reclamation Plant, estimated cost \$160,000.00, Account 101-69000-612600, Requisition 1291906

Approved

- 13 [10-0297](#) Authority to advertise Contract 10-656-11 Services to Inspect and Maintain TARP Electrical Control Chambers and Tide Gate Monitoring Systems at Various Locations, estimated cost \$1,157,000.00, Accounts 101-67000/68000/69000-612600, Requisitions 1291327, 1293636, 1294267, 1297036

Approved

Issue Purchase Order

- 14 [10-0265](#) Issue purchase order for Contract 10-300-11, Furnish and Deliver On-Site Training Services for Microsoft Office 2007, to Directions Training Center, Inc., in an amount not to exceed \$100,000.00, Account 101-25000-601100, Requisition 1289254 (*Deferred from the February 4, 2010 and February 18, 2010 Board Meetings*)

Deleted by the Executive Director

- 15 [10-0266](#) Issue purchase order for Contract 10-045-11 to Sun-Times Media, LLC, to Publish Invitations to Bid for Contracts and Publish Legal Notices for Original Entrance and Promotional Civil Service Examinations and Other Legal Notices, for a one (1) year period, in an amount not to exceed \$48,000.00, Account 101-20000-612360, Requisition 1298630 (*Deferred from the February 18, 2010 Board Meeting*)

Approved

- 16 [10-0273](#) Issue purchase order for Contract 10-809-11, Furnishing and Delivering Unleaded Gasoline and Diesel Fuel Oil to Fulton County, Illinois, to Sunrise Ag Service Company, in an amount not to exceed \$35,000.00, Account 101-68000-623820, Requisition 1284986

Approved

- 17 [10-0274](#) Issue purchase orders and enter into an agreement with Vulcan Industries, Inc., to Furnish and Deliver Replacement Parts and Repair Services, for Vulcan Screens to Various Locations, in an amount not to exceed \$214,000.00, Accounts 101-67000, 69000-612600, 623270 and 634650, Requisitions 1287504, 1287505, 1287540 and 1287579

Approved

- 18 [10-0288](#) Issue a purchase order and enter into an agreement with AECOM Technical Services for professional engineering services for Contract 09-176-3P Sludge Thickening Facilities, Stickney Water Reclamation Plant, in the amount not to exceed \$6,358,589.00, Account: 401-50000-601440, Requisition 1278639

Approved

- 19 [10-0298](#) Issue purchase order and extend the existing agreement with Hewlett-Packard Company for Maintenance Services for Computer Software and Hardware, in an amount not to exceed \$1,257,181.65, Accounts 101-27000-612810, 612820, Requisition 1287517

Approved

Award Contract

- 20 [10-0267](#) Authority to award Contract 10-696-11, Services of Tractor Mounted Paddle Aerators and Tillers with Operators for Material Handling at LASMA and CALSMA, Groups A and B, to Bechstein-Klatt, in an amount not to exceed \$1,300,000.00, Account 101-66000-612520 Requisitions 1285639 and 1285657

Approved

- 21 [10-0292](#) Authority to award Contract 10-866-12 (Re-Bid), Security Services at Fulton County, Illinois, to Diamond Detective Agency, Inc., in an amount not to exceed \$130,000.00, Account 101-68000-612490, Requisition 1289220

Approved

Increase Purchase Order/Change Order

- 22 [10-0264](#) Authority to increase Contract 01-198-AD Demolition of Sludge Disposal Building and Rehabilitation of Pump and Blower House and Coarse Screen Building at the Stickney Water Reclamation Plant, to IHC Construction Companies, LLC, in an amount of \$52,272.32, from an amount of \$30,227,076.59 to an amount not to exceed \$30,279,348.91, Accounts 101-50000-612680, 401-50000-645680, and 645780, Purchase Order 5000961
- Attachments:** [CO 01-198-AD](#)
- Approved**
- 23 [10-0268](#) Authority to increase Contract 04-824-2P Tertiary Filter Rehabilitation, Pump VFDs and Other Plant Improvements at the Egan, Hanover Park, and Kirie Water Reclamation Plants to IHC Construction Companies, LLC, in an amount not to exceed \$46,236.65, from an amount of \$16,522,066.68 to an amount not to exceed \$16,568,303.33, Accounts 401-50000-645650 and 645750, Purchase Order 5000803
- Attachments:** [CO 04-824-2P](#)
- Approved**
- 24 [10-0270](#) Authority to increase Contract 07-220-3P Primary Settling Tanks and Grit Removal Facilities, Calumet Water Reclamation Plant to F.H. Paschen/S.N. Nielsen/IHC Construction Joint Venture, in an amount of \$196,328.60, from an amount of \$229,074,918.26 to an amount not to exceed \$229,271,246.86, Account 401-50000-645650, Purchase Order 5000954
- Attachments:** [CO 07-220-3P](#)
- Approved**
- 25 [10-0279](#) Authority to decrease purchase order for Contract 09-021-11 Furnish and Deliver Unleaded Gasoline to Various Locations for a One (1) Year Period, Item 2, to Avalon Petroleum Company, Inc., in an amount of \$37,888.80, from an amount of \$51,000.00, to an amount not to exceed \$13,111.20, Account 101-66000-623820, Purchase Order 3054785
- Approved**
- 26 [10-0280](#) Authority to increase purchase order and amend agreement with Dykema Gossett PLLP for legal services, in connection with the execution of the Thornton Composite Reservoir, Project 77-235-2F, in an amount of \$150,000.00 from an amount of \$426,238.93 to an amount not to exceed \$576,238.93, Account 401-50000-601170, Purchase Order 3054937
- Attachments:** [03-04-10_PO 3054937.Spreadsheet.pdf](#)
- Approved**

- 27 [10-0281](#) Authority to decrease Contract 08-611-11, Repairs and Alterations to Various Water Reclamation Facilities at the Stickney Water Reclamation Plant and Other Installations, to Anchor Mechanical, Inc., in an amount of \$14,341.91, from an amount \$12,803,505.14 to an amount not to exceed \$12,789,163.23, Account 101-69000-612600, Purchase Order 5000850
- Attachments:** [CO HISTORY 08-611-11.PDF](#)
- Approved**
- 28 [10-0282](#) Authority to decrease Contract 09-627-11 Furnishing, Delivering and Rental of Arc Flash Personal Protective Equipment for the Calumet and North Service Areas, to Lechner and Sons, Inc., in an amount of \$32,327.87, from an amount of \$332,250.00, to an amount not to exceed \$299,922.13, Account 101-68000-612330, Purchase Order 3058701
- Approved**
- 29 [10-0284](#) Authority to decrease purchase order and amend agreement with Dykema Gossett, PLLC for legal services to represent the MWRDGC in execution of the McCook Reservoir Excavation Project in an amount of \$5,125.60, from an amount of \$68,374.40 to an amount not to exceed \$63,248.80, Account 101-30000-601170, Purchase Order 3054936
- Approved**
- 30 [10-0289](#) Authority to Increase Contract 04-299-2P Improvements to Aeration Batteries A, B, C, E1, and E2 at Calumet Water Reclamation Plant, to F.H. Paschen/S.N. Nielsen & Associates, L.L.C., in an amount of \$54,265.35, from an amount of \$20,550,971.37, to an amount not to exceed \$20,605,236.72, Accounts 101-50000-612650, 401-50000-645650, and 645750, Purchase Order 5000831
- Attachments:** [CO 04-299-2P](#)
- Approved**
- 31 [10-0291](#) Authority to decrease purchase order for Contract 08-405-11 Furnishing Various Temporary Personnel Services to Various Locations from January 1, 2008, to December 31, 2010, to Seville Staffing, LLC, for Groups C, D, E, F, H, I, and J in an amount of \$36,258.87, from an amount of \$66,888.77 to an amount not to exceed \$30,629.90, Accounts 101-11000, 20000, 25000, 27000, 40000, and 50000-612490 Purchase Order 3049975
- Attachments:** [PO 3049975 Change Order Log 3-04-10 BTL Attachment.pdf](#)
- Approved**

- 32 [10-0294](#) Authority to increase Contract 06-156-3P Grit Piping Replacement, Stickney Water Reclamation Plant to Independent Mechanical Industries, Inc. in an amount of \$17,931.56, from an amount of \$2,838,974.40 to an amount not to exceed \$2,856,905.96, Account 401-50000-645750, Purchase Order 5000891

Attachments: [CO 06-156-3P](#)

Approved

- 33 [10-0295](#) Authority to decrease Contract 07-630-11, Furnishing and Delivering Ferric Chloride to the Calumet and Egan Water Reclamation Plants, to Kemira Water Solutions, Inc., in an amount of \$58,486.28 from an amount of \$1,147,708.71, to an amount not to exceed \$1,089,222.43, Account 101-67000-623560, Purchase Order 5000784

Attachments: [07-630-11.pdf](#)

Approved

- 34 [10-0296](#) Authority to decrease purchase order and amend the agreement with Superior Industrial Equipment, L.L.C., to Provide Services and Parts for Durametallic Seals at the Calumet Water Reclamation Plant in an amount of \$15,000.00, from an amount of \$15,000.00, to an amount not to exceed \$0.00, Account 101-68000-612650, Purchase Order 3056964

Approved

Budget & Employment Committee

Report

- 35 [10-0261](#) Report on Budgetary Revenues and Expenditures for the Year Ended December 31, 2009

Attachments: [2009 Year End Summary attachment.pdf](#)

Mariyana T. Spyropoulos lifted her earlier deferral

Published and Filed

Authorization

- 36 [10-0262](#) Authority to transfer 2010 departmental appropriations in the amount of \$57,800.00 in the Corporate Fund

Attachments: [03.04.10 Board Transfer BF5.pdf](#)

Approved

Judiciary Committee

Authorization

- 37 [10-0255](#) Authority to settle *MWRDGC v. Atotonilco Tortilleria #2, Inc.* d/b/a Atotonilco Tortilleria, EA # 82340. Account 901-30000-667220

Approved

- 38 [10-0259](#) Authority to Settle Claim by CSX Transportation, Inc. in the amount of \$15,520.52

Approved

- 39 [10-0260](#) Settlement of Workers' Compensation Claim of Diane Heirman vs. MWRDGC, File No. 200004197, Illinois Workers' Compensation Commission, in the sum of \$25,226.12. Account 901-30000-601090

Approved

- 40 [10-0263](#) Authority to settle the Workers' Compensation Claim of Jafar Rahimi vs. MWRDGC, Case No. 07 WC 35474, Illinois Workers' Compensation Commission, in the sum of \$300,000.00. Account 901-30000-601090

Approved

Approval of the Consent Agenda with the exception of Items: 4, 11, 14, 41, 42, 43, 44, 45, 46 and 47

A motion was made by Patricia Horton, seconded by Cynthia M. Santos, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 8 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Absent: 1 - Kathleen Therese Meany

Miscellaneous and New Business

Motion

- 41 [10-0301](#) MOTION to appoint Paul L. Williams as a Lobbyist

A motion was made by Cynthia M. Santos, seconded by Gloria Alitto Majewski, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Absent: 1 - Kathleen Therese Meany

42 [10-0303](#) MOTION to appoint Reyes, Williams and Associates, LLC, as a Lobbyist

A motion was made by Cynthia M. Santos, seconded by Debra Shore, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Absent: 1 - Kathleen Therese Meany

43 [10-0304](#) MOTION to appoint Charles R. Vaughn as a Lobbyist

A motion was made by Cynthia M. Santos, seconded by Gloria Alitto Majewski, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Absent: 1 - Kathleen Therese Meany

44 [10-0305](#) MOTION to appoint Miguel A. Santiago Consulting, Inc., as a Lobbyist

A motion was made by Cynthia M. Santos, seconded by Mariyana T. Spyropoulos, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Absent: 1 - Kathleen Therese Meany

45 [10-0306](#) MOTION to appoint Gabriel Lopez and Associates as a Lobbyist

A motion was made by Cynthia M. Santos, seconded by Gloria Alitto Majewski, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 8 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Absent: 1 - Kathleen Therese Meany

Resolution

- 46 [10-0192](#) RESOLUTION sponsored by the Board of Commissioners congratulating the Chicago Minority Supplier Development Council on its sponsorship of the 43rd Chicago Business Opportunity Fair "Rebound 2010: Connect, Drive, Thrive"
- A motion was made by Gloria Alitto Majewski, seconded by Patricia Horton, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays**

Additional Agenda Items

- 47 [10-0309](#) MOTION to appoint additional Hearing Officers for 2010
- A motion was made by Cynthia M. Santos, seconded by Mariyana T. Spyropoulos, that this Motion be Adopted. The motion carried by the following roll call vote:**
- Aye:** 8 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien
- Absent:** 1 - Kathleen Therese Meany

Meeting Summary

Speakers

Shelia Hill, President and CEO of the Chicago Minority Supplier Development Council accepted resolution on its sponsorship of the 43rd Chicago Business Opportunity Fair "Rebound 2010: Connect, Drive, Thrive" (Re: Miscellaneous and New Business Item #46)

George Blakemore, concerned citizen, questioned whether we keep records of all employees that have sued the District and why they are outsource to other law firms (Re:Judiciary Item #39)

Charles Dieringer , former District employee, requested Dam be researched for inclusion in Watershed plans, also inquire if Asian Carp are used in the final affluent tanks of the District to eat the Algae.

Summary of Requests

Richard Lanyon

Cynthia M. Santos will submit a memo with questions she would like answered. Debra Shore asked that the number of firms that offer highly technical personnel be included in the response (Re: Procurement item #11)

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Cynthia M. Santos requested a report on how much additional personnel is provided (Re: Procurement Item #13)

Richard Lanyon

Debra Shore requested a report on the repair of District's facilities and what is being done to prevent problems in the future (Re: Judiciary Item# 38)

Study Session

None

Announcements

None

Board Letter Submission Dates

The next regular board meeting is scheduled for March 18, 2010 please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: March 8, 2010

Date Board letters are due to the Executive Director: 1:00 p.m., March 11, 2010

Adjournment

A motion was made by Gloria Alitto Majewski, seconded by Patricia Horton, that when the Board adjourns it adjourns to meet on Thursday, March 18, 2010, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

Aye: 7 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, Barbara J. McGowan, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Absent: 2 - Kathleen Therese Meany, Cynthia M. Santos

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this March 4, 2010 are hereby approved.

APPROVED:

/s/ Terrence J. O'Brien

President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

March 4, 2010