

# **Metropolitan Water Reclamation District of Greater Chicago**

*100 East Erie Street  
Chicago, IL 60611*



## **Regular Board Meeting Consent Agenda - Draft**

**Thursday, November 6, 2014**

**10:00 AM**

**Board Room**

### **Board of Commissioners**

*Commissioner Michael A. Alvarez, Commissioner Frank Avila, Vice-President Barbara J. McGowan, Commissioner Cynthia M. Santos, Commissioner Debra Shore, Chairman of Finance Mariyana T. Spyropoulos, Commissioner Kari K. Steele, Commissioner Patrick D. Thompson, President Kathleen Therese Meany*

**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.**

## Metropolitan Water Reclamation District of Greater Chicago

### STANDING COMMITTEES

### Chairman

### Vice Chairman

Affirmative Action	McGowan	Avila
Budget & Employment	Steele	Shore
Engineering	Avila	Shore
Ethics	Meany	Spyropoulos
Federal Legislation	Alvarez	Meany
Finance	Spyropoulos	Meany
Industrial Waste & Water Pollution	Thompson	Avila
Information Technology	Steele	Thompson
Judiciary	Spyropoulos	Thompson
Labor & Industrial Relations	Santos	Alvarez
Maintenance & Operations	Avila	Meany
Monitoring & Research	Thompson	Steele
Municipalities	Shore	Santos
Pension, Human Resources & Civil Service	Meany	McGowan
Public Health & Welfare	Avila	Spyropoulos
Public Information & Education	Shore	McGowan
Procurement	McGowan	Santos
Real Estate Development	Spyropoulos	Santos
State Legislation & Rules	Santos	Alvarez
Stormwater Management	Alvarez	Steele

### 2014 REGULAR BOARD MEETING SCHEDULE

January	9	23
February	6	20
March	6	20
April	3	17
May	1	15
June	5	19
July	10	
August	7	
September	4	18
October	2	16
November	6	20
December	2(Annual Meeting)	
December	4	18

# 2014

## January

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## December

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**Call Meeting to Order****Roll Call****Approval of Previous Board Meeting Minutes****Recess and Reconvene as Committee of the Whole****Recess and Reconvene as Board of Commissioners****Finance Committee****Report**

- 1     [14-1277](#)     Report on Cash Disbursements for the Month of September 2014, in the amount of \$35,500,631.30
- 2     [14-1298](#)     Report on the investment interest income during August 2014  
Attachments:    [Inv Int Inc 2014-08 att.pdf](#)
- 3     [14-1299](#)     Report on the investment interest income during September 2014  
Attachments:    [Inv Int Inc 2014-09 att.pdf](#)
- 4     [14-1300](#)     Report on investments purchased during August 2014  
Attachments:    [Inv Purch 2014-08 att.pdf](#)
- 5     [14-1301](#)     Report on investments purchased during September 2014  
Attachments:    [Inv Purch 2014-09 att.pdf](#)
- 6     [14-1302](#)     Report on investment inventory statistics at September 30, 2014  
Attachments:    [Inv Stat 2014 Q3 Inv.pdf](#)  
[Inv Stat 2014 Q3 Fin Mkt.pdf](#)

**Procurement Committee****Report**

- 7     [14-1233](#)     Report of bid opening of Tuesday, October 14, 2014
- 8     [14-1295](#)     Report of bid opening of Tuesday, October 21, 2014



- 9      [14-1305](#)      Report of bid opening of Tuesday, October 28, 2014

**Authorization**

- 10      [14-1234](#)      Authorization to amend Board Order of September 4, 2014, regarding issue purchase order and enter into an agreement with Colorado School of Mines, to provide professional services to study plant uptake of perfluoroalkyl acids from soils amended with biosolids, in an amount not to exceed \$29,500.00, Account 101-16000-601170, Requisition 1383886, Agenda Item No. 29, File No. 14-0916
- 11      [14-1254](#)      Authorization for payment to the U.S. Water Alliance (Alliance) for 2014/2015 membership dues in an amount not to exceed \$10,000.00, Account 101-15000-612280
- 12      [14-1263](#)      Authorization to increase cost estimate for Contract 02-111-3M TARP Pump No. 8 Rehabilitation, Main Stream Pumping Station, from \$2,500,000.00 to \$4,500,000.00, Account 401-50000-645700, Requisition 1345011
- 13      [14-1266](#)      Authorization to execute a bond purchase agreement for Contract 10-RFP-21, Professional Underwriting Services for District Bond Sales, with Morgan Stanley & Co. LLC; and to appoint Morgan Stanley & Co. LLC as Senior Managing Underwriter and Book-runner; Loop Capital Markets, LLC, as Co-Senior Managing Underwriter; and Cabrera Capital Markets, LLC; Goldman, Sachs & Co.; Jefferies LLC; and Rice Securities, LLC, as Co-Managing Underwriters, at a total fee not to exceed \$270,000.00 to market and sell up to \$300,000,000 of General Obligation Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago, Accounts 401-50000-767300 and 767400
- 14      [14-1267](#)      Authorization to enter into agreements for contract 14-RFP-07, Financial Advisory Services Related to the District Financing Program, appointing A.C. Advisory, Inc., and Public Financial Management, Inc., as Co-Financial Advisors to the District in an amount not to exceed \$195,000.00, plus expenses not to exceed \$6,000.00 in connection with the sale of up to a total of \$300,000,000 of General Obligation Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago, Accounts 401-50000-767300 and 767400
- 15      [14-1270](#)      Authorization to amend Board Order of February 20, 2014, for Authorization to enter into an agreement with a successful Proposer(s) for the request for Proposal (RFP) 13-RFP-20, Procurement of Natural Gas, estimated cost \$5,400,000.00, Accounts 101-66000, 67000, 68000, 69000-612160, Agenda Item No. 11, File No. 14-0136

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- 16     [14-1272](#)     Authorization to amend Board Order of June 5, 2014, regarding issue purchase orders to Flow-Technics, Inc., to Furnish and Deliver Allis Chalmers ITT Gould and Netzsch Pumps and Parts to the Stickney and Egan Water Reclamation Plants, in an amount not to exceed \$335,000.00, Accounts 101-67000, 69000-623270, Agenda Item No. 28, File No. 14-0516.
- 17     [14-1276](#)     Authorization to enter into agreements for contract 14-RFP-08, Bond Counsel, Underwriters' Counsel, and Other Legal Advisory Services Related to the District Financing Program, with Katten Muchin Rosenman LLP as Lead Bond Counsel and Special Tax Counsel, with Gonzalez, Saggio & Harlan, L.L.P., as Co-Bond Counsel, and Mayer Brown LLP as Disclosure Counsel in an amount not to exceed \$219,750.00, in connection with the sale of up to a total of \$300,000,000 of General Obligation Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago, Accounts 401-50000-767300 and 767400  
  
**Attachments:**     [Counsel Auth 2014-11-06.rtf](#)
- 18     [14-1291](#)     Authorization to amend Board Order of October 16, 2014, regarding Authority to award Contract 13-985-12, Railroad Car Repair, Maintenance and Rebuilding at the Stickney Water Reclamation Plant, to JK-CO, LLC, in an amount not to exceed \$316,117.47, Account 101-69000-612670, Requisition 1356608, Agenda Item No. 26, File No. 14-1204
- 19     [14-1292](#)     Authorization to amend Board Order of October 16, 2014, regarding Authority to award Contract 11-889-5F, Streambank Stabilization Projects for Higgins Creek and McDonald Creek, to Industria, Inc., in an amount not to exceed \$2,445,787.00, Account 501-50000-645720, Requisition 1380227, Agenda Item No. 31, File No. 14-1228
- 20     [14-1294](#)     Authorization to amend Board Order of October 16, 2014, regarding Authority to award Contract 10-885-AF (Re-Bid), Streambank Stabilization of I & M Canal Tributary D, to Path Construction Company, in an amount not to exceed \$1,124,000.00, Account 501-50000-645620, Requisition 1361988, Agenda Item No. 30, File No. 14-1227

**Authority to Advertise**

- 21     [14-1269](#)     Authority to advertise Contract 15-693-11, Use of a Sanitary Landfill, estimated cost \$121,000.00, Account 101-66000-612520, Requisition 1385298
- 22     [14-1273](#)     Authority to advertise Contract 15-801-21 Replace a Crane Maintenance Platform at the Calumet Water Reclamation Plant, estimated cost \$50,000.00, Account 201-50000-645650, Requisition 1384319
- 23     [14-1274](#)     Authority to advertise Contract 15-618-11 Specialized Repairs for Large Motors, estimated cost \$150,000.00, Accounts 101-67000/68000/69000-612600/612650/623070, Requisitions 1376685, 1385814 and 1387213

**Issue Purchase Order**

- 24     [14-1251](#)     Issue purchase order and enter into an agreement for Contract 14-RFP-30 Co-Location Services, with Latisys-Chicago, LLC in an amount not to exceed \$286,884.00, Account 101-27000-612210, Requisition 1381490
- 25     [14-1255](#)     Issue purchase order and enter into an agreement for Contract 14-RFP-27, Duplication of Legal Materials, Trial Records and Other Reprographic and Electronic Discovery Services for the District's Law Department for a Two-Year Period, with Aloha Document Services, Inc., in an amount not to exceed \$90,000.00, Accounts 101-30000-612090 and 401-50000-612090, Requisition 1380489
- 26     [14-1260](#)     Issue a purchase order and enter into an agreement with V3 Companies of Illinois, Ltd., for professional engineering services for Contract 14-263-3F Flood Control Project for the Melvina Ditch Watershed in an amount not to exceed \$1,037,405.00, Accounts 501-50000-601410, 401-50000-601420, and 601440, Requisition 1387576
- 27     [14-1261](#)     Issue a purchase order and enter into an agreement with American Survey and Engineering, P.C. for professional engineering services for Contract 14-112-5C Preliminary Engineering for a Flood Control Project along the Plainfield Road Corridor, in an amount not to exceed \$886,860.57, Account 501-50000-601410, Requisition 1387540
- 28     [14-1262](#)     Issue a purchase order and enter into an agreement with EcoLogic Planning, Inc. for mitigation banking services in connection with Contract 10-883-AF, Flood Control/Streambank Stabilization on Tinley Creek; Contract 10-883-BF, Flood Control Project at Arrowhead Lake; and Contract 13-248-3F, Streambank Stabilization on Melvina Ditch, in an amount not to exceed \$75,000.00, Account 501-50000-645690, Requisition 1387579
- 29     [14-1265](#)     Issue purchase order to DLT Solutions, Inc., for CADLearning Center, in an amount not to exceed \$18,549.26, Account 101-50000-601100, Requisition 1386495
- 30     [14-1280](#)     Issue a purchase order and enter into an agreement with Geosyntec Consultants for professional engineering services for Contract 14-113-5F Stormwater Retrofits for Real-Time Controls and Rainwater Harvesting System at Dearborn Homes, Chicago, IL, in an amount not to exceed \$327,695.64, Account 501-50000-601420, Requisition 1387589
- 31     [14-1286](#)     Issue purchase order for Contract 14-438-11, Furnish, Deliver and Install One (1) Two-Color Offset Printing Press with a Thirty-Six Month Maintenance Agreement, to Tompkins Printing Equipment Company, in an amount not to exceed \$87,908.24, Accounts 101-15000-612800 and 634990, Requisition 1384291

- 32     [14-1309](#)     Issue purchase order to Thermo LabSystems, Inc., to Furnish and Deliver renewal licenses and software upgrades for the Laboratory Information Management System, in an amount not to exceed \$220,074.58, Account 101-27000-612820, Requisition 1387539

#### Award Contract

- 33     [14-1285](#)     Authority to award Contract 11-403-2P, Membrane Gas Holder Replacement and Digester Cleaning at Egan Water Reclamation Plant, Cook County, to Path Construction Company, Inc., in an amount not to exceed \$4,364,000.00, plus a five (5) percent allowance for change orders, in an amount of \$218,200.00, for a total amount not to exceed \$4,582,200.00, Account 201-50000-645750, Requisition 1379898

**Attachments:**     [08-AA.pdf](#)  
                                  [Project View.pdf](#)

- 34     [14-1287](#)     Authority to award Contract 09-181-3P, Battery C Airlift & Air Main Rehabilitation and Aeration Tanks No. 6, 7, and 8, Diffuser Plate Replacement at SWRP, to Morrison Construction Company, Inc., in an amount not to exceed \$4,881,000.00, plus a five (5) percent allowance for change orders, in an amount of \$244,050.00, for a total amount not to exceed \$5,125,050.00. Account 401-50000-645750, Requisition 1380503

**Attachments:**     [08-AA.pdf](#)  
                                  [PROJECT VIEW.pdf](#)

- 35     [14-1288](#)     Authority to award Contract 14-646-51, Small Streams Maintenance in Cook County, Illinois, Group A to J & L Contractors, Inc., in an amount not to exceed \$2,667,675.00, and Group B to Thornton Equipment Services, Inc., in an amount not to exceed \$1,949,760.00, Account 501-50000-612620, Requisition 1372986

**Attachments:**     [08-AA J&L.pdf](#)  
                                  [08-AA THORNTON.pdf](#)

- 36     [14-1290](#)     Authority to award Contract 14-029-11, Furnish and Deliver Safety Equipment to Various Locations for a One (1) Year Period, to Cicero Manufacturing & Supply Company, Inc., in a total amount not to exceed \$91,413.80, Account 101-20000-623700

**Attachments:**     [14-029-11a.pdf](#)

- 37     [14-1296](#)     Authority to award Contract 15-041-11, Furnish and Deliver Data Storage Cartridges to Various Locations, for a One (1) Year Period, to Discount Media Products, LLC, in an amount not to exceed \$33,220.00, Account 101-20000-623810

**Attachments:**     [15-041-11 items.pdf](#)

- 38     [14-1297](#)     Authority to award Contract 14-055-11, Furnish and Deliver Pipe Covering and Insulation to Various Locations for a One (1) Year Period, to Superior Plus Construction Products Corporation, in an amount not to exceed \$30,803.51, Account 101-20000-623170

Attachments:     [14-055-11a.pdf](#)

- 39     [14-1308](#)     Authority to award Contract 14-629-11, Rack and Pinion Manlift Inspection and Repair, to Mid-American Elevator Company, Inc., in an amount not to exceed \$450,610.00, Accounts 101-68000/69000-612600/612680, Requisitions 1375422 and 1376099

#### **Increase Purchase Order/Change Order**

- 40     [14-1235](#)     Authority to increase Contract 12-646-51, Small Streams Maintenance in Cook County, Illinois, Group A to J & L Contractors, Inc., in an amount of \$100,000.00 from an amount of \$2,657,381.96 to an amount not to exceed \$2,757,381.96, Account 501-50000-612620, Purchase Order 5001372

Attachments:     [12-646-51 101614.pdf](#)

- 41     [14-1236](#)     Authority to increase Contract 14-613-11, Scavenger Services at Various Service Areas, Groups B and C, to Waste Management of Illinois, Inc., in an amount of \$45,091.00 from an amount of \$1,278,794.00 to an amount not to exceed \$1,323,885.00, Accounts 101-67000/68000-612520, Purchase Order 5001441

- 42     [14-1237](#)     Authority to decrease Contract 11-613-11, Scavenger Services at Various Service Areas, Group A, to Independent Recycling Services, Inc., in an amount of \$225,668.83 from an amount of \$1,864,488.81 to an amount not to exceed \$1,638,819.98, Accounts 101/501-50000/69000-612520, Purchase Order 5001239

Attachments:     [11-613-11 101414.pdf](#)

- 43     [14-1243](#)     Authority to increase purchase order with Baker Tilly Virchow Krause, LLP, for Contract 09-RFP-19, for Professional Auditing Services for the fiscal year ending December 31, 2014, in an amount of \$265,800.00, from an amount of \$961,100.00, to an amount not to exceed \$1,226,900.00, Accounts 101-40000-601170 and P802-11000-798200, Purchase Order 3064315

Attachments:     [14-1243 Change Order PO 3064315](#)

- 44     [14-1257](#)     Authority to decrease Contract 06-843-3E Replacement of Electrical Equipment at Webster IAS & O'Hare Reservoir, NSA, to Divane Brothers Electric Company in an amount of \$60,000.00, from an amount of \$575,809.00, to an amount not to exceed \$515,809.00, Account 401-50000-645720, Purchase Order 5001310

Attachments:     [CO 06-843-3E.pdf](#)

- 45     [14-1258](#)     Authority to decrease Contract 12-368-2SR Upper Des Plaines 20C Rehabilitation, North Service Area, to Kenny Construction Company in an amount of \$11,902.00, from an amount of \$2,235,926.26, to an amount not to exceed \$2,224,024.26, Account 201-50000-645700, Purchase Order 5001398  
**Attachments:**     [CO 12-368-2S.pdf](#)
- 46     [14-1259](#)     Authority to decrease Contract 08-530-3P Digester Facility Improvements, Hanover Park and Egan Water Reclamation Plants, to Meccon Industries, Inc. in an amount of \$200,000.00, from an amount of \$1,783,065.00, to an amount not to exceed \$1,583,065.00, Account 401-50000-645750, Purchase Order 5001328  
**Attachments:**     [CO 08-530-3P.pdf](#)
- 47     [14-1271](#)     Authority to increase purchase order with Workforce Software, LLC, for Contract 12-RFP-04, for Human Resources Information System Including Payroll and Time Management, for Solution 1, Time and Attendance, in an amount of \$15,000.00 from an amount of \$779,875.00, to an amount not to exceed \$794,875.00 Accounts 101-27000-612820, 201-50000-601170, and 201-50000-623810, Purchase Order 3079544  
**Attachments:**     [PO 3079544.pdf](#)
- 48     [14-1293](#)     Authority to increase purchase order for Contract 13-045-11, Publish Invitations for Contracts and Publish Legal Notices for Original Entrance and Promotional Civil Service Examinations and Other Legal Notices for a One (1) Year Period, to Sun-Times Media Productions LLC, in an amount of \$19,700.00, from an amount of \$70,000.00, to an amount not to exceed \$89,700.00, Account 101-20000-612360, Purchase Order 3078446  
**Attachments:**     [13-045-11 ATTACHMENT.pdf](#)

## Budget & Employment Committee

### Report

- 49     [14-1284](#)     Report on Budgetary Revenues and Expenditures Through Third Quarter September 30, 2014  
**Attachments:**     [2014 3rd Quarter Summary attachment.pdf](#)

## Engineering Committee

### Authorization

- 50     [14-1279](#)     Authority to accept and execute Permit 14-10-4997-C from the Cook County Department of Transportation and Highways for Contract 14-263-5J, Melvina Ditch Reservoir Retention Improvement  
**Attachments:**     [CCDTH Permit.pdf](#)
- 51     [14-1282](#)     Authority to enter into an agreement with the City of Chicago to share Geographic Information System data for underground facilities.

## **Labor & Industrial Relations Committee**

### **Authorization**

- 52     [14-1239](#)     Authority to extend until November 20, 2014, the terms of the collective bargaining agreements between the Metropolitan Water Reclamation District of Greater Chicago and 1) SEIU Local 1, Firemen and Oilers Division; 2) the Building Trades Coalition; 3) the Teamsters Local Union 700; 4) the International Brotherhood of Electrical Workers, Local Union No. 9 (Electrical Instrumentation and Testing); 5) the International Brotherhood of Electrical Workers, Local Union No. 9 (Electrical Operations); and 6) the International Union of Operating Engineers, Local Union No. 399.

## **Real Estate Development Committee**

### **Authorization**

- 53     [14-1241](#)     Authority to enter into a three (3) year temporary easement agreement with Loyola University Medical Center and Loyola University of Chicago for the rehabilitation of the District's Salt Creek 2 Intercepting Sewer and associated manholes located at 2160 South First Avenue in Maywood, Illinois. Consideration shall be a nominal fee of \$10.00  
**Attachments:**     [11-6-14 map-3 yr temp easement w-Loyola Univ. Med..pdf](#)
- 54     [14-1247](#)     Authority to issue a check payable to Material Service Corporation in the amount of \$217,124.49 as reimbursement of the District's pro rata share of the Second Installment of the year 2013 Real Estate Taxes paid by it for the Lower West Lobe of the Thornton Quarry, Thornton Composite Reservoir, Project 77-235-2F (401-50000-645620)
- 55     [14-1248](#)     Authority to issue a 5-year permit extension to Fulton County for continued use of 440 acres of District real estate located on the former Wier Farm to maintain and operate a public fishing, camping and recreational area in Fulton County, Illinois. Consideration shall be a nominal fee of \$10.00  
**Attachments:**     [Fulton County 440 acres Wier Farm 11 6 2014.pdf](#)



- 56     [14-1249](#)     Authority to enter into a 5-year lease with the Village of Stickney on 63.7± acres of District real estate located south of 39th Street and west of the Stickney Water Reclamation Plant; Main Channel Parcels 38.01, 38.02, 38.04, 38.05, 38.06 and 38.08 for public park and recreational purposes. Consideration shall be a nominal fee of \$10.00  
**Attachments:**     [Stickney MC 38.01 Rec. Use Nov 6 2014.pdf](#)
- 57     [14-1250](#)     Consent to the Westchester Park District's early surrender of its 39-year lease agreement on 2.46 acres of District real estate located adjacent to the Mayfair Reservoir in the Village of Westchester for public recreational use. Consideration shall be \$10.00  
**Attachments:**     [Westchester Pk Dist 39-yr Lease Mayfair Reservoir 2.46 Acres Bd. Ltr. 11 6 201](#)
- 58     [14-1256](#)     Authority to amend Board Order of March 20, 2014, authorizing the purchase of 4.4 acres of real estate commonly known as 17001 State Street in South Holland, Illinois, adjacent to the Thornton Reservoir, to serve as a buffer and staging area for operating and maintaining a gate shaft at the Thornton Reservoir and authority for payment to Robert Fox, the Trustee of The South Holland Land Management Trust, the owner of said real estate, in an amount not to exceed \$850,000.00, plus closing and title costs, to reflect the correct acreage of 4.764 acres and a purchase price of \$921,000.00. Account 401-50000-656010, Capital Improvement Bond Fund, Agenda Item No. 46, File No. 14-0197  
**Attachments:**     [11-6-14 aerial map-amend brd order-17001 State St in S Holland.pdf](#)
- 59     [14-1303](#)     Authority to issue a six (6) month permit to the Illinois State Toll Highway Authority to access District real estate located along the east side of Elmhurst Road from Willie Road to the east end of the I-90 westbound off-ramp to fully cut drainage ditches, install a storm sewer and remove trees that conflict with the work and to access District real estate at the southeast corner of Elmhurst Road and Oakton Street for the installation of temporary traffic signals. Consideration shall be a nominal fee of \$10.00  
**Attachments:**     [11-6-14 map - 6 month Permit ISTHA.pdf](#)
- 60     [14-1306](#)     Authority to issue a 2-year permit to the Village of Crestwood on 41.22+/- acres of District real estate located between Cicero Avenue and Kostner Avenue in Crestwood, Illinois and known as Cal-Sag Channel Parcel 12.05 to remove excess soil, rock and spoil. Consideration shall be \$10.00  
**Attachments:**     [Crestwood Cicero Kostner Ave Debie Bd Ltr Nov 6 2014.pdf](#)

## State Legislation & Rules Committee

### Authorization

- 61     [14-1242](#)     Adoption of Amendments to the Rules of the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago



**Stormwater Management Committee****Authorization**

- 62     [14-1307](#)     Authorization to negotiate and enter into an intergovernmental agreement with the Chicago Housing Authority for Rainwater Harvesting System at Dearborn Homes in the City of Chicago

**Miscellaneous and New Business****Resolution**

- 63     [14-0971](#)     RESOLUTION sponsored by the Board of Commissioners recognizing the U.S. Minority Contractors Association's 23rd Annual Millennium Builders Awards and Banquet
- 64     [14-1310](#)     RESOLUTION sponsored by the Board of Commissioners recognizing Dharani Villivalam's twenty-eight years of service to the Metropolitan Water Reclamation District and congratulating her on her well-earned retirement

**Ordinance**

- 65     [O14-007](#)     Adopt Ordinance O14-007 An Ordinance providing for the issuance of not to exceed \$245,000,000 General Obligation Limited Tax Capital Improvement Bonds (2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvement projects to the District's facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds

**Attachments:**     [BTL-Ordinance O14-007.pdf](#)

[Ordinance O14-007 \\$245 million LT 2014 IEPA Authorization.pdf](#)

- 66     [O14-008](#)     Adopt Ordinance O14-008 An Ordinance providing for the issuance of not to exceed \$80,000,000 General Obligation Unlimited Tax Capital Improvement Bonds (2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvement projects to the District's facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds

**Attachments:**     [BTL-Ordinance O14-008.pdf](#)

[Ordinance O14-008 \\$80 million ULT 2014 IEPA Authorization.pdf](#)

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- 67      [O14-009](#)      Adopt Ordinance O14-009 An ordinance providing for the issuance of not to exceed \$100,000,000 General Obligation Bonds (Alternate Revenue Source) (2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of providing funds for stormwater management projects; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds  
**Attachments:**    [BTL-Ordinance O14-009.pdf](#)  
   [Ordinance O14-009 \\$100 million AR ULT 2014 IEPA Authorization.p.pdf](#)
- 68      [O14-010](#)      Adopt Ordinance O14-010 An Ordinance Authorizing and Providing For the Issuance of Not to Exceed \$75,000,000 General Obligation Limited Tax Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago  
**Attachments:**    [Ord O14-010 Lim 75M BTL 2014-11-06.pdf](#)  
   [Ordinance O14-010 - \\$75M GO LTD Bonds.pdf](#)
- 69      [O14-011](#)      Adopt Ordinance O14-011 An Ordinance Authorizing and Providing for the Issuance of Not to Exceed \$100,000,000 General Obligation Unlimited Tax Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago  
**Attachments:**    [Ord O14-011 Unl 100M BTL 2014-11-06.pdf](#)  
   [Ordinance O14-011 - \\$100M GO ULT Bonds.pdf](#)
- 70      [O14-012](#)      Adopt Ordinance O14-012 An Ordinance Providing For the Issuance of Not to Exceed \$50,000,000 General Obligation Unlimited Tax Bonds (Alternate Revenue Source) of the Metropolitan Water Reclamation District of Greater Chicago  
**Attachments:**    [Ord O14-012 Alt Rev 50M BTL 2014-11-06.pdf](#)  
   [Ordinance O14-012 - \\$50M GO UNL Bonds Alternate Revenue Source.pdf](#)
- 71      [O14-013](#)      Adopt Ordinance O14-013 An Ordinance Authorizing and Providing For the Issuance of Not to Exceed \$75,000,000 General Obligation Limited Tax Refunding Bonds of the Metropolitan Water Reclamation District of Greater Chicago  
**Attachments:**    [Ord O14-013 Liml Ref 75M BTL 2014-11-06.pdf](#)  
   [Ordinance O14-013 - \\$75M GO LTD Refunding Bonds.pdf](#)

**Ordinance - Right of Way**

- 72      [R14-004](#)      Adopt Ordinance No. R14-004 Amending Ordinance R14-002 Establishing the Right-of-Way for the Construction, Operation and Maintenance of Streambank Stabilization Projects on Tinley Creek, Midlothian Creek, and the Calumet Union Drainage Ditch, (Contracts 10-882-5F and 10-882-AF) in parts of Sections 14 and 23, Township 36 North, Range 12, East of the Third Principal Meridian; and Sections 23 and 30, Township 36 North, Range 13, East of the Third Principal Meridian in Cook County, Illinois

**Attachments:**    [Right of Way Ord R14-004](#)  
                         [Brd Ltr - Right of Way Ord R14-004](#)

## Adjournment



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1277, **Version:** 1

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### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON FINANCE

Mr. David St. Pierre, Executive Director

Report on Cash Disbursements for the Month of September 2014, in the amount of \$35,500,631.30

Dear Sir:

Submitted herewith are the Cash Disbursements for the Month of September 2014.

Corporate Fund	\$14,576,986.43
Capital Improvements Bond Fund	17,628,068.54
All Other Funds	<u>3,295,576.33</u>
Total Disbursements	<u>\$35,500,631.30</u>

The Chairman of the Committee on Finance submits the following Cash Disbursements Report for acceptance by the Board of Commissioners. JP Morgan Chase check series 372792 through 373866 as well as electronic vendor payments, both as referenced on Cash Disbursements Report pages 1-41 are included in the attached report.

Pursuant to 70 ILCS 2605 11.23, the Comptroller shall conduct audits of all expenditures incident to all purchase orders and contracts awarded by the Director of Procurement and Materials Management. The Comptroller shall report the results of such audits to the President of the Board of Commissioners. As a result, it is requested that the Board of Commissioners accept the Cash Disbursements Report and direct the Clerk to publish and file the report.

Respectfully Submitted, Matthew Glavas, Comptroller

Attachment



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1298, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON FINANCE

Mr. David St. Pierre, Executive Director

Report on the investment interest income during August 2014

Dear Sir:

Attached is a report of cash investment interest income received by the District for the month of August 2014 and a comparison of income for the same period in 2013.

The District's inventory of investments at August 31, 2014, consisted of 197 items having a total par value of \$804,585,981.93, an average annual yield of 0.809%, and total interest income to maturity of approximately \$24.9 million. Inventory figures at the same date in 2013 were of 218 items having a total par value of \$945,477,827.85, an average annual yield of 1.059%, and total interest income to maturity of approximately \$36 million.

#### Interest Forecast for 2014:

Expect short-term rates (0-5 years) to remain anchored by an artificially low Federal Funds rate for an extended period of time. On March 19, 2014, the Federal Reserve changed their two adopted thresholds for determining policy on how long to hold the current 0% to 0.25% target range for the federal funds rate. The Committee will assess progress-both realized and expected-towards its policy objectives of maximum employment and 2 percent inflation. The Fed will no longer use a threshold of a 6.5% unemployment rate before it will raise the short-term interest rates, and instead weigh a combination of employment and inflation indicators. The guidance now suggests that the Fed will continue to hold short-term rates near zero until late 2015. The District will experience its sixth consecutive year of very low interest income earned on short-term investments.

The District has invested its longer-term holdings in callable government agency securities and municipal bonds, which will provide a significant portion of the interest income earned in 2014. These investments pay interest twice per year; therefore, the months of January and July will provide a majority of the interest income for the year. Income earned in other months will be minimal and would relate to short-term investments maturing throughout the year to meet the operating and capital needs of the District.

Respectfully Submitted, Mary Ann Boyle, Treasurer, MAB:st

Attachment

# METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

## INVESTMENT INTEREST INCOME MONTH AND YEAR-TO-DATE 2014 VS. 2013

### MONTH OF AUGUST

FUND TITLE	2014	2013	INCREASE (DECREASE)
Corporate Fund	\$ 185,957.78	\$ 205,622.06	\$ ( 19,664.28 )
Construction Fund	65,302.53	68,310.33	( 3,007.80 )
B & I Sinking Funds	173,006.49	195,640.56	( 22,634.07 )
Capital Improvement Bond Fund	215,309.16	231,709.91	( 16,400.75 )
Stormwater Fund	62,336.06	65,192.78	( 2,856.72 )
Working Cash Funds	0.00	0.00	0.00
Reserve Claim Fund	23,316.65	7,153.80	16,162.85
<b>Total Investment Interest</b>	<b>\$ 725,228.67</b>	<b>\$ 773,629.44</b>	<b>\$ (48,400.77)</b>

### YEAR TO DATE AUGUST 31

FUND TITLE	2014	2013	INCREASE (DECREASE)
Corporate Fund	\$ 1,761,751.56	\$ 2,692,386.93	\$ ( 930,635.37 )
Construction Fund	356,860.15	474,785.73	( 117,925.58 )
B & I Sinking Funds	821,268.71	895,904.38	( 74,635.67 )
Capital Improvement Bond Fund	2,019,963.15	3,491,297.20	( 1,471,334.05 )
Stormwater Fund	356,165.02	571,960.09	( 215,795.07 )
Working Cash Funds	641,482.67	517,141.87	124,340.80
Reserve Claim Fund	357,060.78	508,768.52	( 151,707.74 )
<b>Total Investment Interest</b>	<b>\$ 6,314,552.04</b>	<b>\$ 9,152,244.72</b>	<b>\$ (2,837,692.68)</b>



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1299, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON FINANCE

Mr. David St. Pierre, Executive Director

Report on the investment interest income during September 2014

Dear Sir:

Attached is a report of cash investment interest income received by the District for the month of September 2014 and a comparison of income for the same period in 2013.

The District's inventory of investments at September 30, 2014, consisted of 202 items having a total par value of \$764,530,685.85, an average annual yield of 0.861%, and total interest income to maturity of approximately \$25 million. Inventory figures at the same date in 2013 were of 218 items having a total par value of \$906,938,838.40, an average annual yield of 1.093%, and total interest income to maturity of approximately \$35 million.

#### Interest Forecast for 2014:

Expect short-term rates (0-5 years) to remain anchored by an artificially low Federal Funds rate for an extended period of time. On March 19, 2014, the Federal Reserve changed their two adopted thresholds for determining policy on how long to hold the current 0% to 0.25% target range for the federal funds rate. The Committee will assess progress-both realized and expected-towards its policy objectives of maximum employment and 2 percent inflation. The Fed will no longer use a threshold of a 6.5% unemployment rate before it will raise the short-term interest rates, and instead weigh a combination of employment and inflation indicators. The guidance now suggests that the Fed will continue to hold short-term rates near zero until late 2015. The District will experience its sixth consecutive year of very low interest income earned on short-term investments.

The District has invested its longer-term holdings in callable government agency securities and municipal bonds, which will provide a significant portion of the interest income earned in 2014. These investments pay interest twice per year; therefore, the months of January and July will provide a majority of the interest income for the year. Income earned in other months will be minimal and would relate to short-term investments maturing throughout the year to meet the operating and capital needs of the District.

Respectfully Submitted, Mary Ann Boyle, Treasurer, MAB:st

Attachment

# METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

## INVESTMENT INTEREST INCOME MONTH AND YEAR-TO-DATE 2014 VS. 2013

### MONTH OF SEPTEMBER

FUND TITLE	2014	2013	INCREASE (DECREASE)
Corporate Fund	\$ 46,326.15	\$ 72,303.45	\$ ( 25,977.30 )
Construction Fund	11,197.82	11,899.65	( 701.83 )
B & I Sinking Funds	17,500.00	17,500.00	0.00
Capital Improvement Bond Fund	52,325.69	129,445.69	( 77,120.00 )
Stormwater Fund	8,390.53	10,530.63	( 2,140.10 )
Working Cash Funds	10,800.03	0.00	10,800.03
Reserve Claim Fund	4,093.28	6,422.27	( 2,328.99 )
<b>Total Investment Interest</b>	<b>\$ 150,633.50</b>	<b>\$ 248,101.69</b>	<b>\$ (97,468.19)</b>

### YEAR TO DATE SEPTEMBER 30

FUND TITLE	2014	2013	INCREASE (DECREASE)
Corporate Fund	\$ 1,808,077.71	\$ 2,764,690.38	\$ ( 956,612.67 )
Construction Fund	368,057.97	486,685.38	( 118,627.41 )
B & I Sinking Funds	838,768.71	913,404.38	( 74,635.67 )
Capital Improvement Bond Fund	2,072,288.84	3,620,742.89	( 1,548,454.05 )
Stormwater Fund	364,555.55	582,490.72	( 217,935.17 )
Working Cash Funds	652,282.70	517,141.87	135,140.83
Reserve Claim Fund	361,154.06	515,190.79	( 154,036.73 )
<b>Total Investment Interest</b>	<b>\$ 6,465,185.54</b>	<b>\$ 9,400,346.41</b>	<b>\$ (2,935,160.87)</b>





# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1300, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

#### COMMITTEE ON FINANCE

Mr. David St. Pierre, Executive Director

Report on investments purchased during August 2014

Dear Sir:

Attached is a report indicating the investments made in securities and overnight money market funds for the various District Funds during the month of August 2014.

During the month, 4 individual investments were made with a total par value of \$13,000,000.00 at an average annual yield of 0.235%. The interest income to maturity of these investments is \$4,526.39. There were no items for less than 30 days.

Additionally, 17 investments were made in Money Market Funds during the month, with a par value of \$123,621,743.03 at an average annual yield of 0.050%.

The fixed income market continues to be challenged by exceptionally low investment yields. There is very little risk premium to be earned by extending maturities for uncollateralized investments such as commercial paper beyond a 60-day period. As such, investments continue to be made to meet the District's liquidity demands for debt service, payroll, and other operating expenditures, based upon the best yield offered on the date of investment as well as the diversification requirements of the District's Investment Policy. See the last page of the attachment for the average market interest rates offered for purchases during the month. Commercial Paper and High Yield Savings continue to provide the highest yields for short-term investment requirements.

Respectfully Submitted, Mary Ann Boyle, Treasurer, MAB:st

Attachment

## METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

**Investments Purchased - Long Purchases**  
**August 2014**

<b>Fund</b>	<b>Description</b>	<b>Num Days</b>	<b>Par Value</b>	<b>Interest Rate</b>	<b>Cost</b>
101	Government Agency	40	\$ 3,000,000.00	0.35	\$ 3,000,000.00
<b>Government Agency Total</b>			<b>3,000,000.00</b>		<b>3,000,000.00</b>
395	Commercial paper	61	3,000,900.00	0.20	2,999,883.03
397	Commercial paper	61	3,000,900.00	0.20	2,999,883.03
501	Commercial paper	61	3,998,200.00	0.20	3,996,845.05
<b>Commercial paper Total</b>			<b>10,000,000.00</b>		<b>9,996,611.11</b>
<b>Grand Total</b>			<b>\$ 13,000,000.00</b>		<b>\$ 12,996,611.11</b>

Count:	4
Min Rate:	0.20
Max Rate:	0.35
Min Days:	40
Max Days:	61
Average Rate:	0.235
Average Days:	56.15
Average Months:	1.87

## METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

**Investments Purchased -Money Market Purchases**  
**August 2014**

<b>Fund</b>	<b>Description</b>	<b>Par Value</b>	<b>Cost</b>
101	Money Market Savings	\$ 1.05	\$ 1.05
101	Money Market Savings	13,262.66	13,262.66
101	Money Market Savings	46,101,413.13	46,101,413.13
101	Money Market Savings	6,500,037.57	6,500,037.57
201	Money Market Savings	1.03	1.03
201	Money Market Savings	15,001,245.35	15,001,245.35
433	Money Market Savings	5,000,661.69	5,000,661.69
434	Money Market Savings	4,000,596.60	4,000,596.60
435	Money Market Savings	3,000,569.38	3,000,569.38
473	Money Market Savings	1.02	1.02
473	Money Market Savings	126.80	126.80
474	Money Market Savings	1.02	1.02
474	Money Market Savings	407.05	407.05
501	Money Market Savings	1.02	1.02
501	Money Market Savings	15,000,835.04	15,000,835.04
901	Money Market Savings	1.02	1.02
901	Money Market Savings	29,002,581.60	29,002,581.60
<b>Grand Total</b>		<b>\$ 123,621,743.03</b>	<b>\$ 123,621,743.03</b>

Count:	17
Min Rate:	0.01
Max Rate:	0.12
Average Rate:	0.05

**Market Interest Rates on Investment Purchases as of 8/31/2014**

	<b>1-Month</b>	<b>3-Month</b>	<b>6-Month</b>	<b>1-Year</b>
Collateralized CD's	0.01%	0.02%	0.05%	N/A
U.S. Treasuries	0.02%	0.03%	0.05%	0.09%
Commercial Paper	0.15%	0.21%	0.34%	N/A
Discount Notes	0.04%	0.06%	0.09%	0.15%
Illinois Funds	0.012%	0.012%	0.012%	0.012%
High Yield Savings	0.05%	0.05%	0.05%	0.05%
BMO Harris NOW	0.12%	0.12%	0.12%	0.12%

\*Commercial Paper authorization limited to 270 days maturity.



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1301, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

#### COMMITTEE ON FINANCE

Mr. David St. Pierre, Executive Director

Report on investments purchased during September 2014

Dear Sir:

Attached is a report indicating the investments made in securities and overnight money market funds for the various District Funds during the month of September 2014.

During the month, 7 individual investments were made with a total par value of \$63,600,000.00 at an average annual yield of 0.214%. The interest income to maturity of these investments is \$26,641.66. There were no items for less than 30 days.

Additionally, 17 investments were made in Money Market Funds during the month, with a par value of \$26,430,125.37 at an average annual yield of 0.050%.

The fixed income market continues to be challenged by exceptionally low investment yields. There is very little risk premium to be earned by extending maturities for uncollateralized investments such as commercial paper beyond a 60-day period. As such, investments continue to be made to meet the District's liquidity demands for debt service, payroll, and other operating expenditures, based upon the best yield offered on the date of investment as well as the diversification requirements of the District's Investment Policy. See the last page of the attachment for the average market interest rates offered for purchases during the month. Commercial Paper and High Yield Savings continue to provide the highest yields for short-term investment requirements.

Respectfully Submitted, Mary Ann Boyle, Treasurer, MAB:st

Attachment

## METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

Investments Purchased - Long Purchases  
September 2014

Fund	Description	Num Days	Par Value	Interest Rate	Cost
101	Certificate of Deposit	181	\$ 3,600,000.00	\$ 0.25	\$ 3,600,000.00
<b>Certificate of Deposit Total</b>			<b>3,600,000.00</b>		<b>3,600,000.00</b>
101	Commercial paper	63	10,000,000.00	0.30	9,994,750.00
101	Commercial paper	62	10,000,000.00	0.19	9,996,727.78
201	Commercial paper	63	10,000,000.00	0.22	9,996,150.00
395	Commercial paper	63	10,000,000.00	0.14	9,997,550.00
397	Commercial paper	62	10,000,000.00	0.20	9,996,555.56
501	Commercial paper	63	10,000,000.00	0.22	9,996,150.00
<b>Commercial paper Total</b>			<b>60,000,000.00</b>		<b>59,977,883.34</b>
<b>Grand Total</b>			<b>\$ 63,600,000.00</b>	<b>\$</b>	<b>63,577,883.34</b>

Count:	7
Min Rate:	0.14
Max Rate:	0.30
Min Days:	62
Max Days:	181
Average Rate:	0.214
Average Days:	69.37
Average Months:	2.31

## METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

**Investments Purchased -Money Market Purchases**  
**September 2014**

<b>Fund</b>	<b>Description</b>	<b>Par Value</b>	<b>Cost</b>
101	Money Market Savings	\$ 1.13	\$ 1.13
101	Money Market Savings	10,398.55	10,398.55
101	Money Market Savings	18,002,610.47	18,002,610.47
101	Money Market Savings	12,570.40	12,570.40
201	Money Market Savings	1.11	1.11
201	Money Market Savings	1,196.71	1,196.71
433	Money Market Savings	223.51	223.51
434	Money Market Savings	8,400,260.76	8,400,260.76
435	Money Market Savings	169.77	169.77
473	Money Market Savings	1.10	1.10
473	Money Market Savings	122.72	122.72
474	Money Market Savings	1.10	1.10
474	Money Market Savings	84.23	84.23
501	Money Market Savings	1.10	1.10
501	Money Market Savings	889.43	889.43
901	Money Market Savings	1.10	1.10
901	Money Market Savings	1,592.18	1,592.18
<b>Grand Total</b>		<b>\$ 26,430,125.37</b>	<b>\$ 26,430,125.37</b>

Count:	17
Min Rate:	0.01
Max Rate:	0.12
Average Rate:	0.05

**Market Interest Rates on Investment Purchases as of 9/30/2014**

	<b>1-Month</b>	<b>3-Month</b>	<b>6-Month</b>	<b>1-Year</b>
Collateralized CD's	0.01%	0.02%	0.05%	N/A
U.S. Treasuries	0.02%	0.02%	0.03%	0.13%
Commercial Paper	0.15%	0.22%	0.32%	N/A
Discount Notes	0.03%	0.04%	0.06%	0.15%
Illinois Funds	0.013%	0.013%	0.013%	0.013%
High Yield Savings	0.05%	0.05%	0.05%	0.05%
BMO Harris NOW	0.12%	0.12%	0.12%	0.12%

\*Commercial Paper authorization limited to 270 days maturity.



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1302, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

#### COMMITTEE ON FINANCE

Mr. David St. Pierre, Executive Director

Report on investment inventory statistics at September 30, 2014

Dear Sir:

Attached is a report of Investment Inventory Statistics at September 30, 2014, and a summary of Financial Market Statistics for the third quarter of 2014.

The average interest rate of the investment inventory at the end of September was 0.86%, a decrease from 1.05% at June 30, 2014. The total par value of the inventory was \$764,530,685.85 at month-end.

The Federal Funds rate, a daily borrowing rate between banks, was 0.10% at month-end, a decrease from 0.18% at June 30, 2014. The average yield on the benchmark 90-day Treasury Bill at September 30<sup>th</sup> was 0.02%, while the District ending investment portfolio average interest rate was 0.86%, significantly greater than the benchmark for the portfolio. The average level of investment for the quarter was 100% of available funds, exclusive of required compensating cash balances.

Respectfully Submitted, Mary Ann Boyle, Treasurer, MAB:st

Attachments





## METROPOLITAN WATER RECLAMATION DISTRICT OF CHICAGO

## FINANCIAL MARKET STATISTICS

## 2013 THIRD QUARTER

		reported on:		
YEAR		7/31/2014	8/31/2014	9/30/2014
GENERAL OBLIGATION BONDS TAX EXEMPT YIELDS - Aaa	2015	0.11%	0.12%	0.13%
	2019	1.22%	1.08%	1.17%
	2024	2.26%	2.07%	2.17%
	2029	2.74%	2.51%	2.55%
	2034	3.05%	2.79%	2.83%
	2039	3.25%	2.98%	3.01%
	2044	3.30%	3.03%	3.09%
		reported on:		
BOND BUYER INDEX		7/31/2014	8/31/2014	9/30/2014
20 BOND-A1		4.33%	4.17%	4.11%
11 BOND-AA		4.06%	3.90%	3.96%
		reported on:		
		7/31/2014	8/31/2014	9/30/2014
PRIME RATE		3.25%	3.25%	3.25%
TREASURY BOND - 30 YEAR		3.321%	3.088%	3.210%
FEDERAL FUNDS RATE		0.110%	0.090%	0.100%
DOW JONES INDUSTRIAL AVERAGE		16,563.30	17,098.45	17,071.22
		7/31/2014	8/31/2014	9/30/2014
TAX RECEIPTS - CURR. YEAR LEVY		343,032,892.91	480,418,888.15	489,027,589.29
PERCENT OF LEVY RECEIVED		66.652%	93.347%	95.020%
PAR VALUE- INVESTMENT PORTFOLIO		715,749,394.46	804,585,981.93	764,530,685.85
AVERAGE RATE OF PORTFOLIO		0.973%	0.809%	0.861%
RANGE OF RATES ON PURCHASES	Long Term	0.150 - 0.750%	0.200 - 0.350%	0.140 - 0.300%
	Short Term	0.017 - 0.25%	0.010 - 0.17%	0.010 - 0.17%
		reported on:		
Ending:		7/31/2014	8/31/2014	9/30/2014
TREASURY BILL RATES	30 Days	0.030%	0.030%	0.000%
	90 Days	0.030%	0.030%	0.015%
	180 Days	0.055%	0.050%	0.040%
FED FUND RATE		0.110%	0.090%	0.100%
ILLINOIS FUNDS		0.017%	0.010%	0.010%



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1233, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Report of bid opening of Tuesday, October 14, 2014

Dear Sir:

Bids were received and opened on 10/14/2014 for the following contracts:

CONTRACT 14-045-11 PUBLISH INVITATIONS TO BID FOR CONTRACTS, LEGAL NOTICES FOR ORIGINAL ENTRANCE AND PROMOTIONAL CIVIL SERVICE EXAMINATIONS, AND OTHER LEGAL NOTICES FOR A ONE-YEAR PERIOD

LOCATION: MOB

ESTIMATE: \$75,000.00

GROUP: TOTAL

SUN-TIMES MEDIA PRODUCTIONS LLC

\$58,100.00

TRIBUNE PUBLISHING COMPANY LLC

\$70,000.00

BIDDERS NOTIFIED: 42

PLANHOLDERS: 5

Respectfully Submitted, Darlene A. LoCascio, Director of Procurement and Materials Management



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1295, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Report of bid opening of Tuesday, October 21, 2014

Dear Sir:

Bids were received and opened on 10/21/2014 for the following contracts:

CONTRACT 15-003-11 FURNISH AND DELIVER LABORATORY DISPOSABLE GLOVES AND FLEXIBLE TUBING TO VARIOUS LOCATIONS FOR A ONE (1) YEAR PERIOD

LOCATION: VARIOUS

ESTIMATE: \$73,000.00

GROUP: A TUBING

BUSHNELL, INCORPORATED	\$7,990.50
INDELCO PLASTICS CORPORATION	\$8,486.00
HARRINGTON INDUSTRIAL PLASTICS LLC	\$8,985.00
LAIRD PLASTICS	\$9,767.50
VWR INTERNATIONAL, LLC	\$10,023.51
FISHER SCIENTIFIC COMPANY LLC	\$26,908.80
THOMAS SCIENTIFIC, INC.	\$32,832.50
COLONIAL SCIENTIFIC	\$33,083.50
FAIRMONT SUPPLY COMPANY	\$35,456.00
KAUL GLOVE & MFG CO, D/B/A CHOCTAW-KAUL DISTRIBUTION COMPANY	\$64,226.00

GROUP: B GLOVES

DIVAL SAFETY EQUIPMENT, INC.	\$39,097.05
COLONIAL SCIENTIFIC	\$40,938.25
FAIRMONT SUPPLY COMPANY	\$46,964.65
KAUL GLOVE & MFG CO, D/B/A CHOCTAW-KAUL DISTRIBUTION COMPANY	\$58,152.50
FISHER SCIENTIFIC COMPANY LLC	\$62,980.15
CICERO MANUFACTURING & SUPPLY COMPANY, INC.	\$65,036.45
SAFETY SUPPLY ILLINOIS	\$66,977.75
VWR INTERNATIONAL, LLC	\$71,624.28
SHEPARD MEDICAL PRODUCTS, INC.	\$73,283.50
THOMAS SCIENTIFIC, INC.	\$78,213.05

BIDDERS NOTIFIED: 702

PLANHOLDERS: 44

CONTRACT 15-021-11 FURNISH AND DELIVER UNLEADED GASOLINE TO VARIOUS LOCATIONS FOR A ONE (1) YEAR PERIOD

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**File #:** 14-1295, **Version:** 1
 

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LOCATION: VARIOUS

ESTIMATE: \$413,200.00

GROUP: ITEM 1 TRUCK TRANSPORT DELIVERY

G. COOPER OIL COMPANY, INC.	\$289,637.50
PETROLEUM TRADERS CORPORATION	\$290,100.92
MANSFIELD OIL COMPANY	\$290,731.96
RKA PETROLEUM COMPANIES, INC.	\$292,625.08
AVALON PETROLEUM COMPANY, INC.	\$293,433.60
WEST FUELS, INC.	\$298,659.40

GROUP: ITEM 2 TANK WAGON DELIVERY

G. COOPER OIL COMPANY, INC.	\$87,235.20
AVALON PETROLEUM COMPANY, INC.	\$87,523.20
MANSFIELD OIL COMPANY	\$89,461.44
WEST FUELS, INC.	\$94,752.00
RKA PETROLEUM COMPANIES, INC.	\$98,389.44

BIDDERS NOTIFIED: 174

PLANHOLDERS: 14

CONTRACT 15-027-11 FURNISH AND DELIVER GLASS AND PLASTIC LABWARE TO VARIOUS  
LOCATIONS FOR A ONE (1) YEAR PERIOD

LOCATION: VARIOUS

ESTIMATE: \$159,000.00

GROUP: A GLASS LABWARE

VWR INTERNATIONAL, LLC	\$23,685.01
THOMAS SCIENTIFIC, INC.	\$29,263.21
FISHER SCIENTIFIC COMPANY, LLC	\$29,420.83

GROUP: B PLASTIC LABWARE

VWR INTERNATIONAL, LLC	\$16,527.23
THOMAS SCIENTIFIC, INC.	\$29,027.21
FISHER SCIENTIFIC COMPANY, LLC	\$58,120.02

GROUP: C COMMERCIAL GLASS AND PLASTIC LABWARE

A. DAIGGER & COMPANY, INC.	\$109,112.76
THOMAS SCIENTIFIC, INC.	\$135,471.54
VWR INTERNATIONAL, LLC	\$143,559.20

BIDDERS NOTIFIED: 431

PLANHOLDERS: 17

Respectfully Submitted, Darlene A. LoCascio, Director of Procurement and Materials Management



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1305, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Report of bid opening of Tuesday, October 28, 2014

Dear Sir:

Bids were received and opened on 10/28/2014 for the following contracts:

#### CONTRACT 14-254-3F BLUE ISLAND GREEN INFRASTRUCTURE PROJECT

LOCATION: COOK COUNTY

ESTIMATE: \$413,904.00

GROUP: TOTAL

PATH CONSTRUCTION COMPANY, INC.

\$684,800.00

INDUSTRIA, INC.

\$748,400.00

BIDDERS NOTIFIED: 597

PLANHOLDERS: 17

#### CONTRACT 14-474-11 FURNISH AND DELIVER ONE-YEAR SITE LICENSE SOFTWARE MAINTENANCE

RENEWAL OF FILEMAKER PRO SOFTWARE TO THE MWRDGC

LOCATION: MOB

ESTIMATE: \$31,050.00

GROUP: TOTAL

SHI INTERNATIONAL CORPORATION

\$29,565.00

KOI COMPUTERS, INC.

\$29,578.50

SOFTCHOICE CORPORATION

\$30,726.00

CDW GOVERNMENT, INC.

\$31,158.00

BIDDERS NOTIFIED: 617

PLANHOLDERS: 10

#### CONTRACT 14-639-11 FURNISH AND DELIVER PROCESS WATER CHEMICALS

LOCATION: VARIOUS

ESTIMATE: \$279,000.00

GROUP: TOTAL

FREMONT INDUSTRIES, INC.

\$217,712.28

BUTLER CHEMICAL COMPANY, INC.

\$228,220.00

H-O-H WATER TECHNOLOGY, INC.

\$247,115.00

BIDDERS NOTIFIED: 434

PLANHOLDERS: 41

#### CONTRACT 15-866-11 SECURITY SERVICES AT THE PRAIRIE PLAN SITE IN FULTON COUNTY, ILLINOIS

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**File #:** 14-1305, **Version:** 1

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LOCATION: FULTON COUNTY

ESTIMATE: \$200,000.00

GROUP: TOTAL

ELAM PRIVATE DETECTIVE, INC.

\$172,868.96

BIDDERS NOTIFIED: 121

PLANHOLDERS: 20

Respectfully Submitted, Darlene A. LoCascio, Director of Procurement and Materials Management



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1234, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization to amend Board Order of September 4, 2014, regarding issue purchase order and enter into an agreement with Colorado School of Mines, to provide professional services to study plant uptake of perfluoroalkyl acids from soils amended with biosolids, in an amount not to exceed \$29,500.00, Account 101-16000-601170, Requisition 1383886, Agenda Item No. 29, File No. 14-0916

Dear Sir:

At the Board meeting of September 4, 2014, the Board of Commissioners duly ordered the above stated action, Agenda Item No. 29, File No. 14-0916.

A textual error in the title/transmittal letter and resulting order indicated, the Colorado School of Mines, same should have read the Board of Trustees of the Colorado School of Mines.

All other information provided in the transmittal letter is correct.

Therefore, it is requested that the aforesaid Board order of September 4, 2014, be amended to effect the changes set forth above, otherwise to remain in force and effect as heretofore enacted.

Requested, Thomas C. Granato, Director of Monitoring and Research, TCG:MPC:KB:mh  
Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1254, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization for payment to the U.S. Water Alliance (Alliance) for 2014/2015 membership dues in an amount not to exceed \$10,000.00, Account 101-15000-612280

Dear Sir:

Authorization is requested to make payment to the U.S. Water Alliance (Alliance) for the District's 2014/2015 membership dues in an amount not to exceed \$10,000.00. The term of the District's membership is October 1, 2014 to September 30, 2015.

The Alliance was established in 2008 to support "One Water" management, a concept that emphasizes the importance and value of each aspect of the water cycle and promotes more integrated, sustainable management of water and watersheds. During the past year, the Alliance has become the project manager for the Value of Water Coalition, an organization committed to educating the public on the importance of clean, safe, and reliable water to and from every home and community, and to help ensure quality water service for future generations. The District has been a continuing member in support of the Alliance's work in exploring the complex issue of water sustainability.

Inasmuch as the U.S. Water Alliance membership is not available through any other source, nothing would be gained by advertising for bids (Section 11.4 of the Purchasing Act).

It is hereby recommended that the Board of Commissioners authorize payment, by direct voucher, to the U.S. Water Alliance, in an amount not to exceed \$10,000.00. Funds are available in Account 101-15000-612280.

Requested, Eileen M. McElligott, Administrative Services Manager, BKS:SL:WG:JMS:TG

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners November 6, 2014





# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1263, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization to increase cost estimate for Contract 02-111-3M TARP Pump No. 8 Rehabilitation, Main Stream Pumping Station, from \$2,500,000.00 to \$4,500,000.00, Account 401-50000-645700, Requisition 1345011

Dear Sir:

On August 9, 2012, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise Contract 02-111-3M TARP Pump No. 8 Rehabilitation, Main Stream Pumping Station, at an engineer's estimated cost of \$2,500,000.00. The sole bidder's cost was \$9,272,000.00.

Since that time, the Engineering Department has reviewed the scope of work and adjusted the required work for the contract. The purpose of the project is to rehabilitate TARP Pump No. 8, including the full on-site inspection of electrical and mechanical components with replacement, as necessary. The pump is a critical component of the TARP system and requires rehabilitation to improve its efficiency and ensure that it can continue functioning properly. While TARP Pump No. 8 has been maintained and is in service, it is over 25 years old and has never been rehabilitated since its installation. Our evaluation has determined that the clearances between the wear rings have increased beyond the maximum recommended by the pump manufacturer. This increased clearance leads to increased recirculation within the pump and a decrease in the pump efficiency. The energy lost due to the excessive wear is estimated to cost approximately \$68,500/year. Also, the increased wear ring clearance has led to the pump mechanical seal operating under a pressure that is 170% of its design condition and the motor thrust bearing seeing a 160% increased thrust load from design condition. Therefore, due to its condition and age, the increased risk of failure necessitates its rehabilitation to ensure the appropriate level of service and increase the pump's efficiency. All ancillary work originally included in the contract has since been removed.

It is hereby recommended that the Board of Commissioners authorize the Director of Procurement and Materials Management to increase the cost estimate for Contract 02-111-3M from \$2,500,000.00 to \$4,500,000.00.

Funds for the revised cost estimate are available in Account 401-50000-645700.

Requested, Catherine A. O'Connor, Director of Engineering, MVL:JAW

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1266, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization to execute a bond purchase agreement for Contract 10-RFP-21, Professional Underwriting Services for District Bond Sales, with Morgan Stanley & Co. LLC; and to appoint Morgan Stanley & Co. LLC as Senior Managing Underwriter and Book-runner; Loop Capital Markets, LLC, as Co-Senior Managing Underwriter; and Cabrera Capital Markets, LLC; Goldman, Sachs & Co.; Jefferies LLC; and Rice Securities, LLC, as Co-Managing Underwriters, at a total fee not to exceed \$270,000.00 to market and sell up to \$300,000,000 of General Obligation Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago, Accounts 401-50000-767300 and 767400

Dear Sir:

Authorization is requested to execute a bond purchase agreement with Morgan Stanley & Co. LLC to serve as Senior Managing Underwriter and Book-runner for the upcoming bond sale. The District intends to market and sell up to \$300,000,000 of General Obligation Capital Improvement Bonds. This sale will include Limited and Unlimited Tax Series Bonds, in order to fund both TARP and non-TARP capital improvement projects, Alternate Revenue Series Bonds to fund capital improvement projects for the Stormwater Management program, and Limited Tax Series refunding bonds for savings in debt service cost.

It is required that the underwriting team be knowledgeable and experienced, exhibit professionalism, and possess the expertise to carry out the required functions correctly and with the necessary timeliness. The Request for Proposal (RFP) 10-RFP-21, Professional Underwriting Services for District Bond Sales, was advertised on October 6, 2010. The District notified 146 firms, and 46 firms requested proposal documents. Twenty-nine acceptable proposals were received by October 22, 2010. The RFP evaluation team, comprised of staff from the Treasury, Finance, Law, and Procurement and Materials Management departments, rated each firm's proposal for technical approach and competence, experience in public finance and expertise in the underwriting and sale of general obligation bonds, financial capacity to underwrite bonds, and cost of services. On November 7, 2013, the Board of Commissioners extended the duration of the qualified list for 10-RFP-21 for a two-year period ending November 18, 2015.

On September 8, 2014, a Best and Final Offer Cost Proposal was sent to the eleven remaining underwriting firms on the list of firms eligible to serve as Senior Managing Underwriter for District bond sales. The request included a price proposal for the requirements of the upcoming bond sale, updated information on the firm and personnel, technical information including their firm's estimate of how the District's bonds would sell in the current market, and completion of the District's Minority Business Enterprise(MBE)/Women-Owned Business Enterprise(WBE) Verification Form. Eleven acceptable proposals were received by October 1, 2014. The Treasury and Procurement departments reviewed the responses received, and updated the RFP scoring based on the results of the new Best and Final Offer Cost Proposal, specific requirements for the proposed bond sale, and the response to the Minority Business Enterprise(MBE)/Women-Owned Business Enterprise (WBE) Verification Form.

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**File #:** 14-1266, **Version:** 1

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Morgan Stanley & Co. LLC was selected as Senior Managing Underwriter and Book-runner based upon its top overall ranking for the composite score, and Loop Capital Markets, LLC, was chosen as Co-Senior Managing Underwriter based upon its technical competence and experience, and ability to meet the District's participation goals for Minority-Owned (MBE) and Women-Owned (WBE) business enterprises as the cost proposal does not apply to Co-Managing Underwriting firms. The Co-Managing Underwriters chosen for the sale were Cabrera Capital Markets, LLC; Goldman, Sachs & Co.; Jefferies LLC; and Rice Securities, LLC. The Co-Managing Underwriters were chosen based upon their technical competence and experience, and ability to meet the District's participation goals for Minority-Owned (MBE) and Women-Owned (WBE) business enterprises as the cost proposal does not apply to Co-Managing Underwriting firms. A minimum of 30% of the work and services required by the RFP for each bond sale will be awarded to one or more MBE or WBE firm (s) from the list of qualified candidates identified by the RFP process. The Affirmative Action Section has reviewed the underwriting group identified for this bond sale and concluded that the appointments are in accordance with the RFP requirements.

Authority is requested to appoint this selling group to market and sell up to \$300,000,000 General Obligation Capital Improvement Bonds. The size and structure of the bond sale will be determined with the assistance of the Underwriters and Financial Advisors based upon the market interest rates, investor cash positions, supply of bonds for sale, liquidity of the market and other conditions.

The total underwriters' discount (fee for services) shall not exceed \$270,000.00. Accordingly, the exact fees may not exceed ninety(\$0.90) per \$1,000 principal amount of bonds sold. The fee to the Underwriting Group is a maximum of seventy-five cents(\$0.75) per \$1,000 principal amount of bonds sold, a total fee not to exceed \$225,000.00; and administrative expenses are \$0.15 per \$1,000 principal amount of bonds sold, required to be paid upon the issuance of bonds, a total fee not to exceed \$45,000.00. No fees for professional services connected with the bond issuance will be paid unless the sale is completed.

Accordingly, it is requested that the Board of Commissioners direct the Chairman of the Committee on Finance or other duly authorized officer of the Board of Commissioners and the Treasurer of the District to execute a bond purchase agreement with Morgan Stanley & Co. LLC, and to authorize the appointment of Morgan Stanley & Co. LLC as Senior Managing Underwriter and Book-runner; Loop Capital Markets, LLC, as Co-Senior Managing Underwriter; and Cabrera Capital Markets, LLC; Goldman, Sachs & Co.; Jefferies LLC; and Rice Securities, LLC as Co-Managing Underwriters, at a total fee not to exceed \$270,000.00 to market and sell up to \$300,000,000 of General Obligation Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago, per Section 11.4 of the Purchasing Act.

Funds will be paid from the bond sale proceeds Accounts 401-50000-767300(\$202,500.00) and 401-50000-767400(\$67,500.00).

Requested, Mary Ann Boyle, Treasurer, MAB:st

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1267, **Version:** 1

### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization to enter into agreements for contract 14-RFP-07, Financial Advisory Services Related to the District Financing Program, appointing A.C. Advisory, Inc., and Public Financial Management, Inc., as Co-Financial Advisors to the District in an amount not to exceed \$195,000.00, plus expenses not to exceed \$6,000.00 in connection with the sale of up to a total of \$300,000,000 of General Obligation Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago, Accounts 401-50000-767300 and 767400

Dear Sir:

The District intends to sell up to a total of \$300,000,000 of General Obligation Capital Improvement Bonds at its upcoming bond sale. This sale will include Limited and Unlimited Tax Series Bonds, in order to fund both TARP and non-TARP capital improvement projects, Alternate Revenue Series Bonds to fund capital improvement projects for the Stormwater Management program, and Limited Tax Series refunding bonds for savings in debt service cost.

The Financial Advisors serve on the District's behalf as liaison to the Bond Counsels, Underwriters' Counsels, the Bond Underwriting Group and the Bond Rating Agencies; maintain the sale participants' contact list and calendar schedule of necessary sale events, communicating dates of events and meetings to group members; prepare and schedule the District presentation for Bond Rating Agency meetings; assist in producing and reviewing documents, including the preliminary and final official statements; work with District Treasurer and Bond Underwriting Group in determining structure of the Bonds being sold; review pricing and allocation of bonds sold; study and evaluate secondary market post sale activity; assist with bond sale closing arrangements; evaluate and provide advice related to compliance with arbitrage regulations; and provide Financial Advisors' Certificates relative to the Bond sale.

The Request for Proposal 14-RFP-07 was advertised on December 4, 2013. One hundred-six (106) firms were notified, and thirty-eight (38) firms requested proposal documents. Ten (10) acceptable proposals were received on January 17, 2014.

The RFP process was coordinated through the Director of Procurement and Materials Management. The evaluation committee, which reviewed and evaluated the submitted RFP's, consisted of staff from the Treasury, Finance, Law, and Procurement and Materials Management departments. Responses were evaluated according to the criteria defined in the RFP. Firms were ranked based on the numeric score calculated by the evaluation committee.

The committee reached a consensus that seven proposers met the technical qualifications portion of the RFP. These firms were interviewed by the committee and requested to submit their best and final offers. A final evaluation matrix, including the interview evaluations and the best and final offers, resulted in an over-all top ranking for A.C. Advisory, Inc. A.C. Advisory, Inc.'s top overall ranking was based on a composite evaluation

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**File #:** 14-1267, **Version:** 1

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score which was calculated from the committee's individual evaluations for: understanding of the project, technical competence, approach to the work, financial stability, proof of registration with the SEC as a municipal advisor, the interview evaluations, and the cost of services. The co-financial advisor was recommended based upon receiving the highest technical score for co-financial advisors on the technical qualifications portion of the RFP as the cost proposal does not apply to the co-financial advisory firms. A minimum of 30% of the work and services required by the RFP for each bond sale will be awarded to one or more Minority-Owned (MBE) and Women-Owned (WBE) business enterprises for the list of candidates identified by the RFP process. The Affirmative Action Section has reviewed the proposed financial advisor appointments for this bond sale, and concluded that the group identified are in accordance with the District's Affirmative Action Policy.

Authority is requested to appoint this team of Financial Advisors in connection with the sale of up to \$300,000,000 General Obligation Capital Improvement Bonds. The size and structure of the bond sale will be determined with the assistance of the Underwriters and Financial Advisors based upon the market interest rates, investor cash positions, supply of bonds for sale, liquidity of the market and other conditions.

Accordingly, it is requested that the Board of Commissioners authorize the appointment of A.C. Advisory, Inc., and Public Financial Management, Inc., as Co-Financial Advisors to the District, to render the necessary services for the sale of up to \$300,000,000 General Obligation Capital Improvement Bonds. The fee for such services will be at the rate of sixty-five cents (\$0.65) per \$1,000 principal amount of bonds sold up to \$300,000,000, a total fee not to exceed \$195,000.00 to be apportioned 60% to A.C. Advisory, Inc., and 40% to Public Financial Management, Inc., plus up to \$6,000.00 of out-of-pocket expenses will be reimbursed by the District for services performed per Section 11.4 of the Purchasing Act.

Funds will be paid from the bond sale proceeds, Accounts 401-50000-767300 (\$152,250.00) and 401-50000-767400 (\$48,750.00).

It is further requested that the Board of Commissioners authorize and direct the Chairman of the Committee on Finance or other duly authorized officer of the Board of Commissioners; the Treasurer; the Clerk; the Director of Procurement and Materials Management; and the Executive Director to execute professional services agreements on behalf of the District on account of the aforesaid services after the professional services agreements have been approved by the Treasurer as to technical matters and by the General Counsel as to form and legality.

Requested, Mary Ann Boyle, Treasurer, MAB:st

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1270, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization to amend Board Order of February 20, 2014, for Authorization to enter into an agreement with a successful Proposer(s) for the request for Proposal (RFP) 13-RFP-20, Procurement of Natural Gas, estimated cost \$5,400,000.00, Accounts 101-66000, 67000, 68000, 69000-612160, Agenda Item No. 11, File No. 14-0136

Dear Sir:

At the Board Meeting of February 20, 2014, the Board of Commissioners duly authorized the above stated action, Agenda Item No. 11, File No. 14-0136.

The fourth paragraph in the body of the transmittal letter and resulting order indicated, "The District intends to award a contract(s) on the basis of the technically acceptable proposal(s) that will result in the best value for each pricing group included in the reverse auction to take place in the near future." Same should have read "The District intends to award a contract(s) for the procurement of natural gas for the years 2015, 2016 and 2017 on the basis of the technically acceptable proposal(s) that will result in the best value for each pricing group included in the reverse auction to take place in the near future."

The eighth paragraph in the body of the transmittal letter and resulting order indicated: "Therefore, it is requested that the Board of Commissioners authorize the Director of Procurement and Materials Management to enter into an agreement with a successful Proposer(s) to supply natural gas to the District, subject to appropriation. Same should have read "Therefore, it is requested that the Board of Commissioners authorize the Director of Procurement and Materials Management to enter into an agreement with a successful Proposer (s) to supply natural gas to the District, subject to appropriation, for a term not to exceed three years and in an amount not to exceed \$5,400,000.00.

All other information provided in the transmittal is correct.

Therefore, it is requested that the aforesaid Board Order of February 20, 2014, be amended to effect the changes set forth above, otherwise to remain in force and effect as heretofore enacted.

Requested, Manju Prakash Sharma, Director of Maintenance & Operations, AQ:SO'C  
Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1272, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization to amend Board Order of June 5, 2014, regarding issue purchase orders to Flow-Technics, Inc., to Furnish and Deliver Allis Chalmers ITT Gould and Netzsch Pumps and Parts to the Stickney and Egan Water Reclamation Plants, in an amount not to exceed \$335,000.00, Accounts 101-67000, 69000-623270, Agenda Item No. 28, File No. 14-0516.

Dear Sir:

At the Board Meeting of June 5, 2014, the Board of Commissioners duly authorized the above stated action, Agenda Item No. 28, File No. 14-0516.

A textual error in the title/transmittal letter and resulting order indicated, "...to the Stickney and Egan Water Reclamation Plants." Same should have read "...to the Stickney and North Service Area Water Reclamation Plants."

All other information provided in the transmittal is correct.

Therefore, it is requested that the aforesaid Board Order of June 5, 2014, be amended to effect the change set forth above, otherwise to remain in force and effect as heretofore enacted.

Requested, Manju P. Sharma, Director of Maintenance and Operations, AQ: SO'C:MAG/pm/ts

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014





# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1276, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization to enter into agreements for contract 14-RFP-08, Bond Counsel, Underwriters' Counsel, and Other Legal Advisory Services Related to the District Financing Program, with Katten Muchin Rosenman LLP as Lead Bond Counsel and Special Tax Counsel, with Gonzalez, Saggio & Harlan, L.L.P., as Co-Bond Counsel, and Mayer Brown LLP as Disclosure Counsel in an amount not to exceed \$219,750.00, in connection with the sale of up to a total of \$300,000,000 of General Obligation Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago, Accounts 401-50000-767300 and 767400

Dear Sir:

The District intends to sell up to a total of \$300,000,000 of General Obligation Capital Improvement Bonds at its upcoming bond sale. This sale will include Limited and Unlimited Tax Series Bonds, in order to fund both TARP and non-TARP capital improvement projects, Alternate Revenue Series Bonds to fund capital improvement projects for the Stormwater Management program, and Limited Tax Series refunding bonds for savings in debt service cost.

The proposed sale requires the appointment of Co-Bond Counsel, Special Tax Counsel, and Disclosure Counsel for the District in order to effect delivery of the bonds. The proposed sale also requires the selection of Co-Underwriters' Counsel to provide counsel for the Underwriting Syndicate.

Co-Bond Counsel will provide an unqualified approving opinion as to the legality of the bonds and that principal and interest are payable from ad valorem taxes to be levied on all taxable property within the boundaries of the District, sufficient to make such required payments. Special Tax Counsel will provide certain tax law analyses regarding the District's issuance of the bonds. Disclosure Counsel will consult with the District in compliance with all of its obligations in connection with the issuance of the bonds under applicable securities laws and tax laws for full disclosure of all material facts. Disclosure Counsel will provide a letter of assurance at closing to the effect that no facts have come to their attention, which lead them to believe that the official statement for the bonds contained as of its date or the date of closing, any untrue statement of a material fact or omitted or omits to state a material fact required to be stated therein or necessary in order to make the statements made therein, in the light of the circumstances under which they were made, not misleading, subject to customary exceptions.

The Request for Proposal 14-RFP-08 was advertised on January 8, 2014. One hundred-twenty (120) firms were notified, and forty-two (42) firms requested proposal documents. Twenty-two (22) acceptable proposals were received on February 14, 2014.

The RFP process was coordinated through the Director of Procurement and Materials Management. The evaluation committee which reviewed and evaluated the submitted RFP's consisted of staff from the Treasury, Law, and Procurement and Materials Management departments. Responses were evaluated according to the criteria defined in the RFP. Firms were ranked based on the numeric score calculated by the evaluation



committee.

The committee reached a consensus that five proposers for bond counsel services met the technical qualifications portion of the RFP. These firms were interviewed by the committee and requested to submit their best and final offers. A final evaluation matrix, including the interview evaluations and the best and final offers, resulted in an over-all top ranking for Katten Muchin Rosenman LLP. Katten Muchin Rosenman LLP's top overall ranking for bond counsel was based on a composite evaluation score, which was calculated from the committee's individual evaluations for: understanding of the project, technical competence, approach to the work, financial stability, registration to practice law in the State of Illinois, the interview evaluations, and the cost of services. The underwriters' counsel is recommended based upon the top overall ranking for the technical qualifications score which was calculated from the committee's individual evaluations for: understanding of the project, technical competence, approach to the work, financial stability, and registration to practice law in the State of Illinois. The co-bond counsel and co-underwriters' counsel are recommended based upon the technical qualifications score and the District's participation goals for Minority-Owned (MBE) and Women-Owned (WBE) business enterprises as the cost proposal does not apply to co-bond counsel firms. Disclosure counsel is recommended based on the highest composite evaluation score which is comprised of their technical qualifications score and their best and final offer cost proposal score. A minimum of 30% of the work and services required by the RFP for each bond sale will be awarded to one or more MBE or WBE firm(s) for the list of candidates identified by the RFP process. The Affirmative Action Section has reviewed the proposed counsel appointments for this bond sale, and concluded that the group identified are in accordance with the District's Affirmative Action Policy.

Katten Muchin Rosenman LLP has extensive experience in preparing opinions as bond counsel and has served as bond counsel and tax counsel for the District in the past. Gonzalez, Saggio & Harlan, L.L.P., has previously served as bond counsel for issues of tax-exempt securities of many other government agencies and is a well experienced firm. Mayer Brown has significant experience representing a number of governmental issuers as Disclosure Counsel and will assist and advise the District on how to meet its SEC (Securities and Exchange Commission) and MSRB (Municipal Securities Rulemaking Board) disclosure requirements. Burke Burns and Pinelli, Ltd. and Pugh, Jones, & Johnson, P.C. have extensive experience in serving as co-underwriters' counsel, and have both served in this role for the District in the past.

From time to time, co-bond counsel represent in a variety of capacities investment bankers, financial advisors and other persons active in the Illinois public finance market on a wide range of issues. Co-bond counsel currently represent the Purchasers of the Bonds in other matters not related to this transaction. The acceptance of the services of bond counsel and the execution of their engagement letters constitutes the District's consent to such other engagements with the Purchasers of the Bonds. Neither the representation of the District nor such additional relationships or prior consultations with potential Bond Purchasers will affect co-bond counsel's responsibility to render an objective Bond Opinion.

Authority is requested to appoint these firms in connection with the sale of up to \$300,000,000 General Obligation Capital Improvement Bonds. The size and structure of the bond sale will be determined with the assistance of the Underwriters and Financial Advisors based upon the market interest rates, investor cash positions, supply of bonds for sale, liquidity of the market and other conditions.

The fee for Bond Counsel to the District is proposed to be stratified at sixty-five cents (\$0.65) per \$1,000 principal amount of bonds sold up to \$150,000,000, a fee not to exceed \$97,500.00, and twenty-five cents (\$0.25) per \$1,000 principal amount of bonds sold in excess of \$150,000,000, a fee not to exceed \$37,500.00 if the remaining \$150,000,000 principal amount of bonds are sold. The total fee therefore is not to exceed \$135,000.00, to be apportioned 70% to Lead Bond Counsel and 30% to Co-Bond Counsel.

The fees for services as Special Tax Counsel and Disclosure Counsel are proposed to be stratified as follows: for usual services - twelve cents (\$0.12) and twenty seven cents (\$0.27), respectively, per \$1,000 principal

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**File #:** 14-1276, **Version:** 1

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amount of bonds sold up to \$150,000,000, and eight cents (\$0.08) and three cents (\$0.03), respectively, per \$1,000 principal amount sold in excess of \$150,000,000. Fees for tax services for refunding and alternate revenue bonds are nineteen cents (\$0.19) and ten cents (\$0.10) per \$1,000 principal amount of bonds sold up to \$150,000,000. The maximum possible fees would then be \$39,250.00 to Special Tax Counsel and \$45,000.00 to Disclosure Counsel if the total amount of \$300,000,000 principal amount of bonds is issued. The fee for incidental out-of-pocket expenses incurred by District Bond Counsel is proposed to be an amount not to exceed \$500.00.

The fee for Underwriters' Counsel is proposed to be stratified at forty-nine cents (\$0.49) per \$1,000 principal amount of bonds sold up to \$150,000,000, a fee not to exceed \$73,500.00, and nineteen cents (\$0.19) per \$1,000 principal amount of bonds sold in excess of \$150,000,000, a fee not to exceed \$28,500.00 if the remaining \$150,000,000 principal amount of bonds are sold. The total fee therefore is not to exceed \$102,000.00, to be apportioned 70% to Lead Underwriter Counsel and 30% to Co-Underwriter Counsel. No agreement is executed between the Co-underwriters' Counsel and the District due to the fact they work directly for the Underwriting Syndicate, and are paid by the Lead Underwriter from the proceeds of the bond sale.

Accordingly, authority is requested to enter into an agreement with Katten Muchin Rosenman LLP as Lead Bond Counsel and Special Tax Counsel, with Gonzalez, Saggio & Harlan, L.L.P., as Co-Bond Counsel, for the District, and Mayer Brown LLP as Disclosure Counsel in an amount not to exceed \$219,750.00, to render the necessary opinions for the sale of General Obligation Capital Improvement Bonds per Section 11.4 of the Purchasing Act.

Funds will be paid from the bond sale proceeds Accounts 401-50000-767300 (\$184,500.00) and 401-50000-767400 (\$35,250.00). Fees as noted above will only be disbursed if and when the transaction is completed.

It is further requested that the Board of Commissioners authorize and direct the Chairperson of the Committee on Finance, the Clerk, the Director of Procurement and Materials Management, and the Executive Director to execute the professional services agreement on behalf of the District on account of the aforesaid services after the professional services agreements have been approved by the Treasurer as to technical matters and by the General Counsel as to form and legality.

Requested, Mary Ann Boyle, Treasurer, MAB:st

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

This record is currently unavailable.



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1291, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization to amend Board Order of October 16, 2014, regarding Authority to award Contract 13-985-12, Railroad Car Repair, Maintenance and Rebuilding at the Stickney Water Reclamation Plant, to JK-CO, LLC, in an amount not to exceed \$316,117.47, Account 101-69000-612670, Requisition 1356608, Agenda Item No. 26, File No. 14-1204

Dear Sir:

At the Board meeting of October 16, 2014, the Board of Commissioners duly authorized the above stated action, Agenda Item No. 26, File No. 14-1204.

A textual error in the title/transmittal letter and resulting order should include the following paragraph, "JK-CO LLC, is not registered to transact business in Illinois, but has submitted a certificate of good standing from the State of Ohio. The Procurement and Materials Management Department has received approval from the Executive Director to move forward with the recommendation to award."

All other information provided in the transmittal is correct.

Therefore, it is requested that the aforesaid Board Order of October 16, 2014, be amended to effect the changes set forth above, otherwise to remain in force and effect as heretofore enacted.

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:cm  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1292, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization to amend Board Order of October 16, 2014, regarding Authority to award Contract 11-889-5F, Streambank Stabilization Projects for Higgins Creek and McDonald Creek, to Industria, Inc., in an amount not to exceed \$2,445,787.00, Account 501-50000-645720, Requisition 1380227, Agenda Item No. 31, File No. 14-1228

Dear Sir:

At the Board meeting of October 16, 2014, the Board of Commissioners duly authorized the above stated action, Agenda Item No. 31, File No. 14-1228.

A textual error in the title/transmittal letter and resulting order indicated, "Authority to award Contract 11-889-5F, Streambank Stabilization Projects for Higgins Creek and McDonald Creek, to Industria, Inc., in an amount not to exceed \$2,445,787.00, Account 501-50000-645720, Requisition 1380227." Same should have read, "Authority to award Contract 11-889-5F, Streambank Stabilization Projects for Higgins Creek and McDonald Creek, to Industria, Inc., in an amount not to exceed \$2,445,787.00, plus a five (5) percent allowance for change orders, in an amount of \$122,289.35, for a total amount not to exceed \$2,568,076.35, Account 501-50000-645720, Requisition 1380227."

All other information provided in the transmittal is correct.

Therefore, it is requested that the aforesaid Board Order of October 16, 2014, be amended to effect the changes set forth above, otherwise to remain in force and effect as heretofore enacted.

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:cm  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1294, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization to amend Board Order of October 16, 2014, regarding Authority to award Contract 10-885-AF (Re-Bid), Streambank Stabilization of I & M Canal Tributary D, to Path Construction Company, in an amount not to exceed \$1,124,000.00, Account 501-50000-645620, Requisition 1361988, Agenda Item No. 30, File No. 14-1227

Dear Sir:

At the Board meeting of October 16, 2014, the Board of Commissioners duly authorized the above stated action, Agenda Item No. 30, File No. 14-1227.

A textual error in the title/transmittal letter and resulting order indicated, "Authority to award Contract 10-885-AF (Re-Bid), Streambank Stabilization of I & M Canal Tributary D, to Path Construction Company, in an amount not to exceed \$1,124,000.00, Account 501-50000-645620, Requisition 1361988." Same should have read, "Authority to award Contract 10-885-AF (Re-Bid), Streambank Stabilization of I & M Canal Tributary D, to Path Construction Company, in an amount not to exceed \$1,124,000.00, plus a five (5) percent allowance for change orders, in an amount of \$56,200.00, for a total amount not to exceed \$1,180,200.00, Account 501-50000-645720, Requisition 1361988."

All other information provided in the transmittal is correct.

Therefore, it is requested that the aforesaid Board Order of October 16, 2014, be amended to effect the changes set forth above, otherwise to remain in force and effect as heretofore enacted.

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:cm  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1269, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-693-11, Use of a Sanitary Landfill, estimated cost \$121,000.00, Account 101-66000-612520, Requisition 1385298

Dear Sir:

Contract documents and specifications have been prepared for Contract 15-693-11, Use of a Sanitary Landfill, at the request of the Maintenance and Operations Department.

The purpose of this contract is to procure the services of a sanitary landfill site for the Lawndale Avenue Solids Management Area and the Calumet Solids Management Area, for the disposal of Biosolids and other materials, which are not suitable for use as a daily landfill cover or other beneficial uses.

The estimated cost for this contract is \$121,000.00. The estimated 2015 and 2016 expenditures are \$60,500.00 and \$60,500.00, respectively.

The bid deposit for this contract is \$6,000.00.

The Multi-Project Labor Agreement, and the Affirmative Action Interim Ordinance Appendix D are not included in this contract because it is for access to, and use of, a landfill.

The tentative schedule for this contract is as follows:

Advertise December 3, 2014

Bid Opening January 6, 2015

Award January 22, 2015

Completion December 31, 2016

Funds are being requested in 2015, in Account 101-66000-612520, and are contingent on the Board of Commissioners' approval of the District's budget for that year. Funds for the subsequent year 2016 are contingent on the Board of Commissioners' approval of the District's budget for that year.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to advertise Contract 15-693-11.

Requested, Manju Prakash Sharma, Director of Maintenance & Operations, AQ:SO'C:MAG:CM:SSG

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1273, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-801-21 Replace a Crane Maintenance Platform at the Calumet Water Reclamation Plant, estimated cost \$50,000.00, Account 201-50000-645650, Requisition 1384319

Dear Sir:

Contract documents and specifications have been prepared for Contract 15-801-21 Replace a Crane Maintenance Platform at the Calumet Water Reclamation Plant, at the request of the Maintenance and Operations Department.

The purpose of this contract is to provide full maintenance access to the controls and mechanisms for the High Level Pumping Station's crane at the Calumet Water Reclamation Plant.

The estimated cost for this contract is \$50,000.00.

The bid deposit for this contract is \$2,500.00

The Multi-Project Labor Agreement (MPLA) will be included in this contract.

The Affirmative Action Interim Ordinance Appendix D will not be included in this contract because the estimate is less than the minimum threshold established by Section 4 of the Affirmative Action Interim Ordinance.

It is estimated that this contract will employ 3 to 5 personnel.

The tentative schedule for this contract is as follows:

Advertise	December 10, 2014
Bid Opening	January 6, 2015
Award	January 22, 2015
Completion	June 30, 2015

Funds are being requested in 2015, in Account 201-50000-645650, and are contingent on the Board of Commissioner's approval of the District's budget for that year.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to advertise Contract 15-801-21.

Requested, Manju Prakash Sharma, Director of Maintenance & Operations, AQ:SO'C:MAG:CM:JK  
Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement



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**File #:** 14-1273, **Version:** 1

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Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1274, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-618-11 Specialized Repairs for Large Motors, estimated cost \$150,000.00, Accounts 101-67000/68000/69000-612600/612650/623070, Requisitions 1376685, 1385814 and 1387213

Dear Sir:

Contract documents and specifications have been prepared for Contract 15-618-11 Specialized Repairs for Large Motors, at the request of the Maintenance and Operations Department.

The purpose of this contract is to procure specialized repair services such as: inspections, repairs, testing and tuning/calibrating for the motors at the District's various facilities for a three-year period.

The estimated cost for this contract is \$150,000.00. The estimated 2015, 2016 and 2017 expenditures are \$50,000.00, \$50,000.00 and \$50,000.00, respectively.

The bid deposit for this contract is \$7,500.00.

The Multi-Project Labor Agreement will be included in this contract.

The Affirmative Action Interim Ordinance Appendix D will not be included in this contract because the contract does not provide practical or cost-effective opportunities for direct or indirect subcontracting, and that the services will be provided on an as-needed basis.

It is estimated that this contract will employ 1-2 personnel.

The tentative schedule for this contract is as follows:

Advertise	December 10, 2014
Bid Opening	January 6, 2015
Award	January 22, 2015
Completion	December 31, 2017

Funds are being requested in 2015, in Accounts 101-67000/68000/69000-612600/612650/623070, and are contingent on the Board of Commissioners' approval of the District's budget for that year. Funds for the subsequent years 2016 and 2017 are contingent on the Board of Commissioner's approval of the District's budget for those years.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to advertise Contract 15-618-11.

Requested, Manju Prakash Sharma, Director of Maintenance & Operations, AQ:SO'C:MAG:CM:NRE

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**File #:** 14-1274, **Version:** 1

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Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1251, **Version:** 1

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### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON Procurement

Mr. David St. Pierre, Executive Director

Issue purchase order and enter into an agreement for Contract 14-RFP-30 Co-Location Services, with Latisys-Chicago, LLC in an amount not to exceed \$286,884.00, Account 101-27000-612210, Requisition 1381490

Dear Sir:

Authorization is requested to issue a purchase order and enter into an agreement with Latisys-Chicago, LLC to provide co-location services to the District, at the request of the Information Technology Department.

The purpose of this contract is to provide datacenter co-location services to the District. The District currently receives co-location services which provide an off-site location to host servers and storage. This allows the District to provide a second datacenter to help distribute data processing and storage; as well as providing a disaster recovery, secondary site operation in the event the first datacenter becomes inoperable.

On August 27, 2014, Request for Proposal 14-RFP-30 Co-Location Services was advertised. Two hundred and twenty-three (223) firms were notified, and twenty-two (22) firms requested proposal documents. The District received five (5) proposals September 12, 2014, from the vendors: Altered Scale, LLC, AT&T, Latisys-Chicago, LLC, ServerCentral, Inc., and VIRE Technologies, LLC.

Five District employees, four members of the Information Technology Department and one member of the Procurement and Materials Management Department, reviewed each proposal. Proposals were evaluated based on criteria such as: understanding of the project, approach to work, experience completing projects of similar scope, twenty-three (23) separate categories to determine technical competence, and cost.

Based on the evaluation, five (5) Proposers were scheduled to do a presentation, respond to questions from District staff and allow a site visit. The Proposers were then afforded the opportunity to submit an unqualified Best and Final Offer to the Director of Procurement and Materials Management.

Based on the vendor presentations and responses, Latisys-Chicago, LLC was selected based on the approach to work and cost. Latisys-Chicago, LLC has relevant experience in providing datacenter co-location resources.

The agreement will begin December 1, 2014 with an anticipated completion date of November 30, 2017.

Datacenter co-location service continues to be an essential and necessary requirement for District technology operations, to ensure the primary health, financial, and technical objectives are met.

Inasmuch as the firm of Latisys-Chicago, LLC possesses the required professional skill and co-location

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**File #:** 14-1251, **Version:** 1

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services, it is recommended that the Director of Procurement and Materials Management be authorized to issue a purchase order and enter into an agreement per Section 11.4 of the Purchasing Act, in an amount not to exceed \$286,884.00.

Funds for the 2014 expenditure, in the amount of \$7,969.00, are available in Account 101-27000-612210. The estimated expenditures for 2015 is \$95,628.00, 2016 is \$95,628.00, and 2017 is \$87,659.00. Funds for the 2015, 2016, and 2017 expenditures are contingent on the Board of Commissioners' approval of the District's budget for those years.

Requested, Ellen Barry, Acting Director of Information Technology, EB:RP

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1255, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Issue purchase order and enter into an agreement for Contract 14-RFP-27, Duplication of Legal Materials, Trial Records and Other Reprographic and Electronic Discovery Services for the District's Law Department for a Two-Year Period, with Aloha Document Services, Inc., in an amount not to exceed \$90,000.00, Accounts 101-30000-612090 and 401-50000-612090, Requisition 1380489

Dear Sir:

Authorization is requested to issue a purchase order and enter into an agreement with Aloha Document Services, Inc. to provide the Law Department with reprographic and electronic discovery services for a two-year period with an option to extend the agreement for a third year at the same prices with Board approval.

The scope of the work specified in Contract 14-RFP-27 includes supplying the District's legal staff with reprographic and document imaging for electronic discovery services, including pick up and delivery, on an as needed basis.

In response to a public advertisement of July 23, 2014, a bid opening was held on August 22, 2014 for Contract 14-RFP-27. One hundred and four (104) firms were notified and sixteen (16) firms requested proposals. The District received two (2) proposals on August 22, 2014 as follows: Advanced Discovery, LLC; and Aloha Document Services, Inc. The proposal from Advanced Discovery, Inc. was deemed non-responsive and rejected for failure to provide original signatures on the Affidavit of Ownership.

Members of the evaluation committee include staff from the Law and Procurement and Materials Management departments. The evaluation was based upon the criteria as listed within the request for proposal with particular emphasis given to the requisite high level of expertise necessary in document imaging for electronic discovery services.

Upon review and matrix scoring of the written proposals, the evaluation committee made recommendation that Aloha Document Services, Inc., be invited to give a formal presentation, which took place on October 7, 2014. Upon the cumulative review and scoring of the written proposal, presentation interview and cost proposal, it has been determined that Aloha Document Services, Inc., has the qualifications necessary to perform the scope of work contained in Contract 14-RFP-27.

The quantities specified in the proposal documents were solely used for the purpose of reviewing the bid and establishing unit prices. Proposers were notified the proposal was limited to an as-needed basis, with no quantity guarantee provisions. The total amount to be expended on this contract is not to exceed \$90,000.00.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to award Contract 14-RFP-27 to Aloha Document Services, Inc., in an amount not to exceed

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**File #:** 14-1255, **Version:** 1

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\$90,000.00.

Funds are available in 2014, Account 101-30000-612090 in the amount of \$500.00 and in Account 401-50000-612090 in the amount of \$10,000.00.

Funds are being requested in 2015 in the amount of \$45,000.00 and in 2016 in the amount of \$34,500.00 in Account 101-30000-612090 and are contingent on the Board of Commissioners' approval of the District's budget for those years.

Requested, Ronald M. Hill, General Counsel, RMH:LAG:TN:dmk

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1260, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Issue a purchase order and enter into an agreement with V3 Companies of Illinois, Ltd., for professional engineering services for Contract 14-263-3F Flood Control Project for the Melvina Ditch Watershed in an amount not to exceed \$1,037,405.00, Accounts 501-50000-601410, 401-50000-601420, and 601440, Requisition 1387576

Dear Sir:

Authorization is requested to issue a purchase order and enter into an agreement with V3 Companies of Illinois, Ltd., (V3) for professional engineering services for Contract 14-263-3F Flood Control Project for the Melvina Ditch Watershed in an amount not to exceed \$1,037,405.00.

On October 16, 2014, the Board of Commissioners granted its authority to initiate preliminary engineering for improvements at the Melvina Ditch Reservoir, and to perform a detailed analysis of system-wide alternatives within the Melvina Ditch watershed to mitigate flooding through the District's Phase II Stormwater Management Program. Accordingly, the Engineering Department has developed a scope of work for the captioned project that includes the following tasks:

Task 1: Preliminary engineering to identify improvements to the Melvina Ditch Reservoir. Under this task, the feasibility of various expansion alternatives will be analyzed to determine the most cost-effective approach.

Task 2: Preparation of plans, specifications and contract documents for the selected alternative based on the results of the analysis performed in Task 1. This task will also include right-of-way and land acquisition assistance, as well as post-award engineering services during construction of the selected alternative.

Task 3: A detailed analysis of system-wide alternatives within the Melvina Ditch watershed to mitigate flooding. Under this task, an evaluation of the entire watershed will be performed, and preliminary engineering plans will be developed for use in defining a detailed scope of work for additional improvements within the Melvina Ditch watershed, should they prove feasible.

The time allowed for services to be performed under this agreement is 562 days from the date of the notice to proceed. There are no provisions in the agreement for extension of time except for such reasonable period as may be agreed upon between parties.

Deliverables to be provided under this agreement include:

- Preliminary Plans and Specifications
- Final Plans and Specifications
- Opinions of Probable Construction Cost based on Preliminary/Final Plans and Specifications
- Construction Contract Administration Assistance



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- Review of Contractor Submittals, Requests for Information, etc.

Subsequent to review of the preliminary plans for system-wide improvements in the Melvina Ditch watershed to be performed under Task 3 described above, the Engineering Department will make a recommendation as to the feasibility of the recommended additional watershed improvements. If determined feasible to proceed, the Engineering Department intends to recommend V3 be retained for final design services for additional improvements within the Melvina Ditch watershed under a separate purchase order, subject to the Board of Commissioners' approval.

The Engineering Department conducted a consolidated consultant selection process to assess prospective consulting engineering firms for design of Stormwater Management Phase II projects. The following firms participated in the process:

1. American Survey and Engineering, P.C.
2. ARCADIS U.S., Inc.
3. Burns & McDonnell Engineering Co., Inc.
4. Cardno ENTRIX
5. Ciorba Group, Inc.
6. Chastain & Associates LLC
7. David Mason & Associates of Illinois, Ltd.
8. Donohue & Associates
9. Engineering Resource Associates, Inc.
10. Environmental Design International, Inc.
11. FluidClarity, Ltd.
12. Geosyntec Consultants, Inc.
13. Globetrotters Engineering Corporation
14. HR Green, Inc.
15. Infrastructure Engineering, Inc.
16. Robinson Engineering Ltd.
17. V3 Companies of Illinois, Ltd.

While the qualifications of all of the above firms in the design of Stormwater Management Phase II projects were evaluated, the knowledge and experience exhibited by V3 Companies of Illinois, Ltd., was determined to be most suitable for this project. V3 has submitted a proposal in the amount of \$1,037,405.00 for professional services for a Flood Control Project for the Melvina Ditch Watershed. The Engineering Department has reviewed the proposal and found it to be acceptable.

It is estimated that over 52 persons will be working on the contract at various times with an anticipated total of 7,852 man-hours. The average payroll rate will be approximately \$46.07.

V3 shall be paid an hourly rate based on the direct labor rate in effect for the year the work is performed, times an overall multiplier of 2.858, plus reimbursable direct costs, up to a total amount not to exceed \$1,037,404.08.

<u>Item</u>	<u>Fee</u>
1. Prime Consultant Fee	
A. Direct Labor	\$246,717.74
B. Overhead and Profit	<u>458,401.56</u>
C. Total Labor Fee	\$705,119.30
2. Reimbursable Direct Costs	\$ 3,388.78
3. PCE Sub-Consultants	

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A.	MBE/SBE Firms	\$225,383.46
B.	WBE/SBE Firms	103,513.46
C.	Total PCE Sub-Consultants	\$328,896.92

Total Fee (Not to Exceed)	\$1,037,405.00
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The firms Earth Solutions, Inc., FluidClarity Ltd., Interra, Inc., Sanchez & Associates, P.C., HI-TEK Environmental, Inc. (also known as STAT Analysis Corporation), and Urban GIS, Inc., are Minority-Owned Business Enterprises/Small Business Enterprises (MBE/SBE). The firms Ardmore Associates, LLC and Hazelette, Incorporated are Women-Owned Business Enterprises/Small Business Enterprises (WBE/SBE). All MBE/SBE and WBE/SBE firms will actively participate in providing services for the core elements required by the agreement.

The Diversity Section has reviewed the agreement and has concluded that the MBE/SBE and WBE/SBE firms are in accordance with the District's Affirmative Action Policy. The agreement shall be subject to the approval of the Law Department as to form and legality.

Inasmuch as the firm of V3 Companies of Illinois, Ltd., possesses a high degree of professional skill, it is recommended that the Director of Procurement and Materials Management be authorized to issue a purchase order and enter into an agreement without advertising, per Section 11.4 of the Purchasing Act, in an amount not to exceed \$1,037,405.00.

Funds are available in Accounts 401-50000-601420, 401-50000-601440 and 501-50000-601410. The estimated expenditure for 2015 is \$736,580.18, and 2016 is \$61,323.42. Funds for the 2015 and 2016 expenditures are contingent on the Board of Commissioners' approval of the District's budget for those years.

Requested, Catherine A. O'Connor, Director of Engineering, WSS:JPM

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1261, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Issue a purchase order and enter into an agreement with American Survey and Engineering, P.C. for professional engineering services for Contract 14-112-5C Preliminary Engineering for a Flood Control Project along the Plainfield Road Corridor, in an amount not to exceed \$886,860.57, Account 501-50000-601410, Requisition 1387540

Dear Sir:

Authorization is requested to issue a purchase order and enter into an agreement with American Survey and Engineering, P.C. (American) for professional engineering services for Contract 14-112-5C Preliminary Engineering for a Flood Control Project along the Plainfield Road Corridor in an amount not to exceed \$886,860.57.

On September 19, 2013, the Board of Commissioners granted its approval to assist local communities and agencies with various projects to address flooding problems through the District's Phase II Stormwater Management program. Among the projects approved was a conceptual project submitted by the Cook County Department of Transportation and Highways (CCDTH), which includes an evaluation of potential flood mitigation measures to address flooding along the Plainfield Road Corridor and adjacent properties in LaGrange, Countryside, and McCook, Illinois.

The scope of work for the captioned project includes a detailed evaluation of potential solutions, analysis of right-of-way issues and state and federal government permit requirements, and the preparation of preliminary engineering plans for use in defining a detailed scope of work for the final design of these improvements should they prove feasible.

The time allowed for services to be performed under this agreement is 370 days from the date of the notice to proceed. There are no provisions in the agreement for extension of time except for such reasonable period as may be agreed upon between parties.

Deliverables to be provided under this agreement include:

- Preliminary Plans and Specifications
- Opinion of Probable Construction Cost based on Preliminary Plans and Specifications

Subsequent to review of the preliminary plans, the Engineering Department will make a recommendation to the Board of Commissioners as to the feasibility of the selected project. If determined feasible to proceed, the Engineering Department intends to recommend American be retained for final design services for a Flood Control Project along the Plainfield Road Corridor under a separate purchase order, subject to the Board of Commissioners' approval.

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**File #: 14-1261, Version: 1**


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The Engineering Department conducted a consolidated consultant selection process to assess prospective consulting engineering firms for design of Stormwater Management Phase II projects. The following firms participated in the process:

1. American Survey and Engineering, P.C.
2. ARCADIS U.S., Inc.
3. Burns & McDonnell Engineering Co., Inc.
4. Cardno ENTRIX
5. Ciorba Group, Inc.
6. Chastain & Associates LLC
7. David Mason & Associates of Illinois, Ltd.
8. Donohue & Associates
9. Engineering Resource Associates, Inc.
10. Environmental Design International, Inc.
11. FluidClarity, Ltd.
12. Geosyntec Consultants, Inc.
13. Globetrotters Engineering Corporation
14. HR Green, Inc.
15. Infrastructure Engineering, Inc.
16. Robinson Engineering Ltd.
17. V3 Companies of Illinois, Ltd.

While the qualifications of all of the above firms in the design of Stormwater Management Phase II projects were evaluated, the knowledge and experience exhibited by American was determined to be most suitable for this project. American has submitted a proposal in the amount of \$886,860.57 for professional services for Preliminary Engineering for a Flood Control Project along the Plainfield Road Corridor. The Engineering Department has reviewed the proposal and found it to be acceptable.

It is estimated that over 12 persons will be working on the contract at various times with an anticipated total of 6,496 man-hours. The average payroll rate will be approximately \$49.67.

American shall be paid an hourly rate based on the direct labor rate in effect for the year the work is performed, times an overall multiplier of 2.6487, plus reimbursable direct costs, up to a total amount not to exceed \$886,860.57.

<u>Item</u>	<u>Fee</u>
1. Prime Consultant Fee	
A. Direct Labor	\$155,094.49
B. Overhead and Profit	<u>255,704.29</u>
C. Total Labor Fee	\$410,798.78
2. Reimbursable Direct Costs	\$ 32,305.85
3. PCE Sub-Consultants	
A. MBE/SBE Firms	\$ 0.00
B. WBE/SBE Firms	<u>87,746.14</u>
C. Total PCE Sub-Consultants	\$87,746.14
4. Non-PCE Sub-Consultants	\$ 356,009.80
Total Fee (Not to Exceed)	\$886,860.57

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**File #:** 14-1261, **Version:** 1

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The firm American Survey and Engineering, P.C. is a Minority-Owned Business Enterprises/Small Business Enterprises (MBE/SBE). The firms Rubino Engineering, Inc. and Environmental Design International, Inc. are Women-Owned Business Enterprises/Small Business Enterprises (WBE/SBE). All MBE/SBE and WBE/SBE firms will actively participate in providing services for the core elements required by the agreement.

The Diversity Section has reviewed the agreement and has concluded that the MBE/SBE and WBE/SBE firms are in accordance with the District's Affirmative Action Policy. The agreement shall be subject to the approval of the Law Department as to form and legality.

In as much as the firm of American Survey and Engineering, P.C. possesses a high degree of professional skill, it is recommended that the Director of Procurement and Materials Management be authorized to issue a purchase order and enter into an agreement without advertising, per Section 11.4 of the Purchasing Act, in an amount not to exceed \$886,860.57.

Funds for the 2014 expenditure, in the amount of \$119,292.00, are available in Account 501-50000-601410. The expected expenditure for 2015 is \$767,568.57 and is contingent on the Board of Commissioners' approval of the District's budget for 2015.

Requested, Catherine A. O'Connor, Director of Engineering, WSS:JPM

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1262, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Issue a purchase order and enter into an agreement with EcoLogic Planning, Inc. for mitigation banking services in connection with Contract 10-883-AF, Flood Control/Streambank Stabilization on Tinley Creek; Contract 10-883-BF, Flood Control Project at Arrowhead Lake; and Contract 13-248-3F, Streambank Stabilization on Melvina Ditch, in an amount not to exceed \$75,000.00, Account 501-50000-645690, Requisition 1387579

Dear Sir:

Authorization is requested to issue a purchase order and enter into an agreement with EcoLogic Planning, Inc. for mitigation banking services in connection with Contract 10-883-AF, Flood Control/Streambank Stabilization on Tinley Creek; Contract 10-883-BF, Flood Control Project at Arrowhead Lake; and Contract 13-248-3F, Streambank Stabilization on Melvina Ditch.

At the February 11, 2011, Board of Commissioners meeting, the Board of Commissioners provided policy direction regarding wetland mitigation on District projects. It concurred that the preferred approach to wetland mitigation would be a mitigation banking option where credits are purchased from an approved wetland bank. In order to obtain a U.S. Army Corps of Engineers (USACE) permit for construction of the subject projects, the District is required to mitigate 0.794 acres of wetlands impacted by the projects.

Requests for Proposals to provide 0.794 acres of wetland credits were sent to all mitigation banks within the Northeast Illinois as identified on a list of approved mitigation banks maintained by the USACE. All banks listed meet the level of expertise required by USACE for mitigation banking. Proposals were due August 27, 2014. Two banks, owned by EcoLogic Planning, Inc. and Land and Water Resources, Inc., were responsive. Mitigation banks were evaluated strictly based on their price per credit. All mitigation credits fulfill the same purpose with respect to USACE permitting requirements and are of equal value to the District.

EcoLogic Planning, Inc.. provided the lowest proposal, at \$75,000.00 for 0.794 credits from their Sauk Trail Wetland Mitigation Bank. Mitigation credits will be acquired as a one-time payment and will be effective the date the agreement, which shall be subject to the approval of the Law Department as to form and legality, is signed by EcoLogic Planning, Inc.

Inasmuch as the firm of EcoLogic Planning, Inc. possess the required qualifications, it is recommended that the Director of Procurement and Materials Management be authorized to issue a purchase order and enter into agreement with said firm without advertising, per Section 11.4 of the Purchasing Act, in an amount not to exceed \$75,000.00.

Funds are available in Account 501-50000-645690.

Requested, Catherine A. O'Connor, Director of Engineering, WSS:JPM

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**File #:** 14-1262, **Version:** 1

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Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1265, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Issue purchase order to DLT Solutions, Inc., for CADLearning Center, in an amount not to exceed \$18,549.26, Account 101-50000-601100, Requisition 1386495

Dear Sir:

Authorization is requested to issue a purchase order to DLT Solutions, Inc., (DLT) for the purchasing of the CADLearning Center for Autodesk design engineering software learning tools. DLT has submitted a proposal for a sum not to exceed \$18,549.26.

The CADLearning Center is a comprehensive, self-paced professional learning tool, including video training, plug-ins and eBooks designed to maximize performance with Autodesk design, engineering software. This continuously growing library of learning material stays current with the latest software releases including AutoCAD, Architecture, MEP, Civil, P&ID, Autodesk Revit and includes material on levels ranging from beginner through advanced.

The CADLearning Center offers the added benefits of quiz/assessment tools and a Curriculum Builder to build remedial subsets of complete courses that help employees focus on specific learning topics quickly and efficiently. The duration of the featured site and subscription to annually updated content, assessment tools and management reports, will be for one year.

As DLT is the designated Government Sales Agent for 4D Technologies, an Autodesk publisher and maker of the CADLearning Center product, it is recommended that the purchase be made without advertising as per Section 11.4 of the Purchasing Act.

DLT Solutions, Inc., is registered and in good standing with the State of Illinois.

The Multi-Project Labor Agreement is not applicable due to the specialized nature of the services required.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to issue a purchase order to DLT Solutions, Inc., in an amount not to exceed \$18,549.26.

Funds are available in Account 101-50000-601100.

Requested, Catherine A. O'Connor, Director of Engineering, MVL:ECB

Recommended, Darlene A. LoCascio, Director of Procurement and Material Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014





# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1280, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Issue a purchase order and enter into an agreement with Geosyntec Consultants for professional engineering services for Contract 14-113-5F Stormwater Retrofits for Real-Time Controls and Rainwater Harvesting System at Dearborn Homes, Chicago, IL, in an amount not to exceed \$327,695.64, Account 501-50000-601420, Requisition 1387589

Dear Sir:

Authorization is requested to issue a purchase order and enter into an agreement with Geosyntec Consultants (Geosyntec) for professional engineering services for Contract 14-113-3F Stormwater Retrofits for Real Time Controls and Rainwater Harvesting System at Dearborn Homes, Chicago, IL, in an amount not to exceed \$327,695.64.

A unique opportunity exists to reconfigure an existing underground 290,000 gallon stormwater detention vault located at Dearborn Homes (2930 S. Dearborn Street in Chicago) where stormwater is currently slowly discharged to the combined sewer system. The project being contemplated involves use of OptiRTC, developed and patented by Geosyntec, to harvest the detained stormwater for irrigation of nearby landscaping and athletic fields. OptiRTC acquires real-time weather forecasting data to make system control decisions for dewatering the detention vault. In addition to the system's patented logic, Geosyntec has the necessary experience to understand the functional civil design requirements necessary to deploy the OptiRTC Controller within a combined sewer system. Therefore, Geosyntec was designated a sole source supplier of this technology and for preparation of plans and specifications for construction of this project. The proposed system will reduce wet weather flows from the site into the receiving combined sewer and help to alleviate localized flooding. The District will seek credit for this project under the Green Infrastructure requirements of the Consent Decree, subject to approval by the United States Environmental Protection Agency. Dearborn Homes is managed by the Chicago Housing Authority (CHA). Authority is being sought from the Board of Commissioners under a separate item agenda at this meeting to negotiate and enter into an intergovernmental agreement with CHA.

The time allowed for services to be performed under this agreement is 240 days from the date the contract is awarded. There are no provisions in the agreement for extension of time except for such reasonable period as may be agreed upon between parties.

Deliverables to be provided under this agreement include:

- Final Plans and Specifications
- Opinion of Probable Construction Cost based on Final Plans and Specifications

Geosyntec has submitted a proposal in the amount of \$327,695.64 for professional services for Contract 14-113-3F, Stormwater Retrofits for Real-Time Controls and Rainwater Harvesting System at Dearborn Homes,

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**File #:** 14-1280, **Version:** 1

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Chicago, IL. The Engineering Department has reviewed the proposal and found it to be acceptable.

It is estimated that over 16 persons will be working on the contract at various times with an anticipated total of 2,075 man-hours. The average payroll rate will be approximately \$46.83.

Geosyntec shall be paid an hourly rate based on the direct labor rate in effect for the year the work is performed, times an overall multiplier of 3.08, plus reimbursable direct costs, up to a total amount not to exceed \$327,695.64.

<u>Item</u>	<u>Fee</u>
1. Prime Consultant Fee	
A. Direct Labor	\$56,483.00
B. Overhead and Profit	<u>117,484.64</u>
C. Total Labor Fee	\$173,967.64
2. Reimbursable Direct Costs	\$ 28,400.00
3. PCE Sub-Consultants	
A. MBE/SBE Firms	\$77,428.00
B. WBE/SBE Firms	<u>33,200.00</u>
C. Total PCE Sub-Consultants	\$110,628.00
4. Non-PCE Sub-Consultants	\$ 14,700.00
Total Fee (Not to Exceed)	\$327,695.64

The firm Milhouse Engineering and Construction, Inc., is a Minority-Owned Business Enterprise/Small Business Enterprise (MBE/SBE). The firms TERRA Engineering and M Squared Engineering are Woman-Owned Business Enterprises (WBE). All MBE/SBE/WBE firms will actively participate in providing services for the core elements required by the agreement.

The Diversity Section has reviewed the agreement and has concluded that the MBE/SBE and WBE/SBE firms are in accordance with the District's Affirmative Action Policy. The agreement shall be subject to the approval of the Law Department as to form and legality.

Inasmuch as the firm of Geosyntec possesses a high degree of professional skill, it is recommended that the Director of Procurement and Materials Management be authorized to issue a purchase order and enter into an agreement without advertising, per Section 11.4 of the Purchasing Act, in an amount not to exceed \$327,695.64.

Funds for the 2014 expenditure, in the amount of \$80,000.00, are available in Account 501-50000-601420. The estimated expenditure for 2015 is \$247,695.64. Funds for the 2015 expenditures are contingent on the Board of Commissioners' approval of the District's budget for that year.

Requested, Catherine A. O'Connor, Director of Engineering, WSS:JPM  
 Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management  
 Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
 Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1286, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Issue purchase order for Contract 14-438-11, Furnish, Deliver and Install One (1) Two-Color Offset Printing Press with a Thirty-Six Month Maintenance Agreement, to Tompkins Printing Equipment Company, in an amount not to exceed \$87,908.24, Accounts 101-15000-612800 and 634990, Requisition 1384291

Dear Sir:

On September 4, 2014, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise for bids, Contract 14-438-11, Furnish, Deliver and Install One (1) Two-Color Offset Printing Press with a Thirty-Six Month Maintenance Agreement. The contract expires on December 31, 2017.

In response to a public advertisement of September 17, 2014, a bid opening was held on October 7, 2014. The bid tabulation for this contract is:

TOMPKINS PRINTING EQUIPMENT COMPANY	*\$90,795.24
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Two hundred (200) companies were notified of this contract being advertised and five (5) companies requested specifications.

The Director of Procurement and Materials Management has reviewed the bidders' list for this contract, and is satisfied that the market for this service has been adequately solicited. A planholders' survey revealed the following reason for not bidding: can not provide the equipment requested. In light of these findings, the Director of Procurement and Materials Management is of the opinion that the bid received is a fair and reasonable price, and nothing would be gained by rejecting the sole bid and re-advertising this contract.

Tompkins Printing Equipment Company, the sole bidder for this contract, is proposing to perform the contract in accordance with the specifications. However, a bid of \$2,887.00 was submitted for Item 2, which is supposed to be free of charge because the warranty covers the first 12 months of maintenance. The adjusted total bid amount is \$87,908.24. A letter from the bidder was received acknowledging the bid adjustment.

The estimated cost for this contract was \$94,080.00, placing the adjusted total bid of \$87,908.24, approximately 6.6 percent below the estimate.

The Multi-Project Labor Agreement (MPLA) was not included in this contract because the classification of work does not fall within the provisions of the MPLA.

The Affirmative Action Interim Ordinance Appendix D was not included in this contract because it is primarily a furnish and deliver contract.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be

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**File #:** 14-1286, **Version:** 1

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authorized to issue a purchase order for Contract 14-438-11 to Tompkins Printing Equipment Company, in an amount not to exceed \$87,908.24.

The bid deposit, in the amount of \$4,700.00, will be retained in lieu of a performance bond, which is satisfactory to the Law Department and approved by the Director of Procurement and Materials Management.

Funds for the 2014 expenditure, in the amount of \$77,029.00, are available in Account 101-15000-634990. Funds are being requested in 2016 and 2017, in the amount of \$5,343.62 and \$5,535.62, respectively, in Account 101-15000-612800. Funds for the 2016 and 2017 expenditures are contingent on the Board of Commissioners' approval of the District's budget for those years.

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:cm  
Respectfully Submitted, Barbara J. McGowan, Chairman, Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1309, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Issue purchase order to Thermo LabSystems, Inc., to Furnish and Deliver renewal licenses and software upgrades for the Laboratory Information Management System, in an amount not to exceed \$220,074.58, Account 101-27000-612820, Requisition 1387539

Dear Sir:

Authorization is requested to issue a purchase order to Thermo LabSystems, Inc., to furnish and deliver renewal licenses and software upgrades for the Laboratory Information Management System for a two-year period for the Analytical Laboratories Division at the Stickney Water Reclamation Plant and all other laboratory locations. This purchase order will expire on December 31, 2016.

Thermo LabSystems, Inc, the sole service provider of renewal licenses and software upgrades for the Laboratory Information Management System, has submitted prices for the services required. Inasmuch as Thermo LabSystems, Inc. is the only source of supply for the services required, nothing would be gained by advertising for bids (Section 11.4 of the Purchasing Act).

Thermo LabSystems, Inc. is registered and in good standing with the State of Illinois.

The Multi-Project Labor Agreement is not applicable due to the specialized nature of the services required.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to issue a purchase order to Thermo LabSystems, Inc. in an amount not to exceed \$220,074.58.

Funds for the 2014 expenditure, in the amount of \$109,055.69, are available in Account 101-27000-612820. The estimated expenditure for 2015 is \$111,018.89. Funds for the 2015 expenditure are contingent on the Board of Commissioners' approval of the District's budget for that year.

Requested, Ellen Barry, Acting Director of Information Technology, EB:BVS:bvs  
Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1285, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to award Contract 11-403-2P, Membrane Gas Holder Replacement and Digester Cleaning at Egan Water Reclamation Plant, Cook County, to Path Construction Company, Inc., in an amount not to exceed \$4,364,000.00, plus a five (5) percent allowance for change orders, in an amount of \$218,200.00, for a total amount not to exceed \$4,582,200.00, Account 201-50000-645750, Requisition 1379898

Dear Sir:

On June 19, 2014, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise for bids, Contract 11-403-2P, Membrane Gas Holder Replacement and Digester Cleaning.

In response to a public advertisement of July 2, 2014, a bid opening was held on August 12, 2014. The bid tabulation for this contract is:

PATH CONSTRUCTION COMPANY, INC.	\$4,364,000.00
IHC CONSTRUCTION COMPANIES, LLC	\$4,778,000.00
F.H. PASCHEN, SN NIELSEN & ASSOCIATES LLC	\$5,190,000.00
INDEPENDENT MECHANICAL INDUSTRIES, INC.	\$5,341,850.00

Five hundred and ninety-eight (598) companies were notified of this contract being advertised and thirty-eight (38) companies requested specifications.

Path Construction Company, Inc., the lowest responsible bidder, is proposing to perform the contract in accordance with the specifications. The estimated cost for this contract was \$4,800,000.00, placing the bid of \$4,364,000.00, approximately 9.1 percent below the estimate.

Path Construction Company, Inc., is in compliance with the Affirmative Action Interim Ordinance Appendix D as indicated on the attached report. The Minority Business Enterprise (MBE), Women Business Enterprise (WBE) and Small Business Enterprise (SBE) utilization goals for this contract are 22 percent MBE, 10 percent WBE and the bidder offers MBE and WBE credits to satisfy SBE participation.

Path Construction Company, Inc., has executed the Multi-Project Labor Agreement (MPLA) certificate as required. It is anticipated that the following construction trades will be utilized under this contract: carpenter, laborer, cement mason, operator, painter, plumber, electrician and truck driver. The list of construction trades is not intended to confer any rights or jurisdiction upon any union or unions.

The contract will require approximately forty-three (43) people for the services.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be

---

**File #:** 14-1285, **Version:** 1

---

authorized to award Contract 11-403-2P to Path Construction Company, Inc., in an amount not to exceed \$4,364,000.00, plus a five (5) percent allowance for change orders, in an amount of \$218,200.00, for a total amount not to exceed \$4,582,200.00, subject to the contractor furnishing a performance bond in form satisfactory to the Law Department and approved by the Director of Procurement and Materials Management.

The estimated completion date is within 720 calendar days after approval of Contractor's Bond.

Funds are available in Account 201-50000-645750.

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:cm  
Respectfully Submitted, Barbara J. McGowan, Chairman, Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachments

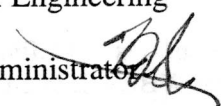
# INTEROFFICE MEMORANDUM

## METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

**DEPARTMENT:** General Administration  
Diversity Section

**DATE:** August 22, 2014

**TO:** Catherine O'Connor, Director of Engineering

**FROM:** Thomas J. Savage, Diversity Administrator 

**SUBJECT:** CONTRACT 11-403-2P, Membrane Gas Holder Replacement and Digester Cleaning, Egan Water Reclamation Plant

**Prime Contractor:** Path Construction Company, Inc.

The bidder, Path Construction Company, Inc., has submitted company information and "MBE/WBE/SBE Business Verification Forms" for the firms identified on the subject contract's Utilization Plan.

The Utilization goals for the above mentioned contract are 20% MBE, 9% WBE and 10% SBE. According to the contractor's Utilization Plan, the bidder has committed the following:

<u>MBE</u>	<u>WBE</u>	<u>SBE</u>
22%	10%	*

Therefore, the bidder, Path Construction Company, Inc, is in apparent compliance with the requirements of Interim Ordinance Appendix D.

TJS:TCS:ARP

Attachment

cc: Ms. Darlene LoCascio, Director of Procurement and Materials Management; Shields-Wright (Law); File (2)

\*Bidder offers MBE and WBE credits to satisfy SBE participation.

M.W.R.D.  
2014 AUG 26 AM 9:28  
DIRECTOR OF  
PROCUREMENT AND  
MATERIALS MANAGEMENT



**METROPOLITAN WATER RECLAMATION DISTRICT OF  
GREATER CHICAGO**

**MBE, WBE, SBE UTILIZATION PLAN**

For Local and Small business entities - Definitions for terms used below can be found in Appendix D: MBE - Section 5(s); WBE - Section 5(cc); SBE - Section 5(w).

**NOTE: The Bidder shall submit with the Bid, originals or facsimile copies of all MBE, WBE, SBE Subcontractor's Letter of Intent furnished to all MBEs, WBEs, and SBEs. IF A BIDDER FAILS TO INCLUDE signed copies of the MBE, WBE, SBE Utilization Plan and all signed MBE, WBE, SBE Subcontractor's Letter of Intent with its bid, said bid will be deemed nonresponsive and rejected.**

**All Bidders must sign the signature page UP-5 of the Utilization Plan, even if a waiver is requested.**

Name of Bidder: PATH CONSTRUCTION COMPANY, INC

Contract No.: 11-403-20

Affirmative Action Contact & Phone No.: PAT MUELLER 847-398-7100

Total Bid: 4,364,000

**MBE, WBE, SBE UTILIZATION PLAN AND ALL SIGNED MBE, WBE, SBE SUBCONTRACTOR'S LETTER OF INTENT MUST BE COMPLETED, SIGNED AND ACCOMPANY YOUR BID!!!**

M.W.R.D.

2014 AUG 26 PM 12:09

ASSISTANT DIRECTOR OF  
PROCUREMENT AND  
MATERIALS MANAGEMENT

UP-1

The bidder should indicate on the Utilization Plan explicitly if the dollar amounts for the MBE participation will also be counted toward the achievement of its SBE participation. See Interim Ordinance Appendix D, Section 11, Counting MBE, WBE and SBE Participation towards Contract Goals. (a) - (c) (v)

**MBE UTILIZATION**

Name of MBE and contact person: Ornelas Construction Jim Ornelas  
 Business Phone Number: 815-462-7600  
 Address: New Lenox, IL. 12520 W. Horseshoe Dr. 60451  
 Description of Work, Services or Supplies to be provided: Mechanical

CONTRACT ITEM NO.: 11-403-2p

Dollar Amount Participation: 300,000

If the MBE participation will be counted towards the achievement of the SBE goal please indicate here:

☒ YES

☐ NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid.

**MBE UTILIZATION**

Name of MBE and contact person: Abitua Frank Abitua  
 Business Phone Number: 847-741-7777  
 Address: 887 Church Rd. Elgin, IL. 60123  
 Description of Work, Services or Supplies to be provided: Labor

CONTRACT ITEM NO.: 11-403-2p

Dollar Amount Participation: 150,000

If the MBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐ YES

☒ NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid.

**MBE UTILIZATION**

Name of MBE and contact person: In Polcarr, Inc. Greg Jaroszewicz  
 Business Phone Number: 708-450-1156  
 Address: 7017 W. Roosevelt Rd. Westchester, IL. 60154  
 Description of Work, Services or Supplies to be provided: Electrical

CONTRACT ITEM NO.: 11-403-2p

Dollar Amount Participation: 70,000

If the MBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐ YES

☒ NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid.

(Attach additional sheets as needed)

The bidder should indicate on the Utilization Plan explicitly if the dollar amounts for the WBE participation will also be counted toward the achievement of its SBE participation. See Interim Ordinance Appendix D, Section 11, Counting MBE, WBE and SBE Participation towards Contract Goals. (a) - (c) (v)

**WBE UTILIZATION**

Name of WBE and contact person: Crown Painting Eve Converla

Business Phone Number: 708. 478. 0605

Address: 187 St. Mokena, IL 60448

Description of Work, Services or Supplies to be provided: Painting

CONTRACT ITEM NO.: 11-463-20

Dollar Amount Participation: 240,000

If the WBE participation will be counted towards the achievement of the SBE goal please indicate here:

☒  
YES

☐  
NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid.

**WBE UTILIZATION**

Name of WBE and contact person: \_\_\_\_\_

Business Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Description of Work, Services or Supplies to be provided: \_\_\_\_\_

CONTRACT ITEM NO.: \_\_\_\_\_

Dollar Amount Participation: \_\_\_\_\_

If the WBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐  
YES

☐  
NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid.

**WBE UTILIZATION**

Name of WBE and contact person: \_\_\_\_\_

Business Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Description of Work, Services or Supplies to be provided: \_\_\_\_\_

CONTRACT ITEM NO.: \_\_\_\_\_

Dollar Amount Participation: \_\_\_\_\_

If the WBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐  
YES

☐  
NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid.

(Attach additional sheets as needed)

**SBE UTILIZATION**

Name of SBE and contact person: Ornelas Construction Jim Ornelas  
 Business Phone Number: 815-462-7660  
 Address: New Lenox, IL. 12520 W. Horseshoe Dr. 60451  
 Description of Work, Services or Supplies to be provided: Mechanical Scope  
 CONTRACT ITEM NO.: 11-403-2p  
 Dollar Amount Participation: 300,000

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid!

**SBE UTILIZATION**

Name of SBE and contact person: Crown Painting Inc Eve Connerla  
 Business Phone Number: 708-478-6565  
 Address: 10124 187th St. Mokena, IL. 60448  
 Description of Work, Services or Supplies to be provided: Painting  
 CONTRACT ITEM NO.: 11-403-2p  
 Dollar Amount Participation: 240,600

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid!

**SBE UTILIZATION**

Name of SBE and contact person: \_\_\_\_\_  
 Business Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
 CONTRACT ITEM NO.: \_\_\_\_\_  
 Dollar Amount Participation: \_\_\_\_\_

(Attach additional sheets as needed)

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid!

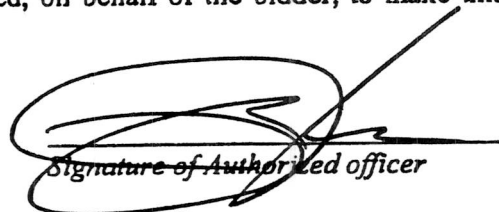
## SIGNATURE SECTION

On Behalf of PATH CONSTRUCTION COMPANY, INC I/We hereby acknowledge that  
(name of company)

I/WE have read Appendix D, will comply with the provisions of Appendix D, and intend to use the MBEs, WBEs, and SBEs listed above in the performance of this contract and/or have completed the Waiver Request Form. To the best of my knowledge, information and belief, the facts and representations contained in this Exhibit are true, and no material facts have been omitted.

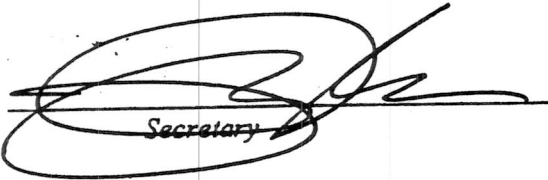
I do solemnly declare and affirm under penalties of perjury that the contents of the foregoing document are true and correct, and that I am authorized, on behalf of the bidder, to make this affidavit.

8/12/2014  
Date

  
Signature of Authorized officer

ATTEST:

RICHARD KRAUSE / PRESIDENT  
Print name and title

  
Secretary

847-398-7100  
Phone number

- 1) The Bidder is required to sign and execute this page, EVEN IF A WAIVER IS BEING REQUESTED.
- 2) Failure to do so will result in a nonresponsive bid and rejection of the bid.
- 3) If a waiver is requested, the bidder must also complete the following "WAIVER REQUEST FORM."

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid!!!

## Membrane Gas Holder Replacement and Digester Cleaning, EWRP

**Project Number:** 11-403-2P

**Service Area:** North

**Location:** Egan WRP

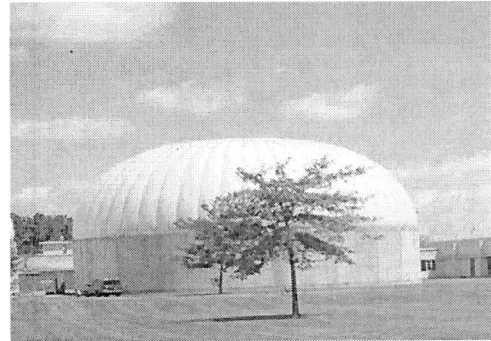
**Engineering Consultant:** In-house design

**General Contractor:** To be determined

**Estimated Construction Cost:** \$2,000,000

**Contract Award Date:** December 4, 2014\*

**Substantial Completion Date:** October 19, 2016\*



**Project Description:** Drain and clean Digesters A through D. Remove and replace the Dystor membrane gas holders at Digesters B and D. Remove and replace digester gas plug valves for Digesters A through D. Install new digester gas plug valves to allow Digesters B and D to be isolated. Install new actuators to some of the new/replaced valves to isolate digester gas during emergency shutoff events. Provide control wiring to the Distributed Control System (DCS) for these valves. Programming of the DCS will be performed by District personnel. Install new check valves in gas mixing pipelines to prevent sludge backflow at Digesters A and C. Replace flushing water lines in Digesters A and C. Replace digested sludge sampling pipes at Digesters A through D. Replace mixing gas flow meters and associated gas piping, as necessary, at Digesters A and C.

**Project Justification:** Digesters A through D need to be drained and cleaned in order to maintain proper capacity and to perform the contract work. Digesters B and D currently use the Dystor membranes to contain and store biogas. Those membranes were installed around the year 2000. They are typically designed to be replaced every 12 to 14 years. It is economically justified to replace the membranes in kind in order to maintain the unit capacities and capabilities of safe utilization of digester gas. The existing digester gas plug valves are degraded to the point of being non-operational and spare parts are not available for rebuilding, therefore they need to be replaced. These valves and additional new valves are required for adequate isolation of digester gas piping. DCS control of the actuated digester gas valves is required to allow complete isolation of the digester gas system in an emergency.

**Project Status:** This project is being designed.

\*Information shown is estimated.



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1287, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to award Contract 09-181-3P, Battery C Airlift & Air Main Rehabilitation and Aeration Tanks No. 6, 7, and 8, Diffuser Plate Replacement at SWRP, to Morrison Construction Company, Inc., in an amount not to exceed \$4,881,000.00, plus a five (5) percent allowance for change orders, in an amount of \$244,050.00, for a total amount not to exceed \$5,125,050.00. Account 401-50000-645750, Requisition 1380503

Dear Sir:

On July 10, 2014, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise for bids, Contract 09-181-3P, Battery C Airlift & Air Main Rehabilitation and Aeration Tanks No. 6, 7, and 8 Diffuser Plate Replacement at SWRP.

In response to a public advertisement of July 23, 2014, a bid opening was held on August 26, 2014. The bid tabulation for this contract is:

MORRISON CONSTRUCTION COMPANY, INC.	\$4,881,000.00
PATH CONSTRUCTION COMPANY, INC.	\$4,994,000.00
I H C CONSTRUCTION COMPANIES, LLC	\$5,121,000.00
INDEPENDENT MECHANICAL INDUSTRIES, INC.	*\$6,340,617.68
F.H. PASCHEN, SN NIELSEN & ASSOCIATES, LLC	\$6,431,000.00
*corrected total	

Six hundred seventy-seven (677) companies were notified of this contract being advertised and thirty-six (36) companies requested specifications.

Morrison Construction Company, Inc., the lowest bidder, is proposing to perform the contract in accordance with the specifications. The estimated cost for this contract was \$5,500,000.00, placing the bid of \$4,881,000.00, approximately 11.3 percent below the estimate.

Morrison Construction Company, Inc., is in compliance with the Affirmative Action Interim Ordinance Appendix D as indicated on the attached report. The Minority Business Enterprise (MBE), Women Business Enterprise (WBE) and Small Business Enterprise (SBE) utilization goals for this contract are 21 percent (MBE), 11 percent (WBE) and the bidder offers MBE credits to satisfy SBE participation.

Morrison Construction Company, Inc., has executed the Multi-Project Labor Agreement (MPLA) certificate as required. It is anticipated that the following construction trades will be utilized under this contract: cement masons, carpenters, iron workers, laborers, operating engineers, ornamental iron workers, painters, pipefitters, sheetmetal workers, truck drivers and skilled workers. The list of construction trades is not intended to confer any rights or jurisdiction upon any union or unions.

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**File #:** 14-1287, **Version:** 1

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The contract will require approximately fifty-five (55) people for the services.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to award Contract 09-181-3P to Morrison Construction Company, Inc., in an amount not to exceed \$4,881,000.00, plus a five (5) percent allowance for change orders, in an amount of \$244,050.00, for a total amount not to exceed \$5,125,050.00, subject to the contractor furnishing a performance bond in form satisfactory to the Law Department and approved by the Director of Procurement and Materials Management.

The estimated completion date is within 720 calendar days after approval of Contractor's Bond.

Funds are available in Account 401-50000-645750.

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:cm  
Respectfully Submitted, Barbara J. McGowan, Chairman, Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachments



**INTEROFFICE MEMORANDUM**  
**METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO**

**DEPARTMENT:** General Administration  
Diversity Section

**DATE:** September 22, 2014

**TO:** Dr. Catherine O'Connor, Director of Engineering

**FROM:** Thomas J. Savage, Diversity Administrator

**SUBJECT:** Contract 09-181-3P – Battery C Airlift & Air Main Rehabilitation and  
Aeration Tanks No. 6, 7 and 8, Diffuser Plate Replacement at SWRP

Low Bidder: Morrison Construction Co.

The low bidder, Morrison Construction Co., has submitted company information and "MBE/WBE/SBE Verification Forms" for the firms identified on the subject contract's Affirmative Action Utilization Plan.

The MBE, WBE, SBE Utilization goals for the above mentioned contract are 20% MBE, 9% WBE, and 10% SBE. According to the contract's MBE, WBE, SBE Utilization Plan, the low bidder has committed the following:

**MBE**  
21%

**WBE**  
11%

**SBE**  
\*

Therefore, the low bidder, Morrison Construction Co., is in apparent compliance with the requirements of the Affirmative Action Interim Ordinance Appendix D.

\* MBE is SBE

  
TJS:LG:RDB

attachments

cc: Ms. Darlene A. LoCascio, Schrean, file  
*A. Shields-Wright, Gyles*

M.W.R.D.  
 2014 SEP 23 AM 10 59  
 MATERIALS MANAGEMENT  
 PROCUREMENT AND  
 DIRECTOR OF

**METROPOLITAN WATER RECLAMATION DISTRICT OF  
GREATER CHICAGO**

**MBE, WBE, SBE UTILIZATION PLAN**

For Local and Small business entities - Definitions for terms used below can be found in Appendix D: MBE - Section 5(s); WBE - Section 5(cc); SBE - Section 5(w).

**NOTE: The Bidder shall submit with the Bid, originals or facsimile copies of all MBE, WBE, SBE Subcontractor's Letter of Intent furnished to all MBEs, WBEs, and SBEs. IF A BIDDER FAILS TO INCLUDE signed copies of the MBE, WBE, SBE Utilization Plan and all signed MBE, WBE, SBE Subcontractor's Letter of Intent with its bid, said bid will be deemed nonresponsive and rejected.**

**All Bidders must sign the signature page UP-5 of the Utilization Plan, even if a waiver is requested.**

Name of Bidder: Morrison Construction Company

Contract No.: 09-181-3P

Affirmative Action Contact & Phone No.: Daniel Sharpe 219-932-5036

Total Bid: \$4,881,000.00

**MBE, WBE, SBE UTILIZATION PLAN AND ALL SIGNED MBE, WBE, SBE SUBCONTRACTOR'S LETTER OF INTENT MUST BE COMPLETED, SIGNED AND ACCOMPANY YOUR BID!!!**

M.W.R.D.

2014 SEP 23 PM 1:03

ASSISTANT DIRECTOR OF  
PROCUREMENT AND  
MATERIALS MANAGEMENT

UP-1

The bidder should indicate on the Utilization Plan explicitly if the dollar amounts for the MBE participation will also be counted toward the achievement of its SBE participation. See Interim Ordinance Appendix D, Section 11, Counting MBE, WBE and SBE Participation towards Contract Goals. (a) – (c) (v)

#### MBE UTILIZATION

Name of MBE and contact person: ORNELAS CONSTRUCTION CO, JAIME ORNELAS  
 Business Phone Number: 815-483-1075  
 Address: 12520 W HORSESHOE DR, NEW LENOX, IL 60451  
 Description of Work, Services or Supplies to be provided: PIPEFITTER AND LABORER TO FURNISH & INSTALL VARIOUS MECHANICAL SYSTEMS, PROVIDE CRAFT SUPPORT & HOLE WATCH  
 CONTRACT ITEM NO.: DIV 15  
 Dollar Amount Participation: \$1,008,000.00

If the MBE participation will be counted towards the achievement of the SBE goal please indicate here:

☒  
YES

☐  
NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid.

#### MBE UTILIZATION

Name of MBE and contact person: \_\_\_\_\_  
 Business Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
 \_\_\_\_\_  
 CONTRACT ITEM NO.: \_\_\_\_\_  
 Dollar Amount Participation: \_\_\_\_\_

If the MBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐  
YES

☐  
NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid.

#### MBE UTILIZATION

Name of MBE and contact person: \_\_\_\_\_  
 Business Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
 \_\_\_\_\_  
 CONTRACT ITEM NO.: \_\_\_\_\_  
 Dollar Amount Participation: \_\_\_\_\_

If the MBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐  
YES

☐  
NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid.

(Attach additional sheets as needed)

The bidder should indicate on the Utilization Plan explicitly if the dollar amounts for the WBE participation will also be counted toward the achievement of its SBE participation. See Interim Ordinance Appendix D, Section 11, Counting MBE, WBE and SBE Participation towards Contract Goals. (a) – (v)

**WBE UTILIZATION**

Name of WBE and contact person: Kristin Evers, Concord Excavating Enterprises, Inc.  
 Business Phone Number: 630-243-6849  
 Address: 12157 Oxford Ct. Lemont, IL 60439  
 Description of Work, Services or Supplies to be provided: Provide Operator & Equipment to clean and remove debris from Aeration Tanks  
 CONTRACT ITEM NO.: 02055  
 Dollar Amount Participation: \$ 513,000.00

If the WBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐  
YES

☒  
NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Certificate of Intent MUST Accompany the Bid.

**WBE UTILIZATION**

Name of WBE and contact person: \_\_\_\_\_  
 Business Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
 CONTRACT ITEM NO.: \_\_\_\_\_  
 Dollar Amount Participation: \_\_\_\_\_

If the WBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐  
YES

☐  
NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Certificate of Intent MUST Accompany the Bid.

**WBE UTILIZATION**

Name of WBE and contact person: \_\_\_\_\_  
 Business Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
 CONTRACT ITEM NO.: \_\_\_\_\_  
 Dollar Amount Participation: \_\_\_\_\_

If the WBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐  
YES

☐  
NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Certificate of Intent MUST Accompany the Bid.

(Attach additional sheets as needed)

**SBE UTILIZATION**

Name of SBE and contact person: ORNELAS CONSTRUCTION CO, JAIME ORNELAS  
 Business Phone Number: 815-483-1075  
 Address: 12520 W HORSESHOE DR, NEW LENOX, IL 60451  
 Description of Work, Services or Supplies to be provided: PIPE FITTER AND LABORER SERVICES TO FURNISH AND INSTALL VARIOUS MECHANICAL SYSTEMS, PROVIDE CRAFT SUPPORT AND HOLD WATCH  
 CONTRACT ITEM NO.: DIV 15  
 Dollar Amount Participation: \$1,008,000.00

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST accompany the Bid.

**SBE UTILIZATION**

Name of SBE and contact person: \_\_\_\_\_  
 Business Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
 \_\_\_\_\_  
 CONTRACT ITEM NO.: \_\_\_\_\_  
 Dollar Amount Participation: \_\_\_\_\_

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST accompany the Bid.

**SBE UTILIZATION**

Name of SBE and contact person: \_\_\_\_\_  
 Business Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
 \_\_\_\_\_  
 CONTRACT ITEM NO.: \_\_\_\_\_  
 Dollar Amount Participation: \_\_\_\_\_

(Attach additional sheets as needed)

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST accompany the Bid.

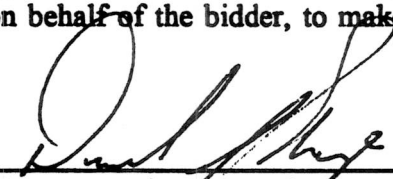
## SIGNATURE SECTION

On Behalf of Morrison Construction Company I/We hereby acknowledge that  
(name of company)

I/WE have read Appendix D, will comply with the provisions of Appendix D, and intend to use the MBEs, WBEs, and SBEs listed above in the performance of this contract and/or have completed the Waiver Request Form. To the best of my knowledge, information and belief, the facts and representations contained in this Exhibit are true, and no material facts have been omitted.

I do solemnly declare and affirm under penalties of perjury that the contents of the foregoing document are true and correct, and that I am authorized, on behalf of the bidder, to make this affidavit.

9/26/14  
 Date

  
 Signature of Authorized officer

ATTEST:

Daniel Sharpe/President  
 Print name and title

  
 Secretary

219-932-5036  
 Phone number

- 1) **The Bidder is required to sign and execute this page, EVEN IF A WAIVER IS BEING REQUESTED.**
- 2) **Failure to do so will result in a nonresponsive bid and rejection of the bid.**
- 3) **If a waiver is requested, the bidder must also complete the following "WAIVER REQUEST FORM."**

THE MBE, WBE, SBE Information Plan and Form MBE, WBE, SBE Subcontractor Statement of Intent MUST Accompany all Bids.

## Battery C Airlift and Air Main Rehabilitation and Aeration Tanks No. 6, 7, 8 Diffuser Plate Replacement, SWRP

**Project Number:** 09-181-3P

**Service Area:** Stickney

**Location:** Stickney WRP

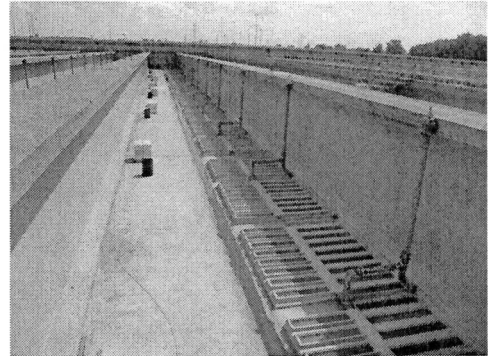
**Engineering Consultant:** In-house design

**General Contractor:** To be determined

**Estimated Construction Cost:** \$5,500,000

**Contract Award Date:** October 15, 2014\*

**Substantial Completion Date:** June 6, 2016\*



**Project Description:** The purpose of this project is to replace airlift umbrellas, rehabilitate sludge boxes, and install slide gates and workways for the sludge box outlets to the return activated sludge (RAS) channel. Work also includes replacing all dresser couplings and pipe spool pieces for air mains in manholes at the Y-walls of the aeration tanks and the channels around the aeration tanks, and replacing the fine bubble diffuser plates in Aeration Tanks No. 6, 7, and 8. All work under this project is located in Aeration Battery C.

**Project Justification:** The sludge box airlift umbrellas and concrete covers are deteriorating and need to be replaced. In order to facilitate an easier and safer means of isolating the sludge boxes from the RAS channel, new walkways and slide gates are required to be installed at the outlets. Improvements to the venting of the sludge boxes will eliminate the current spraying of a significant amount of sludge through existing vents onto walkways. The fine bubble diffuser plates in Aeration Tanks No. 6, 7, and 8 are cracked and/or clogged and inefficient. The concrete plate holders are spalled and/or cracked contributing to leaking air. The dresser couplings on the air mains within the Y-walls and the vaults on the battery perimeter are severely corroded and leaking air. Repair and/or replacement of these items will save energy and provide a proper level of service and treatment.

**Project Status:** This project is being designed.

\*Information shown is estimated.



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1288, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to award Contract 14-646-51, Small Streams Maintenance in Cook County, Illinois, Group A to J & L Contractors, Inc., in an amount not to exceed \$2,667,675.00, and Group B to Thornton Equipment Services, Inc., in an amount not to exceed \$1,949,760.00, Account 501-50000-612620, Requisition 1372986

Dear Sir:

On June 5, 2014, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise for bids, Contract 14-646-51 Small Streams Maintenance in Cook County, Illinois.

In response to a public advertisement of August 27, 2014, a bid opening was held on September 23, 2014. The bid tabulation for this contract is:

#### GROUP A: LABOR & SMALL EQUIPMENT

J & L CONTRACTORS, INC.	\$2,667,675.00
PATH CONSTRUCTION COMPANY INC.	\$3,167,000.00
CLEAN CUT TREE SERVICE, INC.	\$3,524,220.00

#### GROUP B: HEAVY EQUIPMENT

THORNTON EQUIPMENT SERVICES, INC.	\$1,949,760.00
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Six hundred forty-seven (645) companies were notified of this contract being advertised and nineteen (19) companies requested specifications.

J & L Contractors, Inc., the lowest responsible bidder for Group A, is proposing to perform the contract in accordance with the specifications. The estimated cost for Group A of this contract was \$3,000,000.00, placing the bid for Group A of \$2,667,675.00 approximately 11.1 percent below the estimate.

J & L Contractors, Inc. is in compliance with the Affirmative Action Interim Ordinance Appendix D as indicated on the attached report. The Minority Business Enterprise (MBE), Women Business Enterprise (WBE) and Small Business Enterprise (SBE) utilization goals for Group A of this contract are 20 percent MBE, 9 percent WBE and bidder offers MBE credits to satisfy SBE goals.

Thornton Equipment Services, Inc., the sole bidder for Group B, is proposing to perform the contract in accordance with the specifications. The estimated cost for Group B of this contract was \$2,000,000.00, placing the bid for Group B of \$1,949,760.00, approximately 2.5 percent below the estimate.

Thornton Equipment Services, Inc., is in compliance with the Affirmative Action Interim Ordinance Appendix D as indicated on the attached report. The Minority Business Enterprise (MBE), Women Business Enterprise (WBE) and Small Business Enterprise (SBE) utilization goals for Group B of this contract are 21 percent MBE,



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**File #:** 14-1288, **Version:** 1

---

9 percent WBE and the bidder satisfies the SBE goals.

J & L Contractors, Inc., and Thornton Equipment Services, Inc., have executed the Multi-Project Labor Agreement (MPLA) certificate as required. The construction trades anticipated to be utilized on Group A and/or B of this contract are: operating engineers and laborers. The list of construction trades is not intended to confer any rights or jurisdiction upon any union or unions.

The contract will employ approximately one hundred and forty-nine (149) people for the services.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to award Contract 14-646-51, Group A to J & L Contractors, Inc., in an amount not to exceed \$2,667,675.00, and Group B to Thornton Equipment Services, Inc., in an amount not to exceed \$1,949,760.00, subject to the contractors furnishing a performance bond in form satisfactory to the Law Department and approved by the Director of Procurement and Materials Management.

The contract will commence upon the approval of the Contractor's Bond and shall terminate two years thereafter.

Funds are being requested in 2015 for Group A, in the amount of \$1,333,837.50, in Account 501-50000-612620. The estimated expenditure for 2016 is \$1,333,837.50. Funds for the 2015 and 2016 expenditures are contingent on the Board of Commissioners' approval of the District's budget for those years.

Funds are being requested in 2015 for Group B, in the amount of \$974,880.00, in Account 501-50000-612620. The estimated expenditure for 2016 is \$974,880.00. Funds for the 2015 and 2016 expenditures are contingent on the Board of Commissioners' approval of the District's budget for those years.

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:cm  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachments

## INTEROFFICE MEMORANDUM

## METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

**DEPARTMENT:** General Administration  
Diversity Section

Date: October 13, 2014

**TO:** Ms. Manju Sharma, Director  
Maintenance & Operations

**FROM:** Thomas J. Savage  
Diversity Administrator

**SUBJECT:** Contract 14-646-51, Small Streams Maintenance in Cook  
County, Illinois (Group A)

**Low Bidder:** J & L Contractors, Inc.

The Low Bidder, J & L Contractors, Inc. has submitted company information and "MBE/WBE/SBE Verification Forms" for the firms identified on the subject contract's Affirmative Action Utilization Plan.

The MBE, WBE, and SBE utilization goals for the above mentioned contract are 20% MBE, 9% WBE and 10% SBE. The Affirmative Action goal category is "Mechanical". Based on the contract's Utilization Plan, the bidder has committed to the following goals:

<u>MBE</u>	<u>WBE</u>	<u>SBE</u>
20%	9%	*

Therefore, the Low Bidder, J & L Contractors, Inc. is in apparent compliance with the requirements of Affirmative Action Interim Ordinance Appendix D.

\* MBE satisfies the SBE requirements

TJS:LG:EAR

Attachment

cc: Darlene A. LoCascio, H. Shields-Wright, T. Schrean, File (2)

18 OCT 13 PM 3:11

MANAGEMENT  
PROCUREMENT AND  
DIRECTOR OF

20 OCT 14 PM 3:02  
MANAGEMENT  
PROCUREMENT AND  
DIRECTOR OF

**METROPOLITAN WATER RECLAMATION DISTRICT OF  
GREATER CHICAGO**

**MBE, WBE, SBE UTILIZATION PLAN**

For Local and Small business entities - Definitions for terms used below can be found in Appendix D: MBE - Section 5(s); WBE - Section 5(cc); SBE - Section 5(w).

**NOTE: The Bidder shall submit with the Bid, originals or facsimile copies of all MBE, WBE, SBE Subcontractor's Letter of Intent furnished to all MBEs, WBEs, and SBEs. IF A BIDDER FAILS TO INCLUDE signed copies of the MBE, WBE, SBE Utilization Plan and all signed MBE, WBE, SBE Subcontractor's Letter of Intent with its bid, said bid will be deemed nonresponsive and rejected.**

**All Bidders must sign the signature page UP-5 of the Utilization Plan, even if a waiver is requested.**

Name of Bidder: J & L Contractors, Inc.

Contract No.: 14-646-51 GROUP A

Affirmative Action Contact & Phone No.: Joseph Lombardo - (773) 908-8154

Total Bid: \$2,667,675.00

**MBE, WBE, SBE UTILIZATION PLAN AND ALL SIGNED MBE, WBE, SBE SUBCONTRACTOR'S LETTER OF INTENT MUST BE COMPLETED, SIGNED AND ACCOMPANY YOUR BID!!!**

The bidder should indicate on the Utilization Plan explicitly if the dollar amounts for the MBE participation will also be counted toward the achievement of its SBE participation. See Interim Ordinance Appendix D, Section 11, Counting MBE, WBE and SBE Participation towards Contract Goals. (a) - (c) (v)

**MBE UTILIZATION**

Name of MBE and contact person: JEI, Inc. - Gerardo Jaime  
 Business Phone Number: (847) 830-2619  
 Address: 2200 W. 43rd Street - Chicago, IL 60609  
 Description of Work, Services or Supplies to be provided: Equipment, trucking, trapping, and debris disposal  
 CONTRACT ITEM NO.: 14-646-51 A  
 Dollar Amount Participation: \$ 533,535.00

If the MBE participation will be counted towards the achievement of the SBE goal please indicate here:

☒ YES

☐ NO

**MBE UTILIZATION**

Name of MBE and contact person: \_\_\_\_\_  
 Business Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
 CONTRACT ITEM NO.: \_\_\_\_\_  
 Dollar Amount Participation: \_\_\_\_\_

If the MBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐ YES

☐ NO

**MBE UTILIZATION**

Name of MBE and contact person: \_\_\_\_\_  
 Business Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
 CONTRACT ITEM NO.: \_\_\_\_\_  
 Dollar Amount Participation: \_\_\_\_\_

If the MBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐ YES

☐ NO

(Attach additional sheets as needed)

The bidder should indicate on the Utilization Plan explicitly if the dollar amounts for the WBE participation will also be counted toward the achievement of its SBE participation. See Interim Ordinance Appendix D, Section 11, Counting MBE, WBE and SBE Participation towards Contract Goals. (a) - (c) (v)

**WBE UTILIZATION**

Name of WBE and contact person: Ox Cart Trucking, Inc. - Charlotte Lombardo

Business Phone Number: (708) 841-8500

Address: P.O. Box 284 - Westmont, IL 60559

Description of Work, Services or Supplies to be provided: \_\_\_\_\_

Trucking, debris disposal

CONTRACT ITEM NO.: 14-646-51 A

Dollar Amount Participation: \$240,090.75

If the WBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐ YES

☒ NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid!!!

**WBE UTILIZATION**

Name of WBE and contact person: \_\_\_\_\_

Business Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Description of Work, Services or Supplies to be provided: \_\_\_\_\_

CONTRACT ITEM NO.: \_\_\_\_\_

Dollar Amount Participation: \_\_\_\_\_

If the WBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐ YES

☐ NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid!!!

**WBE UTILIZATION**

Name of WBE and contact person: \_\_\_\_\_

Business Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Description of Work, Services or Supplies to be provided: \_\_\_\_\_

CONTRACT ITEM NO.: \_\_\_\_\_

Dollar Amount Participation: \_\_\_\_\_

If the WBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐ YES

☐ NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid!!!

(Attach additional sheets as needed)

**SBE UTILIZATION**

Name of SBE and contact person: JEI, Inc. - Gerardo Jaime  
 Business Phone Number: (847) 830-2619  
 Address: 2200 W. 43rd Street - Chicago, IL 60609  
 Description of Work, Services or Supplies to be provided: Equipment, trucking, trapping, and debris disposal  
 CONTRACT ITEM NO.: 14-646-51 A  
 Dollar Amount Participation: \$ 266,767.50

The MBE/WBE/SBE Utilization Plan and the MBE/WBE/SBE Subcontractor's List of Firms MUST Accompany the Bid.

**SBE UTILIZATION**

Name of SBE and contact person: \_\_\_\_\_  
 Business Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
 CONTRACT ITEM NO.: \_\_\_\_\_  
 Dollar Amount Participation: \_\_\_\_\_

The MBE/WBE/SBE Utilization Plan and the MBE/WBE/SBE Subcontractor's List of Firms MUST Accompany the Bid.

**SBE UTILIZATION**

Name of SBE and contact person: \_\_\_\_\_  
 Business Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
 CONTRACT ITEM NO.: \_\_\_\_\_  
 Dollar Amount Participation: \_\_\_\_\_

(Attach additional sheets as needed)

The MBE/WBE/SBE Utilization Plan and the MBE/WBE/SBE Subcontractor's List of Firms MUST Accompany the Bid.

## SIGNATURE SECTION

On Behalf of JLL Contractors, Inc. I/We hereby acknowledge that  
 (name of company)

I/WE have read Appendix D, will comply with the provisions of Appendix D, and intend to use the MBEs, WBEs, and SBEs listed above in the performance of this contract and/or have completed the Waiver Request Form. To the best of my knowledge, information and belief, the facts and representations contained in this Exhibit are true, and no material facts have been omitted.

I do solemnly declare and affirm under penalties of perjury that the contents of the foregoing document are true and correct, and that I am authorized, on behalf of the bidder, to make this affidavit.

09/22/14

Date

[Signature]  
 Signature of Authorized officer

ATTEST:

Joseph Lombardo-President  
 Print name and title

[Signature]  
 Secretary

(773) 908-8154  
 Phone number

- 1) **The Bidder is required to sign and execute this page, EVEN IF A WAIVER IS BEING REQUESTED.**
- 2) **Failure to do so will result in a nonresponsive bid and rejection of the bid.**
- 3) **If a waiver is requested, the bidder must also complete the following "WAIVER REQUEST FORM."**

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid !!!

## INTEROFFICE MEMORANDUM

## METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

**DEPARTMENT:** General Administration  
Diversity Section

Date: October 13, 2014

**TO:** Ms. Manju Sharma, Director  
Maintenance & Operations

**FROM:** Thomas J. Savage  
Diversity Administrator



**SUBJECT:** Contract 14-646-51, Small Streams Maintenance in Cook  
County, Illinois (Group B)

**Low Bidder:** Thornton Equipment Services, Inc.

The Low Bidder, Thornton Equipment Services, Inc. has submitted company information and "MBE/WBE/SBE Verification Forms" for the firms identified on the subject contract's Affirmative Action Utilization Plan.

The MBE, WBE and SBE utilization goals for the above mentioned contract are 20% MBE, 9% WBE and 10% SBE. The Affirmative Action goal category is "Mechanical". Based on the contract's Utilization Plan, the bidder has committed to the following goals:

<u>MBE</u>	<u>WBE</u>	<u>SBE</u>
21%	9%	*

Therefore, the Low Bidder, Thornton Equipment Services, Inc. is in apparent compliance with the requirements of Affirmative Action Interim Ordinance Appendix D.

\* Prime satisfies the SBE requirements

  
TJS:LG:EAR

Attachment

cc: Darlene A. LoCascio, H. Shields-Wright, T. Schrean, File (2)

M.W.R.D.  
OCT 13 10 03 AM  
WATERWAYS MANAGEMENT  
PROCUREMENT AND  
CONSTRUCTION DIVISION

M.W.R.D.  
OCT 14 10 32 AM  
WATERWAYS MANAGEMENT  
PROCUREMENT AND  
CONSTRUCTION DIVISION



**METROPOLITAN WATER RECLAMATION DISTRICT OF**  
**GREATER CHICAGO**

**MBE, WBE, SBE UTILIZATION PLAN**

For Local and Small business entities - Definitions for terms used below can be found in Appendix D: MBE - Section 5(s); WBE - Section 5(cc); SBE - Section 5(w).

**NOTE: The Bidder shall submit with the Bid, originals or facsimile copies of all MBE, WBE, SBE Subcontractor's Letter of Intent furnished to all MBEs, WBEs, and SBEs. IF A BIDDER FAILS TO INCLUDE signed copies of the MBE, WBE, SBE Utilization Plan and all signed MBE, WBE, SBE Subcontractor's Letter of Intent with its bid, said bid will be deemed nonresponsive and rejected.**

**All Bidders must sign the signature page UP-5 of the Utilization Plan, even if a waiver is requested.**

Name of Bidder: THORNTON EQUIPMENT SERVICES, INC.

Contract No.: 14-646-51 GROUP B

Affirmative Action Contact & Phone No.: SUSAN HERING 708-479-7531

Total Bid: \$ 1,949,760.00

**MBE, WBE, SBE UTILIZATION PLAN AND ALL SIGNED MBE, WBE, SBE SUBCONTRACTOR'S LETTER OF INTENT MUST BE COMPLETED, SIGNED AND ACCOMPANY YOUR BID!!!**

The bidder should indicate on the Utilization Plan explicitly if the dollar amounts for the MBE participation will also be counted toward the achievement of its SBE participation. See Interim Ordinance Appendix D, Section 11, Counting MBE, WBE and SBE Participation towards Contract Goals. (a) - (c) (v)

**MBE UTILIZATION**

Name of MBE and contact person: PETROMEX, INC. FELIPE ESTRADA  
 Business Phone Number: 708-489-1733  
 Address: 14702 S. HAMLIN MIDLOTHIAN, IL 60445  
 Description of Work, Services or Supplies to be provided: PROVIDE BOTH CLEAR AND DYED DIESEL FUEL  
 CONTRACT ITEM NO.: N/A  
 Dollar Amount Participation: \$91,400.00

If the MBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐  
YES

☒  
NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid.

**MBE UTILIZATION**

Name of MBE and contact person: STEVE MARTINES  
S.E.S. STEVE'S EQUIPMENT SERVICES, INC.  
 Business Phone Number: 630-231-4840  
 Address: 1400 POWIS RD. WEST CHICAGO, IL 60185  
 Description of Work, Services or Supplies to be provided: PROVIDE MISCELLANEOUS EQUIPMENT RENTAL, PURCHASES, REPAIR AND, OR HAULING OF EQUIPMENT  
 CONTRACT ITEM NO.: N/A  
 Dollar Amount Participation: \$310,000.00

If the MBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐  
YES

☒  
NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid.

**MBE UTILIZATION**

Name of MBE and contact person: \_\_\_\_\_  
 Business Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
 \_\_\_\_\_  
 CONTRACT ITEM NO.: \_\_\_\_\_  
 Dollar Amount Participation: \_\_\_\_\_

If the MBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐  
YES

☐  
NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid.

(Attach additional sheets as needed)

The bidder should indicate on the Utilization Plan explicitly if the dollar amounts for the WBE participation will also be counted toward the achievement of its SBE participation. See Interim Ordinance Appendix D, Section 11, Counting MBE, WBE and SBE Participation towards Contract Goals. (a) - (c) (v)

**WBE UTILIZATION**

Name of WBE and contact person: G. COOPER OIL CO, INC. KELLY COOPER SUPPES  
 Business Phone Number: 815-469-6951  
 Address: 10295 VANS DR. FRANKFORT, IL. 60423  
 Description of Work, Services or Supplies to be provided: FUEL, LUBRICANTS AND RELATED SUPPLIES AND SERVICES  
 CONTRACT ITEM NO.: N/A  
 Dollar Amount Participation: \$146,000.00

If the WBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐ YES

☒ NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid!

**WBE UTILIZATION**

Name of WBE and contact person: D.J. MASSAT BRENDA MASSAT  
 Business Phone Number: 708-389-3700  
 Address: 8842 JUNIPER CT. TINLEY PARK, IL. 60477  
 Description of Work, Services or Supplies to be provided: SIX-WHEELER AND SEMI DUMP TRUCKS  
 CONTRACT ITEM NO.: ITEM #22 AND ITEM #23  
 Dollar Amount Participation: \$34,500.00

If the WBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐ YES

☒ NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid!

**WBE UTILIZATION**

Name of WBE and contact person: \_\_\_\_\_  
 Business Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Description of Work, Services or Supplies to be provided: \_\_\_\_\_  
 CONTRACT ITEM NO.: \_\_\_\_\_  
 Dollar Amount Participation: \_\_\_\_\_

If the WBE participation will be counted towards the achievement of the SBE goal please indicate here:

☐ YES

☐ NO

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid!

(Attach additional sheets as needed)

**SBE UTILIZATION**

SUSAN HERING

Name of SBE and contact person: THORNTON EQUIPMENT SERVICES, INCBusiness Phone Number: 708-479-7531Address: 12515 W. FRONTAGE RD. MOKENA, IL. 60448Description of Work, Services or Supplies to be provided: OPERATORS AND EQUIPMENT TO PERFORM SMALL STREAM MAINTENANCE IN COOK COUNTY, IL.CONTRACT ITEM NO.: 1 THROUGH 21 AND ITEMS 24 AND 25Dollar Amount Participation: \$1,367,860.00

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid!

**SBE UTILIZATION**

Name of SBE and contact person: \_\_\_\_\_

Business Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Description of Work, Services or Supplies to be provided: \_\_\_\_\_

CONTRACT ITEM NO.: \_\_\_\_\_

Dollar Amount Participation: \_\_\_\_\_

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid!

**SBE UTILIZATION**

Name of SBE and contact person: \_\_\_\_\_

Business Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Description of Work, Services or Supplies to be provided: \_\_\_\_\_

CONTRACT ITEM NO.: \_\_\_\_\_

Dollar Amount Participation: \_\_\_\_\_

(Attach additional sheets as needed)

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST Accompany the Bid!

## SIGNATURE SECTION

On Behalf of THORNTON EQUIPMENT SERVICES, INC. I/We hereby acknowledge that  
 (name of company)

I/WE have read Appendix D, will comply with the provisions of Appendix D, and intend to use the MBEs, WBEs, and SBEs listed above in the performance of this contract and/or have completed the Waiver Request Form. To the best of my knowledge, information and belief, the facts and representations contained in this Exhibit are true, and no material facts have been omitted.

I do solemnly declare and affirm under penalties of perjury that the contents of the foregoing document are true and correct, and that I am authorized, on behalf of the bidder, to make this affidavit.

9-19-14

Date

Susan Hering  
 Signature of Authorized officer

ATTEST:

SUSAN HERING, PRESIDENT  
 Print name and title

[Signature]  
 Secretary

708-479-7531  
 Phone number

- 1) **The Bidder is required to sign and execute this page, EVEN IF A WAIVER IS BEING REQUESTED.**
- 2) **Failure to do so will result in a nonresponsive bid and rejection of the bid.**
- 3) **If a waiver is requested, the bidder must also complete the following "WAIVER REQUEST FORM."**

The MBE, WBE, SBE Utilization Plan and the MBE, WBE, SBE Subcontractor's Letter of Intent MUST accompany the Bid!



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1290, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to award Contract 14-029-11, Furnish and Deliver Safety Equipment to Various Locations for a One (1) Year Period, to Cicero Manufacturing & Supply Company, Inc., in a total amount not to exceed \$91,413.80, Account 101-20000-623700

Dear Sir:

On July 10, 2014, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise for bids, Contract 14-029-11, Furnish and Deliver Safety Equipment to Various Locations for a one (1) year period, beginning approximately November 1, 2014 and ending October 31, 2015.

In response to a public advertisement of August 6, 2014, a bid opening was held on August 26, 2014. The bid tabulation for this contract is:

CICERO MANUFACTURING & SUPPLY COMPANY, INC	*\$91,413.80
SAFETY SUPPLY ILLINOIS	*\$91,575.29
PRODUCTION DISTRIBUTION.	*\$135,967.39
*corrected total	

Three hundred fifty-seven (357) companies were notified of the contract being advertised and forty-two (42) companies requested specifications.

Cicero Manufacturing & Supply Company, Inc., the lowest responsible bidder is proposing to perform the contract in accordance with the specifications. The estimated cost for this contract was \$88,000.00, placing their bid of \$91,413.80 approximately 3.9 percent above the estimate.

The Multi-Project Labor Agreement (MPLA) is not applicable to this contract because it is primarily a furnish and deliver contract. The Affirmative Action Interim Ordinance Appendix D is not included in this contract because it is primarily a furnish and deliver contract.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to award Contract 14-029-11, to Cicero Manufacturing & Supply Company, Inc., in an amount not to exceed \$91,413.80.

Purchase orders will be issued when material is required. Payment will be based on the unit cost as indicated in the contract documents. There was no bid deposit required for this contract.

Funds are available in Account 101-20000-623700.

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:MB:tc

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**File #:** 14-1290, **Version:** 1

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Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment



#14029-SAFETY SUPPLIES			
Item	MM #	DESCRIPTION	U/I
1	111585	CLEANING STATION,GOGGLE,FOGPROOF	EA
2	111587	CLEANER, LENS, FOGPRUF, 4 OZ.	EA
3	111604	EYE IRRIGATION SOLUTION,4	EA
4	111935	LINER,HARD HAT,DISPOSABLE,25/BX	BX
5	111939	EARMUFF,MSA #10061272,FITS MSA HARDHAT	EA
6	111941	LINER,WINTER,HARD HAT,ENCLOSES FACE	EA
7	111942	LINER,WINTER,HARD HAT,RIBBED-KNIT NECK	EA
8	111943	CHINSTRAP ASSY,WEB,HARD HAT,MSA #81329	EA
9	111944	HELMET/HOOD,WELDING,FBR METAL,MODEL 706	EA
10	111945	HOOD,WELD,LARGE LENS, FIBRE-METAL #880	EA
11	111946	SAFETY CAP,WLDNG,WHT,RATCHET,MSA #475396	EA
12	111948	HARD HAT,RED V GUARD,SLOTTED,MSA #463947	EA
13	111950	HARD HAT,WHITE,V GUARD,RATCHET,SMALL	EA
14	111951	HARD HAT,WHITE,V GUARD,RATCHET,MEDIUM	EA
15	111952	HARD HAT,WHITE,V GUARD,RATCHET,LARGE	EA
16	111955	FACESHIELD FRAME,F/SLOTTED V-GARD CAPS	EA
17	111958	FACESHIELD,CLR,POLYCARBONATE,8"X .060"	EA
18	111975	GOGGLES,WELDING,FBR METAL,W/#5 LENS,4055	EA
19	111979	GOGGLE,CHEMICAL SPLASH,FOG FREE,CLEAR	EA
20	111980	GOGGLE,SOLO,FBR METAL,W/#5 SHADE LENS	EA
21	111985	LENS,DARK GREEN PC,ARRIVA #23856,12/BX	EA
22	112004	GLOVE,VINYL COATED,LIQUID PROOF,WOM.MED.	PR
23	112009	HARNESS,FULL BODY,SIZE U,MILLER #E650-58	EA
24	112010	HEARING PROTECTION,MUFF TYPE,ELVEX#HB-35	EA
25	112011	POUCH,CLOTH,W/MICROSHIELD(CPR)& GLOVES	EA
26	112030	PAD,KNEE,CUSHIONED,W/HARD KNEE CAP,#7102	PR
27	112033	WIPES,CLEANING,RESPIRATOR,NON-ALCOHOL	BX
28	112038	RESPIRATOR,FULLFACE,MSA ULTRATWIN,MED.	EA
29	112056	RESPIRATOR,DUST,FUME,MIST,3M 8212	PK
30	112057	RESPIRATOR,DISP,F/NUISANCE ODOR,3M #8247	EA
31	112058	EAR PLUG,DISPOSABLE,CYLINDRICAL,NRR33db	BX
32	112059	EAR PLUG,W/HARD PLASTIC NECK BAND,NRR25	PR
33	112060	FACE SHIELD,COMPLETE,SELLSTROM #38110	EA
34	112061	FACE SHIELD,WINDOW,CLR,7"X 19"X .040"	EA
35	112064	CHAIN,SHOE,SZ 5 TO 9 SHOE,BERGSTEIGER #2	PR
36	112065	CHAIN,SHOE,SZ 10 TO 13 SHOE,BERSTEIGER#3	PR
37	112066	CHAIN,SHOE,SZ 13 & UP,BERSTEIGER#4,X-LRG	PR
38	112067	GLASSES,SAFETY,ANTI FOG/STATIC,CLR.LENS	EA
39	112068	GLASSES,SAFETY,ANTI FOG/STATIC,DARK LENS	EA
40	112081	TAPE,BARRICADE,"DANGER DO NOT ENTER"	RL
41	112082	TAPE,BARRICADE,"CAUTION POLICE LINE....	RL
42	112083	EYEWASH STATION,USES 16 OZ. REFILL	EA
43	112084	EYEWASH STATION, USES 32 OZ. REFILL	EA
44	112086	ADDITIVE,EYEWASH,8 OZ.(250ML) BOTTLE	EA
45	112087	EYEWASH,STERILE SOLUTION,32 OZ.	EA
46	112109	LIFEVEST,SMALL,ORNG,W/REFLECTIVE PANELS	EA
47	112110	LIFEVEST,MED,ORNG,W/REFLECTIVE PANELS	EA
48	112111	LIFEVEST,LRG,ORNG,W/REFLECTIVE PANELS	EA
49	112112	LIFEVEST,XLRG,ORNG,W/REFLECTIVE PANELS	EA
50	112113	LIFEVEST,XXLRG,ORNG,W/REFLECTIVE PANELS	EA
51	112114	LIFEVEST,INFLATABLE PFD,TYPE V	EA
52	112120	MIRROR,TRAFFIC,ACRYLIC,36 INCH DIAMETER	EA
53	112325	FLARE,RED,SAFETY,20 MINUTE,W/WIRE BASE	EA
54	112326	COOLER,WATER,5 GALLON,WITH SPIGOT	EA
55	112375	FLAG,WARNING,RED/ORANGE,VINYL,18" X 18"	EA
56	112488	BARRICADE,TRAFFIC,"HORSE",36",ORNG/WHITE	EA
57	112492	CONE,TRAFFIC,PVCS,ORANGE,28IN.W/2WHTBAND	EA
58	114625	REPLACEMENT PILLS, F/STEARNS LIFE VEST	PK
59	114695	LIFEVEST,XXLRG,ORNG,W/REFLECTIVE PANELS	EA
60	114734	LIFELINE,5/8"DIA.X 50',W/SNAPHOOK	EA



61	115566	RESPIRATOR, HALF FACEPIECE, SMALL	EA
62	115567	RESPIRATOR, HALF FACEPIECE, MEDIUM	EA
63	115568	RESPIRATOR, HALF FACEPIECE, LARGE	EA
64	115569	CARTRIDGE, RESPIRATOR, GME, MSA #815366	EA
65	115570	CART, RESPIRATOR, LOW-PROFILE, MSA#815369	EA
66	115571	CART, RESPIRATOR, MERSORB, MSA #815368	EA
67	115572	FILTER, RESPIRATOR, ADVANTAGE, MSA#818343	EA
68	115905	VEST, SAFETY, TRAFFIC, CLASS II, SIZE M-XL	EA
69	116363	FRAME & FACE SHIELD, MSA #10037098	EA
70	116364	VISOR, ARC SHIELD, CHIN GUARD, MSA#10063107	EA
71	116365	BAG, PROTECTIVE, ARC SHIELD VISOR	EA
72	116428	GLASSES, SAFETY, GRAY, POLY. LENS, FRAMELESS	EA
73	116429	GLASSES, SAFETY, AMBER, POLY. LENS, FRAMELESS	EA
74	116430	GLASSES, SAFETY, CLEAR, POLY. LENS, FRAMELESS	EA
75	116784	BAND, SWEAT, TERRY CLOTH ABSORPTION LINER	EA
76	116894	TAGS, SAFETY, DANGER-HOLD-DO NOT OPERATE	EA
77	116985	SUSPENSION, V-GARD HARD HAT, MSA#10087220	EA
78	116994	FALL LIMITER, PERSONAL SAFETY, MFL-2-Z7/6FT	EA



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1296, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to award Contract 15-041-11, Furnish and Deliver Data Storage Cartridges to Various Locations, for a One (1) Year Period, to Discount Media Products, LLC, in an amount not to exceed \$33,220.00, Account 101-20000-623810

Dear Sir:

On September 4, 2014, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise for bids, Contract 15-041-11 Furnish and Deliver Data Storage Cartridges to Various Locations for a One (1) Year Period, beginning approximately January 1, 2015 and ending December 31, 2015.

In response to a public advertisement of September 17, 2014, a bid opening was held on October 7, 2014. The bid tabulation for this contract is:

DISCOUNT MEDIA PRODUCTS, LLC	\$33,220.00
MALELO, INC.	\$33,422.00
BACKUPWORKS.COM, INC.	\$34,678.00
PRINTING SUPPLIES USA, LLC	\$35,000.00
TOTOWA SYSTEMS, INC.	\$35,060.00
MIDWEST COMPUTER PRODUCTS, INC.	\$36,408.00
HOWARD TECHNOLOGY SOLUTIONS, a division of Howard Industries, Inc.	*\$69,700.00
*corrected total	

Five hundred ninety-two (592) companies were notified of the contract being advertised and twenty-eight (28) companies requested specifications.

Discount Media Products, LLC, the lowest responsible bidder, is proposing to perform the contract in accordance with the specifications. The estimated cost of this contract was \$37,000.00, placing the total bid of \$33,220.00 approximately 10.2 percent below the estimate.

The Multi-Project Labor Agreement (MPLA) is not applicable to this contract because it is primarily a furnish and deliver contract.

The Affirmative Action Interim Ordinance Appendix D is not included in this contract because it is primarily a furnish and deliver contract.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to award Contract 15-041-11, to Discount Media Products, LLC, in an amount not to exceed \$33,220.00.

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**File #:** 14-1296, **Version:** 1

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Purchase orders will be issued for the material as required. Payment will be based on the unit cost as indicated in the contract documents.

Funds are being requested for 2015 in Account 101-20000-623810, and are contingent on the Board of Commissioners' approval of the Districts budget for that year.

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:MB:jt  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment

#15041-DATA STORAGE CARTIDGE								
Item	MM #	DESCRIPTION	U/I	TARGET QTY	Item	OA COST	EXTENSION	Old OA Target
1	116404	LABELS,BAR CODE,LTO3 LABELS FOR CARTRIDG	PK	20	1	\$0.01	\$0.20	100
2	116995	CARTRIDGE,COMPUTER DATA,LTO4,800GB-1.6TB	EA	1800	2	\$19.49	\$35,082.00	1,800
							\$35,082.20	
		0 ADDITIONS						
		0 DELETIONS						



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1297, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to award Contract 14-055-11, Furnish and Deliver Pipe Covering and Insulation to Various Locations for a One (1) Year Period, to Superior Plus Construction Products Corporation, in an amount not to exceed \$30,803.51, Account 101-20000-623170

Dear Sir:

On August 7, 2014, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise for bids, Contract 14-055-11, Furnish and Deliver Pipe Covering and Insulation to Various Locations for a one (1) year period, beginning approximately December 1, 2014 and ending November 30, 2015.

In response to a public advertisement of August 20, 2014, a bid opening was held on September 9, 2014. The bid tabulation for this contract is:

SUPERIOR PLUS CONSTRUCTION PRODUCTS CORPORATION	\$30,803.51
MARCO SUPPLY, DBA JOHNSON PIPE & SUPPLY CORPORATION	*\$67,788.93
*corrected total	

Eight hundred and twelve (812) companies were notified of this contract being advertised and eighteen (18) companies requested specifications.

Superior Plus Construction Products Corporation is proposing to perform the contract in accordance with the specifications. The estimated cost for this contract was \$30,000.00, placing the bid of \$30,803.51 approximately 2.7 percent above the estimate.

The Multi-Project Labor Agreement (MPLA) is not applicable to this contract because it is primarily a furnish and deliver contract.

The Affirmative Action Interim Ordinance Appendix D is not included in this contract because it is primarily a furnish and deliver contract.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to award Contract 14-055-11, to Superior Plus Construction Products Corporation, in an amount not to exceed \$30,803.51. Purchase orders will be issued for material as required. Payment will be based on the unit cost as indicated in the contract documents. There is no bid deposit required for this contract.

Funds are available in Account 101-20000-623170.

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**File #:** 14-1297, **Version:** 1

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Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:MB:trc  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board  
of Commissioners for November 6, 2014

Attachment

#14055-PIPE COVERING			
Item	MM #	DESCRIPTION	U/I
1	109192	EDGE SEALING COMPOUND, 5 OZ. TUBE	EA
2	109226	TAPE, 2 SIDED, FABRIC, WHITE, 2 IN.X 25 YD.	EA
3	113834	ADHESIVE, PIPE COVERING, RUBATEX R-373, 1QT	EA
4	113835	COVERING, PIPE, FIBERGLASS, 5/8" X 1" X 36"	FT
5	113836	COVERING, PIPE, FIBERGLASS, 3/4" X 1" X 36"	FT
6	113837	COVERING, PIPE, FIBERGLASS, 1" X 1" X 36"	FT
7	113838	COVERING, PIPE, FIBERGLASS, 1.5" X 1" X 36"	FT
8	113839	COVERING, PIPE, FIBERGLASS, 2" X 1" X 36"	FT
9	113840	COVERING, PIPE, FIBERGLASS, 3" X 1" X 36"	FT
10	113841	COVERING, PIPE, FIBERGLASS, 4" X 1" X 36"	FT
11	113842	COVERING, PIPE, FIBERGLASS, 5" X 1" X 36"	FT
12	113843	COVERING, PIPE, FIBERGLASS, 6 X 1 X 36 IN.	FT
13	113844	COVERING, PIPE, FIBERGLASS, 8 X 1 X 36 IN.	FT
14	113845	INSULATION, FOAM SHEET, 1/2" X 36" X 48"	EA
15	113846	INSULATION, RUBATEX SHEET, 3/4" X 36" X 48"	EA
16	113847	ELBOW, PIPE COVERING, PVC, 90 DEG, #7	EA
17	113848	ELBOW, PIPE COVERING, PVC, 90 DEG, #9	EA
18	113849	ELBOW, PIPE COVERING, PVC, 90 DEG, #10	EA
19	113850	ELBOW, PIPE COVERING, PVC, 90 DEG, #11	EA
20	113851	MASTIC, INSULATION, VIMASCO #WC-7, 1 GAL.	EA
21	113852	TAPE, FLEX. DUCT, INSULATED, ASJ, 3 IN. X 50 YD	EA
22	113853	TAPE, PIPE COVERING, ALUM. FOIL, 3 IN. X 50 YD	EA
23	114455	COVERING, PIPE, FIBERGLASS, 1-1/4" X 1" X 36"	FT
24	114456	COVERING, PIPE, FIBERGLASS, 7" X 1" X 36"	FT
25	114457	COVERING, PIPE, FIBERGLASS, 10" X 1" X 36"	FT
26	114458	COVERING, PIPE, FIBERGLASS, 12" X 1" X 36"	FT
27	114459	ELBOW, PIPE COVERING, PVC, 45 DEG, #7	EA
28	114460	ELBOW, PIPE COVERING, PVC, 45 DEG, #9	EA
29	114461	ELBOW, PIPE COVERING, PVC, 45 DEG, #10	EA
30	114462	ELBOW, PIPE COVERING, PVC, 45 DEG, #11	EA
31	114463	ELBOW, PIPE COVERING, PVC, 45 DEG, #13	EA
32	114474	ELBOW, PIPE COVERING, PVC, 90 DEG, #13	EA
33	114475	ELBOW, PIPE COVERING, PVC, 45 DEG, #15	EA
34	114476	ELBOW, PIPE COVERING, PVC, 90 DEG, #15	EA
35	114477	ELBOW, PIPE COVERING, PVC, 90 DEG, #18	EA
36	114478	WRAP, DUCT, FIBERGLASS, 1-1/2" X 4' X 100'	EA
37	114479	INSULATION, WALL/PANEL, 1" X 24" X 48" FBRGLS	EA
38	115382	BAND, STRAPPING, SS, 1/2" X .020" X 900'	EA
39	115383	CLIP, SS, FOR PIPE INSULATION, 1/2"	BX
40	115391	COVERING, PIPE, FIBERGLASS, 2.5" X 1" X 36"	FT
41	115396	COVERING, PIPE, FIBERGLASS, 14" X 2" X 36"	FT
42	115397	COVERING, PIPE, FIBERGLASS, 16" X 2" X 36"	FT
43	115398	COVERING, PIPE, FIBERGLASS, 18" X 2" X 36"	FT
44	115399	COVERING, PIPE, FIBERGLASS, 20" X 2" X 36"	FT
45	115404	HANGER, INSULATION, 2" X 2", 2-1/2" NAIL	EA
46	115405	WASHER, FOR INSULATION HANGER	BX
47	115406	JACKET, STUCCO EMBOSSED, .016" X 36" X 100'	RL
48	115408	ELBOW, PIPE COVERING, PVC, 90 DEG, #12	EA
49	115409	ELBOW, PIPE COVERING, PVC, 45 DEG, #17	EA
50	115410	ELBOW, PIPE COVERING, PVC, 90 DEG, #17	EA
51	115411	ELBOW, PIPE COVERING, PVC, 45 DEG, #18	EA
52	115412	ELBOW, PIPE COVERING, PVC, 45 DEG, #19	EA
53	115413	ELBOW, PIPE COVERING, PVC, 90 DEG, #19	EA
54	115415	ELBOW, PIPE COVERING, PVC, 90 DEG, #20	EA
55	115417	ELBOW, PIPE COVERING, PVC, 90 DEG, #22	EA
56	115418	ELBOW, PIPE COVERING, PVC, 45 DEG, #24	EA
57	115419	ELBOW, PIPE COVERING, PVC, 90 DEG, #24	EA
58	115430	CLOTH, FIBERGLASS, PIPE COVER, 36" X 150' ROLL	EA
59	115437	ARMORFLEX RUBBER PIPE COVERING 5/8X3/8X6	FT

60	115438	ARMORFLEX RUBBER PIPE COVERING 7/8X1/2X6	FT
61	115439	ARMORFLEX RUBBER PIPE COVERING 1-1/8X1/2	FT
62	115444	ELBOW,PIPE COVERING,AL,90 DEG,1" X 1"	EA
63	115447	ELBOW,PIPE COVERING,AL,90 DEG,2" X 1"	EA
64	115449	ELBOW,PIPE COVERING,AL,90 DEG,3" X 1"	EA
65	115451	ELBOW,PIPE COVERING,AL,90 DEG,4" X 1"	EA





# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1308, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to award Contract 14-629-11, Rack and Pinion Manlift Inspection and Repair, to Mid-American Elevator Company, Inc., in an amount not to exceed \$450,610.00, Accounts 101-68000/69000-612600/612680, Requisitions 1375422 and 1376099

Dear Sir:

On June 5, 2014, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise for bids, Contract 14-629-11, Rack and Pinion Manlift Inspection and Repair.

In response to a public advertisement of September 10, 2014, a bid opening was held on September 30, 2014. The bid tabulation for this contract is:

MID-AMERICAN ELEVATOR COMPANY, INC.	\$450,610.00
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Four hundred and three (403) companies were notified of this contract being advertised and six (6) companies requested specifications.

Mid-American Elevator Company, Inc., the sole bidder for this contract, is proposing to perform the contract in accordance with the specifications.

The Director of Procurement and Materials Management has reviewed the bidders' list for this contract, and is satisfied that the market for this service has been adequately solicited. A planholders' survey revealed the other planholders do not bid on contracts, they just post contract information on the internet. In light of these findings, the Director of Procurement and Materials Management is of the opinion that the bid received is a fair and reasonable price, and nothing would be gained by rejecting the sole bid and re-advertising this contract.

The estimated cost for this contract was \$417,000.00, placing the bid of \$450,610.00, approximately 8.1 percent above the estimate.

Mid-American Elevator Company, Inc., has executed the Multi-Project Labor Agreement (MPLA) certificate as required. It is anticipated that the following construction trades will be utilized on this contract: elevator constructors. The list of construction trades is not intended to confer any rights or jurisdiction upon any union or unions.

The contract will employ approximately two (2) people for the services.

The Affirmative Action Interim Ordinance Appendix D was not included in this contract because the contract does not offer practical or cost-effective opportunities for direct or indirect subcontracting.

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**File #:** 14-1308, **Version:** 1

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In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to award Contract 14-629-11 to Mid-American Elevator Company, Inc., in an amount not to exceed \$450,610.00, subject to the contractor furnishing a performance bond in form satisfactory to the Law Department and approved by the Director of Procurement and Materials Management.

The contract will commence upon approval of the Contractor's Bond and terminate within three (3) years.

Funds for the 2014 expenditure, in the amount of \$7,500.00, are available in Accounts 101-68000/69000-612600/612680. The estimated expenditures for 2015, 2016, and 2017 are \$130,184.00, \$163,213.00 and \$149,713.00, respectively. Funds for the 2015, 2016 and 2017 expenditures are contingent on the Board of Commissioners' approval of the District's budget for that year.

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:cm  
Respectfully Submitted, Barbara J. McGowan, Chairman, Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1235, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to increase Contract 12-646-51, Small Streams Maintenance in Cook County, Illinois, Group A to J & L Contractors, Inc., in an amount of \$100,000.00 from an amount of \$2,657,381.96 to an amount not to exceed \$2,757,381.96, Account 501-50000-612620, Purchase Order 5001372

Dear Sir:

On October 4, 2012, the Board of Commissioners authorized the Director of Procurement and Materials Management to award Contract 12-646-51, Small Streams Maintenance in Cook County, Illinois, Group A to J & L Contractors, Inc., in an amount not to exceed \$2,113,675.00. The contract expires on December 31, 2014.

As of October 16, 2014, the attached list of change orders has been approved. The effect of these change orders resulted in an increase in an amount of \$543,706.96 from the original amount awarded of \$2,113,675.00. The current contract value is \$2,657,381.96. The prior approved change orders reflect a 25.7% increase to the original contract value.

This increase is required because stream maintenance work is more than originally anticipated.

This change order is in compliance with the Illinois Criminal Code since the change is due to circumstances not reasonably foreseeable at the time the contract was signed, and is in the best interest of the District.

It is hereby recommended that the Board of Commissioners authorize the Director of Procurement and Materials Management to execute a change order to increase Contract 12-646-51 Group A, in an amount of \$100,000.00 (3.8% of the current contract value) from an amount of \$2,657,381.96 to an amount not to exceed \$2,757,381.96.

Funds are available in Account 501-50000-612620.

Requested, Manju Prakash Sharma, Director of Maintenance and Operations, AQ:SO'C:MAG:JM  
Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment

**CONTRACT: 12-646-51****As Of:** 10/16/2014 **Contract Type:** ZLFNPrepared by:  
tbg

**Group/Item:** **Location:** **Validity Dates:** **Bid Deposit:** **Final Completion:**  
**Stormwater** **10/14/12 - 12/31/14** **Bond**

Group/Item	Location	PO #	Vendor	Award Value	Change Order Incr/(Decr)	Adjusted Award Value	SAP PO Value	SAP SES Value	SAP Invoice Value	SAP Credit Memo Value	SAP Check Value	Pending Check Payment	PO Bal.
A	Stormwater	5001372	6001191 J & L CONTRACTORS INC	2,113,675.00	543,706.96	2,657,381.96	2,657,381.96	2,397,654.96	-	-	-	-	259,727.00
B	Stormwater	5001373	6001192 THORNTON EQUIPMENT SVC INC	2,357,150.00	(613,406.35)	1,743,743.65	1,743,743.65	1,529,324.01	-	-	-	-	214,419.64
						-			-	-	-	-	-
						-			-	-	-	-	-
				-	-	-	-	-	-	-	-	-	-
				-	-	-	-	-	-	-	-	-	-
				-	-	-	-	-	-	-	-	-	-
				4,470,825.00	(69,699.39)	4,401,125.61	4,401,125.61	3,926,978.97	-	-	-	-	474,146.64

**Comments:**

Increase PO 5001372 \$100,000 due to unpredictable nature of stream maintenance causing current funds to be insufficient through the end of the contract 10/18/14



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1236, **Version:** 1

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### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to increase Contract 14-613-11, Scavenger Services at Various Service Areas, Groups B and C, to Waste Management of Illinois, Inc., in an amount of \$45,091.00 from an amount of \$1,278,794.00 to an amount not to exceed \$1,323,885.00, Accounts 101-67000/68000-612520, Purchase Order 5001441

Dear Sir:

On February 20, 2014, the Board of Commissioners authorized the Director of Procurement and Materials Management to award Contract 14-613-11, Scavenger Services at Various Service Areas, Groups B and C, to Waste Management of Illinois, Inc., in an amount not to exceed \$1,278,794.00. The contract expires on March 18, 2017.

As of October 16, 2014, there have been no previous changes to this contract.

This increase is required because the new grit removal system installed at the Calumet Water Reclamation Plant is more efficient, resulting in a higher than anticipated volume of grit generated for removal.

This change order is in compliance with the Illinois Criminal Code since the change is due to circumstances not reasonably foreseeable at the time the contract was signed, and is in the best interest of the District.

It is hereby recommended that the Board of Commissioners authorize the Director of Procurement and Materials Management to execute a change order to increase Contract 14-613-11 in an amount of \$45,091.00 (3.5% of the current contract value) from an amount of \$1,278,794.00 to an amount not to exceed \$1,323,885.00.

Funds are available in Account 101-68000-612520.

Requested, Manju Prakash Sharma, Director of Maintenance and Operations, AQ:SO'C:MAG:JM  
Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1237, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to decrease Contract 11-613-11, Scavenger Services at Various Service Areas, Group A, to Independent Recycling Services, Inc., in an amount of \$225,668.83 from an amount of \$1,864,488.81 to an amount not to exceed \$1,638,819.98, Accounts 101/501-50000/69000-612520, Purchase Order 5001239

Dear Sir:

On March 3, 2011, the Board of Commissioners authorized the Director of Procurement and Materials Management to award Contract 11-613-11, Scavenger Services at Various Service Areas, Group A, to Independent Recycling Services, Inc., in an amount not to exceed \$1,987,947.77. The contract expired on July 22, 2014.

As of October 16, 2014, the attached list of change orders has been approved. The effect of these change orders resulted in a decrease in an amount of \$123,458.96 from the original amount awarded of \$1,987,947.77. The current contract value is \$1,864,488.81. The prior approved change orders reflect an approximate 6.2% decrease to the original contract value.

The decrease in the contract value is required due to a less than anticipated need for scavenger services in the Stickney and Small Streams service areas in 2014, and to close out the Contract.

This change order is in compliance with the Illinois Criminal Code since the change is germane to the Contract.

It is hereby recommended that the Board of Commissioners authorize the Director of Procurement and Materials Management to execute a change order to decrease Contract 11-613-11 in an amount of \$225,668.83 (12.1% of the current contract value) from an amount of \$1,864,488.81 to an amount not to exceed \$1,638,819.98.

Funds will be restored to Accounts 101/501-50000/69000-612520.

Requested, Manju Prakash Sharma, Director of Maintenance and Operations, AQ:SO'C:MAG:JM  
Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment

**CONTRACT: 11-613-11 A****As Of:** 10/16/2014**Contract Type:** ZLFNPrepared by: J  
Markovich

<u>Group/Item:</u>	<u>Location:</u>	<u>Validity Dates:</u>	<u>Bid Deposit:</u>	<u>Final Completion:</u>
A	Var -Stormwater	3/22/11 - 7/22/2014	Bid Bond	
A	SWRP	3/22/11 - 7/22/2014		
F	HPWRP	3/28/11 - 3/31/2014		
G	LPH	3/28/11 - 3/31/2014		
B	CWRP	3/15/11 - 3/31/2014		
C,D,E	NSA	3/15/11 - 7/31/2014		

<i>Group/ Item</i>	<i>Location</i>	<i>PO #</i>	<i>Vendor</i>	<i>Award Value</i>	<i>Change Order Incr/(Decr)</i>	<i>Adjusted Award Value</i>	<i>SAP PO Value</i>	<i>SAP SES Value</i>	<i>SAP Invoice Value</i>	<i>SAP Credit Memo Value</i>	<i>SAP Check Value</i>	<i>Pending Check Payment</i>	<i>PO Bal.</i>
A	Stormwater/SWRP	5001239	6001190 Independent Recycling	1,987,947.77	(123,458.96)	1,864,488.81	1,864,488.81	1,638,819.98	1,638,819.98	-	1,637,384.16	1,435.82	225,668.83
F	HPWRP	5001240	6000770 ALLIED WASTE TRANSPORTATION	35,546.40	(6,088.56)	29,457.84	29,457.84	29,457.84	29,457.84	-	29,457.84	-	-
G	LPH	5001241	6000770 ALLIED WASTE TRANSPORTATION	29,004.87	(11,584.86)	17,420.01	17,420.01	16,483.74	16,483.74	-	16,483.74	-	936.27
B	CWRP	5001237	6000380 LAND & LAKES CO	534,500.00	(63,054.25)	471,445.75	471,445.75	471,445.75	471,445.75	-	471,445.75	-	-
C,D,E	NSWRP, KWRP, EWRP	5001238	6001426 WASTE MGMT - IL MARKET	926,462.00	(19,654.00)	906,808.00	906,808.00	892,489.00	892,489.00	-	892,489.00	-	14,319.00
				-	-	-	-	-	-	-	-	-	-
				3,513,461.04	(223,840.63)	3,289,620.41	3,289,620.41	3,048,696.31	3,048,696.31	-	3,047,260.49	1,435.82	240,924.10

**Comments:**

Reduce residual balance on PO 5001239. Contract complete. Dec \$255,668.83



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1243, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to increase purchase order with Baker Tilly Virchow Krause, LLP, for Contract 09-RFP-19, for Professional Auditing Services for the fiscal year ending December 31, 2014, in an amount of \$265,800.00, from an amount of \$961,100.00, to an amount not to exceed \$1,226,900.00, Accounts 101-40000-601170 and P802-11000-798200, Purchase Order 3064315

Dear Sir:

On April 15, 2010, the Board of Commissioners authorized the Director of Procurement and Materials Management to issue a purchase order and enter into an agreement for Contract 09-RFP-19, for professional auditing services for the fiscal year ending December 31, 2010, with an option to renew for each of the four subsequent years with Baker Tilly Virchow Krause, LLP.

As of October 13, 2014, the attached change orders have been approved. The effect of these change orders resulted in an increase in an amount of \$1,003,700.00 from the original amount awarded of \$223,200.00. The current contract value is \$1,226,900.00. The prior approved change orders reflect a 549.68 percent increase to the original contract value.

An increase is being requested at this time to exercise the District's fourth and final renewal option to extend the contract for one additional year.

This change order is in compliance with the Illinois Criminal Code since the change is germane to the contract.

Minority firm utilization is expected to remain unchanged with Prado Renteria, Minority-owned Business Enterprise for 20% and Benford Brown & Associates, Women-owned Business Enterprise and Small Business Enterprise for 10%. We anticipate these firms will assist with the preparation of the single audit, compliance testing, internal control testing and inventory and asset observations.

It is hereby recommended that the Board of Commissioners authorize the Director of Procurement and Materials Management to execute a change order to increase the purchase order and amend the agreement in an amount of \$265,800.00 (approximately 27.6% of the current contract value) from an amount of \$961,100.00, to an amount not to exceed \$1,226,900.00.

Funds are being requested in 2014 and 2015, in Accounts 101-40000-601170 and P802-11000-798200 and are contingent on the Board of Commissioners' approval of the District's budget for that year.

Requested, Jacqueline Torres, Clerk/Director of Finance, JT:ra

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board



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**File #:** 14-1243, **Version:** 1

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of Commissioners for November 6, 2014

Attachment

## Change Order Log Report

Client : 100  
 Report Name: ZRPT\_CHANGE\_ORDER\_LOG  
 Requester : ARCER

## Change Order Log Report

PO No. : 3064315  
 Tracking No. : JTORRES  
 Vendor No. : 5013665

Change Number	Text	Value	Initiator	Date	File Letter	COR #	Board Approval	Status	Appr
0001	Bd Ord# 10/20/11, Agenda 11-1284	236,500.00 INC	DALYC	10/31/2011				Approved	USDA
0002	INC C/O - 10/04/12 BOC, #12-1326	245,900.00 INC	NEUBAUERJ	10/18/2012			X	Approved	USNE
0003	change request due to partial services rendered in 2012.	0.00 ROC	TORRESJ	10/26/2012				Net Zero	
0004	INC C/O - 11/07/13 BOC, #13-1363	255,500.00 INC	NEUBAUERJ	12/10/2013			X	Approved	USDA



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1257, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON Procurement

Mr. David St. Pierre, Executive Director

Authority to decrease Contract 06-843-3E Replacement of Electrical Equipment at Webster IAS & O'Hare Reservoir, NSA, to Divane Brothers Electric Company in an amount of \$60,000.00, from an amount of \$575,809.00, to an amount not to exceed \$515,809.00, Account 401-50000-645720, Purchase Order 5001310

Dear Sir:

On December 1, 2011, the Board of Commissioners authorized the Director of Procurement and Materials Management to award Contract 06-843-3E Replacement of Electrical Equipment at Webster IAS & O'Hare Reservoir, NSA, to Divane Brothers Electric Company, in an amount not to exceed \$556,000.00. The contract completion date was July 9, 2013.

As of October 17, 2014, the attached list of change orders has been approved. The effect of these change orders resulted in an increase in an amount of \$19,809.00 from the original amount awarded of \$556,000.00. The current contract value is \$575,809.00. The prior approved change orders reflect a 3.56% increase to the original value.

This contract is complete and it is necessary to decrease and close this purchase order.

This change order is in compliance with the Illinois Criminal Code since the change is due to circumstances not reasonably foreseeable at the time the contract was signed, and is in the best interest of the District.

It is hereby recommended that the Board of Commissioners authorize the Director of Procurement and Materials Management to execute a change order to decrease Contract 06-843-3E in an amount of \$60,000.00 (10.42% of the current contract value), from an amount of \$575,809.00, to an amount not to exceed \$515,809.00.

Funds will be restored to Account 401-50000-645720.

Requested, Catherine A. O'Connor, Director of Engineering, JB:AMB

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment

Client : 100  
Report Name: ZPT\_CHANGE\_ORDER\_LOG  
Requester : MULLIOGA

## Change Order Log Report

System: HRD  
10/17/2014 15:54:0  
Page: 1

Original Value: 556,000.00  
Approved Value: 575,809.00  
Current Value : 575,809.00

PO No. : 5001310  
Tracking No. : EN069433E  
Vendor No. : 6000031

Change Number	Tec	Value	Initiator	Date	File Letter	CR #	Board Approval	Status	Approver	Seq. No.	Change Number	Object Class
0001	Wiring timers and interlocks;blower starting circuits	9,975.00 INC	HOKNU	02/25/2013	0408	001		Approved	USPAC	0001	4594756	ENGINEER
0002	"Extra" Webster IDS Blower Analog Signal Additions	9,834.00 INC	HOKNU	03/21/2013	0091	002		Approved	UNELPACU	0001	4594757	MI_SERVICE
										0002	4611734	ENGINEER
										0002	4611735	MI_SERVICE



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1258, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to decrease Contract 12-368-2SR Upper Des Plaines 20C Rehabilitation, North Service Area, to Kenny Construction Company in an amount of \$11,902.00, from an amount of \$2,235,926.26, to an amount not to exceed \$2,224,024.26, Account 201-50000-645700, Purchase Order 5001398

Dear Sir:

On March 7, 2013, the Board of Commissioners authorized the Director of Procurement and Materials Management to award Contract 12-368-2SR Upper Des Plaines Intercepting Sewer 20C Rehabilitation, North Service Area, to Kenny Construction Company, in an amount not to exceed \$1,948,488.00. The scheduled contract completion date was July 19, 2014. This contract reached substantial completion on July 15, 2014.

As of October 17, 2014, the attached list of change orders has been approved. The effect of these change orders resulted in an increase in an amount of \$287,438.26 from the original amount of \$1,948,488.00. The current contract value is \$2,235,926.26. The prior approved change orders reflect a 14.75% net increase to the original value.

On April 28, 2014, the contractor discovered that a portion of an adjacent 24-inch sewer was plugged with concrete. The stop logs to be rehabilitated under Item 4 of the contract were used to divert flow from the plugged 24-inch line. As a result of the discovery of the plugged sewer, and the decision to not restore the plugged section, it has been determined that rehabilitation of the stop logs and stop log grooves is no longer necessary.

The contractor submitted a credit proposal (CCO-005) in the amount of \$11,902.00. The Engineer reviewed the proposal, found it to be acceptable, and stated via correspondence 99, that the Engineering Department would recommend its approval.

This change order is in compliance with the Illinois Criminal Code since the change is due to circumstances not reasonably foreseeable at the time the contract was signed, and is in the best interest of the District.

It is hereby recommended that the Board of Commissioners authorize the Director of Procurement and Materials Management to execute a change order to decrease Contract 12-368-2SR in the amount of \$11,902.00 (0.53% of the current contract value), from an amount of \$2,235,926.26, to an amount not to exceed \$2,224,024.26.

Funds are available in Account 201-50000-645700.

Requested, Catherine A. O'Connor, Director of Engineering, WSS:KMF  
Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

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**File #:** 14-1258, **Version:** 1

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Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment

PO No. : 5001398  
Tracking No. : ENG123682S  
Vendor No. : 6000067

Original Value: 1,946,488.00  
Approved Value: 2,235,926.26  
Current Value : 2,235,926.26

Change Number	Text	Value	Initiator	Date	File	Letter	COR #	Board	Status	Approver	Seq. No.	Change Number	Object Class
0001	Per 1/9/2014 Agenda Item 13, File No. 14-1624	309,291.00	INC	BOYKIN	01/10/2014	0033	003	X	Approved	USDALYC	0001	4817165	EINKEMLRG
0002	Per 9/4/2014 Agenda Item 52, File No. 14-0925	12,026.74	DEC	BOYKIN	09/08/2014			X	Approved	USDALYC	0001	4817166	MM_SERVICE
0003	"Credit" - NH Rest Platform at 12+60	9,826.00	DEC	BOYKIN	09/19/2014	0092	004		Approved	USNEUBAUEJ	0002	4980999	EINKEMLRG
											0002	4981000	MM_SERVICE
											0003	4992711	EINKEMLRG
											0003	4992722	MM_SERVICE



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1259, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON Procurement

Mr. David St. Pierre, Executive Director

Authority to decrease Contract 08-530-3P Digester Facility Improvements, Hanover Park and Egan Water Reclamation Plants, to Meccon Industries, Inc. in an amount of \$200,000.00, from an amount of \$1,783,065.00, to an amount not to exceed \$1,583,065.00, Account 401-50000-645750, Purchase Order 5001328

Dear Sir:

On April 5, 2012, the Board of Commissioners authorized the Director of Procurement and Materials Management to award Contract 08-530-3P Digester Facility Improvements, Hanover Park and Egan Water Reclamation Plants, to Meccon Industries, Inc., in an amount not to exceed \$1,782,000.00. The contract completion date was May 23, 2014.

As of October 17, 2014, the attached list of change orders has been approved. The effect of these change orders resulted in an increase in an amount of \$1,065.00 from the original amount awarded of \$1,782,000.00. The current contract value is \$1,783,065.00. The prior approved change orders reflect a 0.06% increase to the original value.

This contract is complete and it is necessary to decrease and close this purchase order.

This change order is in compliance with the Illinois Criminal Code since the change is due to circumstances not reasonably foreseeable at the time the contract was signed, and is in the best interest of the District.

It is hereby recommended that the Board of Commissioners authorize the Director of Procurement and Materials Management to execute a change order to decrease Contract 08-530-3P in an amount of \$200,000.00 (11.2% of the current contract value), from an amount of \$1,783,065.00, to an amount not to exceed \$1,583,065.00.

Funds will be restored to Account 401-50000-645750.

Requested, Catherine A. O'Connor, Director of Engineering, JB:AMB

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment



Charge Order Log Report

Client : 100  
Report Name: ZREP\_CHARGE\_ORDER\_103  
Requester : MULLIGAN

System: HRD  
10/15/2014 12:03:3  
Page: 1

PO No. : 5001328  
Tracking No. : EN085303P  
Vendor No. : 6000028

Original Value: 1,782,000.00  
Approved Value: 1,783,065.00  
Current Value : 1,783,065.00

Charge Number	Text	Value	Initiator	Date	File Letter	CR #	Board Approval	Status	Approver	Seq. No.	Charge Number	Object Class
0001	Extra-Equipment Peds/Condensate Accumulators	2,722.00 INC	HOKINU	11/08/2012	0001	001		Rejected	USCARININGHS	0001	4522887	ENGINEERING
0002	Extra-Equipment Peds for Condensate Accumulators	2,722.00 INC	HOKINU	11/08/2012	0053	001		Approved	UNNEFAVERU	0001	4522896	MW_SERVICE
0003	"Credit"- Pneumatic Actuator DCS I/O for Digesters 1-6	1,657.00 DEC	HOKINU	10/02/2014	0128	002		Approved	UNNEFAVERU	0002	4522992	ENGINEERING
										0002	4522993	MW_SERVICE
										0003	5002031	ENGINEERING
										0003	5002032	MW_SERVICE



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1271, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to increase purchase order with Workforce Software, LLC, for Contract 12-RFP-04, for Human Resources Information System Including Payroll and Time Management, for Solution 1, Time and Attendance, in an amount of \$15,000.00 from an amount of \$779,875.00, to an amount not to exceed \$794,875.00 Accounts 101-27000-612820, 201-50000-601170, and 201-50000-623810, Purchase Order 3079544

Dear Sir:

On May 2, 2013, the Board of Commissioners authorized the Director of Procurement and Materials Management to issue a purchase order and enter into an agreement for Contract 12-RFP-04, for Human Resources Information System Including Payroll and Time Management, for Solution 1, Time and Attendance with Workforce Software, LLC, in an amount not to exceed \$753,140.00. This contract expires on December 31, 2018.

As of October 15, 2014, the attached list of change orders has been approved. The effect of these change orders resulted in an increase in an amount of \$41,735.00 from the original amount awarded of \$753,140.00. The current contract value is \$794,875.00. The prior approved change orders reflect a 5.5 percent increase to the original contract value.

An increase is being requested at this time for additional software configuration work that was not previously identified in the Statement of Work (SOW). The expanded requirements include modifications to accrual calculations, additional transaction policy calculations, additional exception messages that provide system notification to users, and additional report configuration.

This change order is in compliance with the Illinois Criminal Code since the change is due to circumstances not reasonably foreseeable at the time the contract was signed, and is in the best interest of the District.

In view of the foregoing, it is recommended that the Board of Commissioners authorize the Director of Procurement and Materials Management to execute a change order to increase the purchase order in an amount of \$15,000.00 (1.89 percent of the current contract value) from an amount of \$779,875.00 to an amount not to exceed \$794,875.00.

Funds will be available in Account 201-50000-601170, upon approval of a funds transfer at this Board Meeting.

Requested, Jacqueline Torres, Clerk/Director of Finance, JT:ra

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management

Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

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**File #:** 14-1271, **Version:** 1

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Attachment

## Change Order Log Report

Client : 100  
Report Name: ZRPT\_CHANGE\_ORDER\_LOG  
Requester : ARCEB

## Change Order Log Report

PO No. : 3079544  
Tracking No. : VILLIVALAM  
Vendor No. : 5014808

Change Number	Text	Value	Initiator	Date	File Letter	COR #	Board Approval	Status	Appr
0001	02/20/14 BOC, #14-0096, IT	0.00 NOC	GAGEC	02/24/2014			X	Rejected	USNE
0002	02/20/14 BOC, #14-0096, IT	0.00 NOC	GAGEC	02/28/2014			X	Approved	USNE
0003	Increase per Board Agenda 5/16, File 14-0502	14,933.00 INC	GAGEC	05/22/2014			X	Approved	USNE
0004	Per BOC June 19, 2014, File 14-0605	4,302.00 INC	GAGEC	07/08/2014			X	Approved	USNE
0005	Per BOC 9/4/14, File 14-0986	7,500.00 INC	GAGEC	09/05/2014			X	Approved	USDA



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1293, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to increase purchase order for Contract 13-045-11, Publish Invitations for Contracts and Publish Legal Notices for Original Entrance and Promotional Civil Service Examinations and Other Legal Notices for a One (1) Year Period, to Sun-Times Media Productions LLC, in an amount of \$19,700.00, from an amount of \$70,000.00, to an amount not to exceed \$89,700.00, Account 101-20000-612360, Purchase Order 3078446

Dear Sir:

On September 19, 2013 the Board of Commissioners authorized the Director of Procurement and Materials Management to issue a purchase order for Contract 13-045-11, Publish Invitations for Contracts and Publish Legal Notices for Original Entrance and Promotional Civil Service Examinations and Other Legal Notices for a One (1) Year Period, to Sun-Times Media Productions LLC, an amount not to exceed \$48,000.00. This contract expires on November 30, 2014.

As of November 6, 2014, the attached list of change orders has been approved. The effect of these change orders resulted in an increase in an amount of \$22,000.00 from the original amount awarded of \$48,000.00. The current contract value is \$70,000.00. The prior approved change orders reflect a 45.8 percent increase to the original contract value.

During 2014, the number of contracts advertised requiring Appendix D, re-advertisements, civil service examinations and real estate advertisements have been greater than anticipated.

This change order is in compliance with the Illinois Criminal Code since the change is germane to the contract and is in the best interest of the District.

It is hereby recommended that the Board of Commissioners authorize the Director of Procurement and Materials Management to execute a change order to increase the purchase order for Contract 13-045-11 in an amount of \$19,700.00 (29 percent of the current contract value) from an amount of \$70,000.00, to an amount not to exceed \$89,700.00.

Funds are available in Account 101-20000-612360.

Requested, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:JN:bb  
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment

FO No. : 3078446

Tracking No. : 1304511

Vendor No. : 5014025

Original Value: 48,000.00

Approved Value: 70,000.00

Current Value : 89,700.00

Charge Number	Text	Value	Initiator	Date	File Letter	CR #	Board Approval	Status	Approver	Seq. No.	Charge Number	Object Class
0001	NET ZERO TO INCREASE LINE 1 TO PAY NOVEMBER IIB	0.00	FAILEXB	12/24/2013				Approved	UNLEPAERJ	0001	4807428	ENGINEER3
0002	funds needed to pay December billing.	0.00	FAILEXB	01/14/2014				Approved	UNLEPAERJ	0001	4807429	MM_SERVICE
0003	TRANSFER 2014 FUNDS TO PAY FINAL 2013 INVOICE	0.00	FAILEXB	01/17/2014				Approved	UNLEPAERJ	0001	4807440	MM_SERVICE
0004	Net zero charge needed to increase limits for HR ads	0.00	FAILEXB	05/09/2014				Approved	UNLEPAERJ	0002	4819256	ENGINEER3
0005	NET ZERO CHARGE NEEDED TO PAY MAY 2014 INVOICES	0.00	FAILEXB	06/17/2014				Approved	UNLEPAERJ	0002	4819257	MM_SERVICE
0006	HR ED ORDER #14-0733, ED MTS OF 7-10-14	22,000.00	FAILEXB	07/25/2014				Approved	UNPAIJC	0002	4819258	MM_SERVICE
0007	net zero charge needed to pay HR Aug invoice	0.00	FAILEXB	09/16/2014				Approved	UNLEPAERJ	0003	4822577	ENGINEER3
0008	CHARGE NEEDED TO PAY PARTIAL SEPT 2014 HR ADS	0.00	FAILEXB	10/16/2014				Approved	UNLEPAERJ	0003	4822578	MM_SERVICE
0009	INCREASE NEEDED TO PAY OCT. AND NOV. 2014	19,700.00	FAILEXB	10/20/2014				In-Process	UNNEOB	0003	4822579	MM_SERVICE
										0004	4897240	ENGINEER3
										0004	4897241	MM_SERVICE
										0004	4897312	MM_SERVICE
										0005	4921952	ENGINEER3
										0005	4921953	MM_SERVICE
										0005	4921954	MM_SERVICE
										0006	4946865	ENGINEER3
										0006	4946866	MM_SERVICE
										0006	4946867	MM_SERVICE
										0007	4987834	ENGINEER3
										0007	4987835	MM_SERVICE
										0007	4987836	MM_SERVICE
										0008	5012092	ENGINEER3
										0008	5012093	MM_SERVICE
										0008	5012094	MM_SERVICE
										0009	5014008	ENGINEER3
										0009	5014009	MM_SERVICE
										0009	5014010	MM_SERVICE



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1284, **Version:** 1

### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

#### COMMITTEE ON BUDGET AND EMPLOYMENT

Mr. David St. Pierre, Executive Director

Report on Budgetary Revenues and Expenditures Through Third Quarter September 30, 2014

Dear Sir:

Attached is a report of revenues and expenditures through the third quarter ended September 30, 2014. This report is prepared on an unaudited budgetary basis of accounting.

The third quarter of 2014 includes receipts from the tax year 2013 second real estate tax installment, which were due on August 1; the first installment was due on March 4, 2014. Third quarter receipts are within normal levels.

Preliminary Corporate Fund expenditures, of 59.3 percent through the third quarter, are within normal levels. Energy and healthcare costs, two of the primary expenditure drivers, are monitored closely throughout the year. Through the third quarter, the Maintenance and Operations Department has expended 73.0 percent of the electricity budget, and 83.5 percent of the adjusted budget for natural gas.

District health care costs through the third quarter are in line with 2014 projections. Based on current spending, the cost of medical benefits for employees and retirees are projected to finish the year up 1.4% and down 1.1% respectively. Pharmacy benefits for employees are projected to end the year with an increase on 1.5%. Pharmacy benefits for retirees are estimated to finish the year approximately 15.4% under projections. These savings are a result of the implementation of the Employer Group Waiver Plan. A contribution of \$20 million was transferred to the Other Post-Employment Benefits trust in the first quarter of 2014.

The two primary economic factors driving the District's revenues are the Consumer Price Index (CPI) and the real estate market. As reported by the Bureau of Labor Statistics, the CPI rose 2.1 percent through the third quarter of 2014 and 1.7 percent over the previous twelve months. The energy index declined 0.7 percent in September; the third consecutive decline. Over the past twelve months, the energy index has fallen 0.6 percent. Over the twelve month span, the components have changed as follows: natural gas index has risen 5.8 percent and the electricity index has increased 2.8 percent; however, the gasoline index has declined 3.6 percent and the fuel oil index has fallen 3.2 percent.

Nonresidential construction continued to increase at a moderate pace, hampered somewhat by difficulty of builders finding skilled labor. While the residential market is not recovering at the same pace as the nonresidential market, there are hopeful signs. Based on recent increases in online and open-house traffic, real estate sales are expected to return to normal levels in the coming months. The September mortgage interest rates hit a new 2014 low at 4.16 percent. In September of 2003, as a comparison, mortgage interest rates were 6.15 percent. The Illinois Association of Realtors' state year-over-year snapshot report for September 2014 is as follows: home sales decreased 4.4 percent; days on the market declined 4.1 percent; median sales price rose 4.5 percent; and the inventory of homes for sale decreased 2.3 percent. The median

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**File #:** 14-1284, **Version:** 1

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sales price for a home in September 2014 was \$160,000, as compared to the median sales price of \$150,000 in September 2013, a 6.7 percent increase.

A conservative approach used to develop the 2014 five-year financial plan is expected to maintain budgetary fund balances at policy levels.

Respectfully Submitted, Eileen McElligott, Administrative Services Manager, BKS

Attachment



**2014 Budgetary Revenue and Expenditure Report**  
**Through Third Quarter (January 1, 2014 to September 30, 2014)**

<b>Corporate Fund</b>	<b>2014 Budget</b>	<b>3rd Quarter Actuals</b>	<b>Percent to date</b>	<b>Year End Estimate</b>
Revenues				
Net Tax Sources	247.9	234.9	94.7%	243.0
Non-tax Sources	61.9	59.8	96.5%	60.7
Total	309.8	294.7	95.1%	303.7
Expenditures	395.3	234.4	59.3%	344.1 *
<b>Construction Fund</b>	<b>2014 Budget</b>	<b>3rd Quarter Actuals</b>	<b>Percent to date</b>	<b>Year End Estimate</b>
Revenues				
Net Tax Sources	11.1	10.7	96.1%	10.9
Non-tax Sources	1.4	1.4	98.0%	1.4
Total	12.5	12.1	96.8%	12.3
Expenditures	53.3	9.0	16.8%	25.4 *
<b>Capital Improvements Bond Fund</b>	<b>2014 Budget</b>	<b>3rd Quarter Actuals</b>	<b>Percent to date</b>	<b>Year End Estimate</b>
Revenues				
Net Tax Sources	0.0	na	na	na
Non-tax Sources	84.2	20.7	24.6%	48.8
Total	84.2	20.7	24.6%	48.8
Expenditures **	852.2	121.1	14.2%	211.6 *
<b>Stormwater Management Fund</b>	<b>2014 Budget</b>	<b>3rd Quarter Actuals</b>	<b>Percent to date</b>	<b>Year End Estimate</b>
Revenues				
Net Tax Sources	19.6	19.2	98.3%	19.4
Non-tax Sources	0.8	0.5	66.0%	0.8
Total	20.4	19.7	96.6%	20.2
Expenditures	50.9	14.0	27.4%	26.4 *
<b>Reserve Claim Fund</b>	<b>2014 Budget</b>	<b>3rd Quarter Actuals</b>	<b>Percent to date</b>	<b>Year End Estimate</b>
Revenues				
Net Tax Sources	6.4	5.9	92.6%	6.2
Non-tax Sources	0.9	0.4	40.5%	0.9
Total	7.3	6.3	86.3%	7.1
Expenditures	64.0	3.8	6.0%	44.7 *
<b>Bond and Interest Funds</b>	<b>2014 Budget</b>	<b>3rd Quarter Actuals</b>	<b>Percent to date</b>	<b>Year End Estimate</b>
Revenues				
Net Tax Sources	198.0	193.5	97.7%	196.1
Non-tax Sources	12.3	0.8	6.8%	12.3
Total	210.3	194.3	92.4%	208.4
Expenditures	194.9	105.7	54.2%	194.9 *
<b>Working Cash Funds</b>	<b>2014 Budget</b>	<b>3rd Quarter Actuals</b>	<b>Percent to date</b>	<b>Year End Estimate</b>
Revenues				
Net Tax Sources	0.0	0.0	0.0%	0.0
Non-tax Sources	0.1	0.7	1304.6%	0.0
Total	0.1	0.7	700.0%	0.0
Expenditures	0.0	na	na	na

\*\* Includes carryforward of the open value of contracts from the prior year.

\* Projected expenditures are less than appropriations.

All figures are in \$ millions. Revenues for all funds are on a cash basis.



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1279, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

#### COMMITTEE ON ENGINEERING

Mr. David St. Pierre, Executive Director

Authority to accept and execute Permit 14-10-4997-C from the Cook County Department of Transportation and Highways for Contract 14-263-5J, Melvina Ditch Reservoir Retention Improvement

Dear Sir:

In connection with the planned grading work to be performed by the District under the captioned project at the Melvina Ditch reservoir, which is intended to provide immediate relief to the extensive flooding in the City of Burbank from recent storm events, it is necessary to obtain authorization from the Cook County Department of Transportation and Highways (CCDTH) in the form of a permit. The permit authorizes the District to establish traffic control within the right-of-way of 87<sup>th</sup> Street near Natoma Avenue in the City of Burbank, which is under CCDTH's jurisdiction.

We have received Permit 14-10-4997-C from CCDTH for the above work. The permit will be issued after the District's contractor posts the necessary bond with CCDTH.

It is respectfully requested that the Executive Director recommend to the Board of Commissioners that CCDTH Permit 14-10-4997-C be accepted and approved.

It is further respectfully requested that the Executive Director recommend to the Board of Commissioners that the Chairman of the Committee on Finance and the Clerk be authorized and directed to execute said permit on behalf of the District after it is approved by the Director of Engineering as to technical matters and by the General Counsel as to form and legality.

If further clarification is required, please advise the undersigned.

Requested, Catherine A. O'Connor, Director of Engineering, WSS:JPM

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Frank Avila, Chairman Committee on Engineering

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment



Department of Transportation and Highways

**John Yonan, P.E.**

Superintendent

69 West Washington Street, 23<sup>rd</sup> Floor • Chicago, Illinois 60602-3007 • (312) 603-1601

**TONI PRECKWINKLE**

**PRESIDENT**

**Cook County Board  
of Commissioners**

EARLEAN COLLINS

1st District

ROBERT STEELE

2nd District

JERRY BUTLER

3rd District

STANLEY MOORE

4th District

DEBORAH SIMS

5th District

JOAN PATRICIA MURPHY

6th District

JESUS G. GARCIA

7th District

EDWIN REYES

8th District

PETER N. SILVESTRI

9th District

BRIDGET GAINER

10th District

JOHN P. DALEY

11th District

JOHN A. FRITCHEY

12th District

LARRY SUFFREDIN

13th District

GREGG GOSLIN

14th District

TIMOTHY O. SCHNEIDER

15th District

JEFFREY R. TOBOLSKI

16th District

ELIZABETH ANN DOODY GORMAN

17th District

October 22, 2014

M.W.R.D.G.C.

111 East Erie Street

Chicago, IL 60611

Attn: Andre Haynes

RE:

**Permit Number: 14-10-4997-C**

County Highway: 87<sup>th</sup> St.

Section Number: B42-2525

Location: Natoma Ave.

**PERMIT FOR WORK**

Please have the enclosed **"Permit for Work"** properly executed (Kindly Affix Corporate Seal, where necessary) by PRINCIPAL/MUNICIPALITY.

**IF APPLICABLE PERMIT MUST BE SIGNED BY THE MAYOR or VILLAGE PRESIDENT** and returned to this office within 30 days for further processing and issuance of the permit.

No construction permit shall be issued without receipt and approval of Bond & Insurance papers and permit for work fee if applicable.

Return permit applications to:

Cook County Department of Transportation & Highways

69 West Washington - Permits (Room 2354)

Chicago, Illinois 60602

Attention: Mr. Michael D. Sterr, P.E.

If you have any questions, please feel free to contact my office, 312-603-1670.

Very truly yours,

Michael D. Sterr, P.E.

Permit Engineer

For: John Yonan, P.E.

Superintendent of Transportation and Highways

Cook County, Illinois

COUNTY OF COOK  
DEPARTMENT OF TRANSPORTATION AND HIGHWAYS  
PERMIT DIVISION

BOND AND INSURANCE REQUIREMENTS

BEFORE BOND AND INSURANCE REQUIREMENTS ARE ISSUED, THE GENERAL CONTRACTOR MUST SUBMIT A SIGNED LETTER ON COMPANY STATIONARY STATING THE FOLLOWING:

"(Name of Contractor) is the contractor responsible for all work performed in Permit (#00-00-0000)." I understand that if there is an open cut in the pavement the bond shall remain with the Cook County Transportation and Highways Department for one year after the construction work is completed.

Upon receipt of the "CONTRACTOR LETTER," bond forms and insurance requirements will be forwarded by the Permit Office.

GENERAL CONTRACTOR SHOULD SUBMIT INSURANCE SPECIFIED FOR PERMIT.

IN THE EVENT THE INSURANCE EXPIRES OR IS CANCELED PRIOR TO THE COMPLETION OF THE PERMIT, THE PROJECT WILL BE STOPPED UNTIL INSURANCE COVERAGE IS SUFFICIENT.

Insurance coverage shall be with insurance companies licensed to do business in the State of Illinois and are subject to approval by the County Insurance Coordinator.

Contractor and/or Insurance Companies must notify this office when there is a change of address, and/or change of Insurance Company. The Permit number must always be on all correspondence.

CURRENT CERTIFICATE OF INSURANCE MUST REMAIN ON FILE UNTIL RELEASE OF BOND.

BOND FORMS

Must be properly executed with signature of officers of company and have corporate seal. If contractor is sole beneficiary, it should be stated on the bond.

BONDS WILL NOT BE RELEASED UNTIL INSURANCE REQUIREMENTS ARE MET.

If you have any questions, please contact the Permit Office, at 312-603-1670.



For Office Use Only

Issue Date: \_\_\_\_\_

Permit Number: 14-10-4997-C

Expiration Date: \_\_\_\_\_

Bond Number: \_\_\_\_\_

## Cook County Department of Transportation and Highways Permit For Work

1. Permittee(s): METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO2. Project Description: MUNICIPAL

3. Type of Permit:

A. Construction Permit	<input checked="" type="checkbox"/>
B. Individual Maintenance and Repair Permit	<input type="checkbox"/>
C. Annual Maintenance and Repair Permit	<input type="checkbox"/>
D. Tree Trimming Permit	<input type="checkbox"/>

4. Emergency Permit ☐ (check only if emergency as described in the PWO, e.g. hazards in the public way)5. Pavement Breaks ☐ yes ☒ no

6. Permission:

The Cook County Transportation and Highways Department hereby grants permission and authority to:

- ☒ install, construct, and operate the following described facilities; or  
☐ maintain and repair the following described facilities; or  
☐ trim trees in the following geographical area

in Cook County, Illinois; on County Highway known as 87<sup>TH</sup> ST. State Aid Road No. B42 Section 2525 Township \_\_\_\_\_ Cross Road NATOMA AVE., subject to the general conditions and any special conditions attached to this permit, and subject to the Public Way Ordinance, as well as all laws defined therein and in conformance with all submittals made pursuant to the application process, as modified at the request of the Cook County Department of Transportation and Highways, per plans prepared by MWRDGC TITLED "MELVINA DITCH RESERVOIR, BURBANK, IL TRAFFIC CONTROL" dated 10-09-14 and final revision date of 10-09-14, and as finally approved:

Permitted Work	Level #	Fee
Lane closures	3	\$0.00
Total Fee		\$0.00

***This Permit will not be issued until receipt of all applicable fees is confirmed by  
the Cook County Department of Revenue***



## For Office Use Only

Issue Date: \_\_\_\_\_

Permit Number: 14-10-4997-C

Expiration Date: \_\_\_\_\_

Bond Number: \_\_\_\_\_

This permit includes and is subject to the "General Conditions for Permit For Work" attached hereto and incorporated into this Permit.

## Other Rules/Special Conditions as Follows:

1. THE DETOUR ROUTE SHALL BE CONSPICUOUSLY MARKED AND ALL SIGNING SHALL BE IN ACCORDANCE WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES".
2. NOTIFICATION HAS BEEN GIVEN TO ANY AND ALL MUNICIPALITIES INVOLVED IN THIS PERMIT. PERMITTEE MUST NOTIFY LOCAL **FIRE AND POLICE DEPARTMENTS**, AS WELL AS LOCAL **HOSPITALS** OF THIS DETOUR.
3. SIGNS ARE TO BE ERECTED, MAINTAINED AND REMOVED BY THE PERMITTEE.
4. ALL CLEANING OF PAVEMENT AND RIGHT OF WAY SHALL BE THE RESPONSIBILITY OF THE PERMITTEE.
5. NOTIFY MOTORISTS OF ROAD CLOSURE 10 DAYS IN ADVANCE.

*The general contractor, before starting the job, will deposit with the Cook County Transportation and Highways Department, Permit Office, insurance as required on Form **"A"**.*

*Upon awarding a contract for the above mentioned installations, the applicant must direct its contractor to appear in the Cook County Transportation and Highways Department Permit Office, Room 2354 County Building, 69 W. Washington Street, Chicago, to deposit a Performance and Right Of Way Restoration Bond in the amount of **\$20,000.00**, with said Permit Office prior to the start of work within the County Right Of Way.*

*The Permittee assumes all responsibility and acknowledges the County of Cook is free from any liabilities that may occur during or as a result of this installation.*

The work authorized by this Permit shall be completed by the expiration date as shown on page 1 or above; otherwise this Permit becomes null and void.

Applicant Signature (**MWRDGC**) \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_

Title \_\_\_\_\_

Fee received. Application approved and Permit granted this:

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_ For  
Cook County Superintendent of Transportation and Highways

## A COPY OF THIS PERMIT MUST BE KEPT ON THE JOB SITE DURING CONSTRUCTION

This Permit is not effective unless and until the Cook County Superintendent of Transportation and Highways has signed this Permit. If, per the Cook County Transportation and Highways Department, municipal acceptance is required, then this Permit is not effective unless and until the municipality has signed this Permit.

**COUNTY OF COOK**  
**TRANSPORTATION AND HIGHWAYS DEPARTMENT**  
**GENERAL CONDITIONS FOR PERMIT FOR WORK**

1. Capitalized terms used in this Permit and not otherwise defined herein shall have the meanings ascribed to them in the Public Way Regulatory Ordinance (the "Ordinance"), Chapter 66, Article III, and Sections 50 et seq. of the Cook County Code. Requirements set forth in these General Conditions are in addition to and not in limitation of the requirements of the Ordinance.
2. No lane closures or traffic detours relating to Permitted Work will be allowed between the hours of 6 a.m. to 9 a.m. and 3 p.m. to 6:30 p.m., (other than as allowed for emergency maintenance per the Ordinance). All traffic control devices must conform to the latest edition of the State of Illinois "Manual on Uniform Traffic Control Devices for Streets and Highways."
3. Permittee shall furnish all material to do all work required, and pay all costs which may be incurred in connection with such work, and shall prosecute the same diligently and without delay to completion. See Ordinance for additional requirements as to work in the Public Way.
4. Permittee shall perform all Permitted Work in accordance with the current Standard Specifications for Road and Bridge Construction of the Illinois Department of Transportation including the Supplemental Specifications thereto of the County of Cook, and as detailed in the Permit and the Ordinance, and all submittals made pursuant to the application process, as modified at the request of the Cook County Transportation and Highways Department and as finally approved by the Cook County Transportation and Highways Department.
5. Upon completion of the Permitted Work, Permittee shall, at its own cost, and in a timely manner, (but in no event more than 30 days unless another time frame is directed by the Cook County Transportation and Highways Department) restore the Public Way substantially to the same condition in which it was before the Permitted Work was commenced and shall remove all debris, rubbish, materials, apparatus, tools, and equipment, as well as all excess excavated materials, from the Public Way, all to the satisfaction of the Cook County Superintendent of Transportation and Highways.
6. Should future construction and operation of the highways by the County of Cook require alteration or relocation of the Permittee's Facilities, such change shall be made by the Permittee, its successor or assigns upon the written request of the Cook County Superintendent of Transportation and Highways without expense to said County or State. Requirements for any such requested alteration or relocation are further detailed in the Ordinance.
7. Permittee, its successor and assigns assume all risk and liability for accidents and damages that may accrue to persons and property, during the prosecution of the work or any time thereafter, by reason of the location, construction, installation, operation, maintenance, repair and work referred to herein, and Permittee, by acceptance of this Permit, agrees to indemnify and save harmless the County of Cook from any such claims for damages and from all costs and expenses incurred on account thereof and in connection therewith.
8. No changes, alterations, or revisions to the Permitted Work are allowed unless approved in writing by the Cook County Superintendent of Transportation and Highways or his designee. See Ordinance for detailed requirements and fees relating to permit modifications.
9. In accordance with Ordinances of the County, and agreement by the Permittee, the Permittee acknowledges and agrees that this Permit is null and void if the Permittee is delinquent in the payment of any tax or fee administered by the County of Cook.

10. The pavement, parkway, and all drainage systems shall be kept clean and free of debris at all times.
11. Unless particularly specified in the Permit, no equipment other than pneumatic-tired equipment used during the installation shall be permitted to stop or operate on the pavement nor shall any excavated materials be stored temporarily or otherwise on the County Highway pavement.
12. Access to driveways, houses, buildings or other property abutting the site of the Permitted Work shall not be blocked.
13. The Permittee shall conduct its operations in a manner so as to insure the minimum hindrance to traffic.
14. The use of flagmen and the number, type, color, size and placement of all traffic control devices shall conform to the latest edition of the State of Illinois "Manual on Uniform Traffic Control Devices for Streets and Highways."
15. All aerial lines crossings or parallel must have a minimum clearance of 18'3".
16. The grant of this Permit by the County of Cook and the performance by Permittee of work authorized by the Permit do not include authorization by the County under local, state, or federal law, including 55 ILCS 5/5-1095, or under 47 U.S.C. section 541 for the use of these facilities for video programming regardless of the delivery technology. Unless the Permittee holds a state-issued authorization by the Illinois Commerce Commission pursuant to P.A. 095-0009, the County reserves the right to require authorization pursuant to 55 ILCS 5/5-1095 in the form of a franchise as defined by 47 U.S.C. section 522(9) from the Permittee prior to Permittee providing video programming through any facilities authorized by this Permit, which franchise may include the imposition of franchise fees. Permittee shall provide the County with thirty (30) calendar days written notice of its intention to utilize any facilities authorized by this Permit to provide video programming within any unincorporated area of Cook County or within any incorporated area of the County where the Permittee is installing its plant and equipment in County rights-of-way in order to provide its video service. Upon written certification provided to the County by either the Permittee or the Illinois Commerce Commission that a state-issued authorization to provide video service has been granted to the Permittee, the limitations on the use of these facilities that exclude the provision of video service shall be released.
17. This Permit covers only the Permitted Work and does not release the Permittee from fulfilling the requirements of any other Laws relating to the Permitted Work. Fulfillment by Permittee of all requirements set forth in the Permit For Work Application and its instructions, including without limitation, insurance and bonding requirements ("Application Requirements") are a condition of this Permit. Issuance of this Permit, without the fulfillment of all Application Requirements by Permittee shall not act as a waiver of Permittee's obligation to comply with such Application Requirements, unless approval in writing of such change is given by the Cook County Superintendent of Transportation and Highways.
18. At least two (2) days advance notice prior to the start of work shall be given to the Cook County Transportation and Highways Department Permit Office, (312) 603-1670.
19. This Permit can be revoked pursuant to the terms of the Ordinance or at the discretion of the Cook County Superintendent of Transportation and Highways.
20. All trenches and openings made in the Public Way shall be backfilled with sand or limestone screening adequately compacted in accordance with Method 1 specified in Article 550.07 of the State Standard Specifications.

#### **ADDITIONAL GENERAL CONDITIONS THAT PERTAIN TO CONSTRUCTION PERMITS**



21. All pavement openings and curb cuts shall be saw cut full depth.
22. All pavement openings shall be immediately surfaced with a temporary bituminous patch at least three inches in thickness. This patch then must be inspected daily and additional bituminous patch material must be placed, daily if necessary, to maintain the patched area at the same elevation as the adjacent undisturbed pavement for a period of not less than 30 days. After 30 days, permanent replacement in kind shall be made to the base course and pavement surface.
23. All auger pits shall be a minimum of 10 feet from the edge of pavement or back of curb, and wood or steel sheeting shall be used, and auger pits left open overnight shall be protected with concrete barrier walls.
24. All casings shall be pressure grouted both inside and outside of the casing.
25. That a minimum depth of 42 inches will be maintained from the ground surface to the top of the conduit, cable, or pipe and a minimum depth of 36 inches from the true flow line of the drainage ditch to the top of the conduit, cable or pipe.
26. That all excavation work within three (3) feet of the pavement edge will be done manually.
27. If Permittee discovers during the progress of the Permitted Work that subterranean conditions prohibit the construction of said improvement in and along the alignment as outlined in the plans, it is expressly understood that all Permitted Work shall cease until a proposed revised alignment has been approved by the Cook County Transportation and Highways Department and the Permit has been modified.
28. Without further action, the Cook County Transportation and Highways Department reserves the right to make connections to the proposed storm sewer for the purpose of draining the highway.
29. The Permittee shall be responsible for providing positive drainage.
30. In the removal of sidewalks, curb, gutter or pavement, the use of any type of concrete breaker that will damage the underground structures will not be permitted.
31. Permittee shall provide and maintain at its own expense, such temporary roads and approaches, as may be necessary to provide access to driveways, houses, buildings or other property abutting the site of the Permitted Work.
32. For driveway installations, the Permittee shall remove earth to its full depth, starting at the edge of the pavement, for the full dimensions of the proposed driveway, and replace with materials to be used in the construction of the driveway.
33. When existing traffic control signs such as stop signs, stop ahead signs, and crossroad signs are removed in the progress of the Permitted Work, said signs shall be immediately reset as close as possible to their original location. After the construction of the Facility or the completion of the Permitted Work has been approved, said traffic control signs shall be restored to their original position and condition or as directed by the Cook County Transportation and Highways Department Permit Engineer.
34. The Permittee shall conduct its operations in a manner so as to insure the minimum hindrance to traffic, using the pavement and at no time shall its operations obstruct more than one half (1/2) of the available pavement width.
35. This Permit is issued with the express understanding that the Permittee has obtained the proper authority for the said installation from the "Illinois Environmental Protection Agency Division of Public Water Supplies.



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1282, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON ENGINEERING

Mr. David St. Pierre, Executive Director

Authority to enter into an agreement with the City of Chicago to share Geographic Information System data for underground facilities.

Dear Sir:

Authorization is requested to enter into an Intergovernmental Agreement with the City of Chicago (City) to have Geographic Information System (GIS) data.

The City and the District have both compiled Geographic Information System (GIS) data on their underground facilities, including tunnels, sewers, force mains, structures, outfalls, etc. Both entities use this data for operations and maintenance, protection of their facilities, and new construction projects. Since the City system feeds into the District system, there are many commonalities in terms operations and maintenance. Also, expansions, upgrades, and other changes to either system affect the other governmental entity. Therefore, close coordination and sharing of data is essential between the District and the City. Data such as atlases and as-built drawings have been exchanged in the past, but GIS data is more accurate, comprehensive, and accessible.

The Engineering Department has determined that it will be mutually beneficial to the District and the City if GIS data for underground facilities is shared. The proposed agreement will allow mutual access for specific limited purposes to the District and the City without cost. Based on the foregoing, it is requested that the Board of Commissioners grant authority to enter into an agreement with the City of Chicago to share GIS data. It is further requested that the Chairman of the Committee on Finance, the Executive Director and the Clerk be authorized to execute said agreement on behalf of the District, as well as any documents necessary to effectuate the transaction and conveyance, subject to approval by the Director of Engineering as to technical matters and by the General Counsel as to form and legality.

Requested, Catherine A. O'Connor, Director of Engineering, WSS:KMF

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Frank Avila, Chairman Committee on Engineering

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1239, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Mr. David St. Pierre, Executive Director

Authority to extend until November 20, 2014, the terms of the collective bargaining agreements between the Metropolitan Water Reclamation District of Greater Chicago and 1) SEIU Local 1, Firemen and Oilers Division; 2) the Building Trades Coalition; 3) the Teamsters Local Union 700; 4) the International Brotherhood of Electrical Workers, Local Union No. 9 (Electrical Instrumentation and Testing); 5) the International Brotherhood of Electrical Workers, Local Union No. 9 (Electrical Operations); and 6) the International Union of Operating Engineers, Local Union No. 399.

Dear Sir:

On June 30, 2014, the Metropolitan Water Reclamation District's collective bargaining agreements with the following six bargaining units expired: 1) SEIU Local 1, Firemen and Oilers Division; 2) the Building Trades Coalition; 3) the Teamsters Local Union 700; 4) the International Brotherhood of Electrical Workers, Local Union No. 9 (Electrical Instrumentation and Testing); 5) the International Brotherhood of Electrical Workers, Local Union No. 9 (Electrical Operations); and 6) the International Union of Operating Engineers, Local Union No. 399. A total of approximately 760 employees are represented in these six units.

Before, and again after, the agreements expired, the authorized representatives of all six bargaining units signed written extensions whereby they agreed, on behalf of the unions, to extend the terms and conditions of the existing agreements to a date specified in the extensions. Based on the most recent extensions submitted to the District, they seek to extend those terms until November 20, 2014.

Negotiations between the District and these unions have concluded and resulted in tentative agreements with the six bargaining units. Final contract language for these agreements is being prepared and is under review by the District and the unions, and in some cases, subject to ratification by the union membership. It is anticipated that the six successor agreements will be placed on the agenda and submitted to the Board of Commissioners for approval at the November 20, 2014 Board Meeting.

It is further requested that the Executive Director recommend to the Board of Commissioners that it authorize and direct the President of the Board of Commissioners, the Chairman of the Committee on Labor and Industrial Relations, the Chairman of the Committee on Finance, and the Clerk/Director of Finance to execute written extensions extending the terms and conditions of these existing agreements until November 20, 2014, after they are approved by the General Counsel as to form and legality.

Requested, Denice E. Korcal, Director of Human Resources

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Cynthia M. Santos, Chairman Committee on Labor and Industrial Relations

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1241, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

#### COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to enter into a three (3) year temporary easement agreement with Loyola University Medical Center and Loyola University of Chicago for the rehabilitation of the District's Salt Creek 2 Intercepting Sewer and associated manholes located at 2160 South First Avenue in Maywood, Illinois. Consideration shall be a nominal fee of \$10.00

Dear Sir:

The District has entered into Contract 06-155-3S to rehabilitate its Salt Creek 2 Intercepting Sewer and associated manholes along First Avenue in Maywood, Illinois. The rehabilitation work extends from Washington Avenue to Roosevelt Road along First Avenue.

In order to complete its work, the District will require temporary bypass pumping facilities to be located along the frontage of the Loyola Medical Center ("LUMC") and Loyola University of Chicago ("LUC") located at 2160 South First Avenue in Maywood, Illinois. The District therefore requested a three (3) year temporary easement from LUMC and LUC to access each entities' respective property. LUMC and LUC agreed to grant the easement to the District for a nominal fee of \$10.00.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize and approve the District to enter into a three (3) year temporary easement agreement with Loyola University Medical Center and Loyola University of Chicago for the rehabilitation of Salt Creek 2 Intercepting Sewer and associated manholes located at 2160 South First Avenue in Maywood, Illinois. Consideration shall be a nominal fee of \$10.00.

It is further requested that the Executive Director recommend to the Board of Commissioners that the Chairman of the Committee on Finance and the Clerk be authorized and directed to execute said easement agreement after it is approved by the General Counsel as to form and legality.

Requested, Ronald M. Hill, General Counsel, RMH:STM:MLD:vp

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Real Estate Development

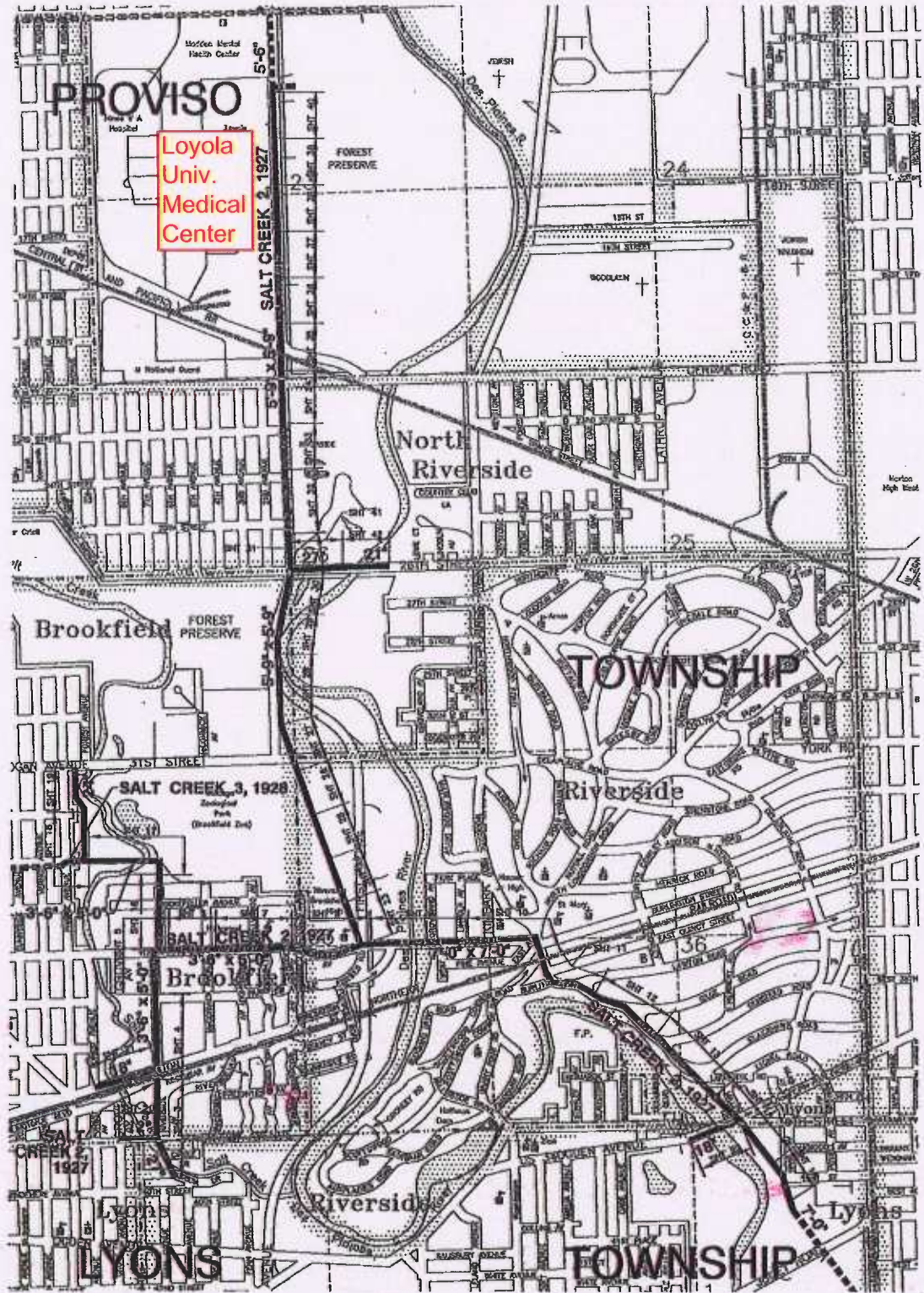
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment



C:\Contracts\06-155-35\Sewer Design\SD-01.dwg 8/29/2008 10:41 AM

PLOT DATE: 8/29/2008 10:42 AM PLOTTED BY: JACOBS, JOANNA PC



**LEGEND:**

- EXISTING SEWER
- SEWER TO BE REHABILITATED

**LOCATION PLAN**



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1247, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to issue a check payable to Material Service Corporation in the amount of \$217,124.49 as reimbursement of the District's pro rata share of the Second Installment of the year 2013 Real Estate Taxes paid by it for the Lower West Lobe of the Thornton Quarry, Thornton Composite Reservoir, Project 77-235-2F (401-50000-645620)

Dear Sir:

On June 18, 1998, the District entered into an agreement ("Agreement") with Material Service Corporation ("MSC") for the rough excavation of the District's Thornton Composite Reservoir in portions of MSC's Thornton Quarry in Thornton, Illinois and the District's ultimate acquisition of those portions of the Quarry. Included in the terms of the Agreement was a provision for the District's immediate and temporary use of the Lower West Lobe of the Thornton Quarry as the site for the District's Thornton Transitional Reservoir for immediate flood control relief for the Thorn Creek watershed prior to the completion of the Thornton Composite Reservoir ("Composite Reservoir"). The Composite Reservoir is scheduled to be completed in 2015.

Under the terms of the Agreement, MSC granted the District a temporary easement to use the Lower West Lobe as the site of the Thornton Transitional Reservoir upon condition that the District would pay the portion of the real estate taxes attributable to the Lower West Lobe for as long as it has the right to use it. By virtue of recording of the temporary easement grant, the District acquired its right of access to the Lower West Lobe on December 29, 1999. By agreement, the District's tax payment liability commenced on January 1, 2000.

MSC paid the subject 2013 Second Installment Taxes and has now transmitted an invoice to the District requesting payment of \$217,124.49 as reimbursement of the District's pro rata share of the Second Installment of the year 2013 Real Estate Taxes paid for the Lower West Lobe parcels. The Engineering Department has reviewed the calculations and concurs with the apportionment. Under the terms of the Agreement, the District must reimburse MSC for this expenditure.

Accordingly, it is requested that the Executive Director recommend to the Board of Commissioners that it authorize and approve the issuance of a check in the amount of \$217,124.49, payable to Material Service Corporation, as reimbursement of the District's pro rata share of the Second Installment of the year 2013 Real Estate Taxes paid by it with respect to the Lower West Lobe of the Thornton Quarry.

It is also requested that the Executive Director recommend to the Board of Commissioners that it authorize and direct the Chairman of the Committee on Finance and the Clerk to execute and deliver said check on behalf of the District to the General Counsel for disposition.

Requested, Ronald M. Hill, General Counsel, RMH:STM:TN:MM:ss

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Real Estate Development

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**File #:** 14-1247, **Version:** 1

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Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014





# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1248, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to issue a 5-year permit extension to Fulton County for continued use of 440 acres of District real estate located on the former Wier Farm to maintain and operate a public fishing, camping and recreational area in Fulton County, Illinois. Consideration shall be a nominal fee of \$10.00

Dear Sir:

Since 1972, Fulton County has been using, under a series of short-term permit agreements, approximately 440 acres of District real estate located on the former Wier Farm in Fulton County, Illinois as a public fishing, camping and recreational area. Fulton County has requested a 5-year extension to its current permit upon its expiration on December 31, 2014. At its October 2, 2014, meeting, the District's Board of Commissioners authorized staff to commence negotiations with the Illinois Department of Natural Resources ("IDNR") for a lease on District real estate in Fulton County for public recreational use, including, but not limited to, the subject 440 acres. IDNR has since advised that it does not wish to lease the 440 acres currently under permit to Fulton County. Accordingly, recommendations are being made requesting that Fulton County's permit be extended.

The District's technical departments have reviewed the request for the 5-year permit extension and have no objections thereto.

Fulton County's use of the premises will be subject to all the District's standard permit requirements, including insurance coverage, and any improvements to the property first shall be reviewed and approved by the District.

As in the past, a nominal fee is recommended because Fulton County is a governmental entity using the land for public recreational purposes.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize and approve the issuance of a 5-year permit extension to Fulton County for continued use of 440 acres of District real estate located on the former Wier Farm to maintain and operate a public fishing, camping and recreational area in Fulton County, Illinois. Consideration shall be a nominal fee of \$10.00.

It is also requested that the Executive Director recommend to the Board of Commissioners that it authorize and direct the Chairman of the Committee on Finance and the Clerk to execute said permit extension agreement on behalf of the District after it is approved by the General Counsel as to form and legality.

Requested, Ronald M. Hill, General Counsel, RMH:STM:MM:ss

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Real Estate Development

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board



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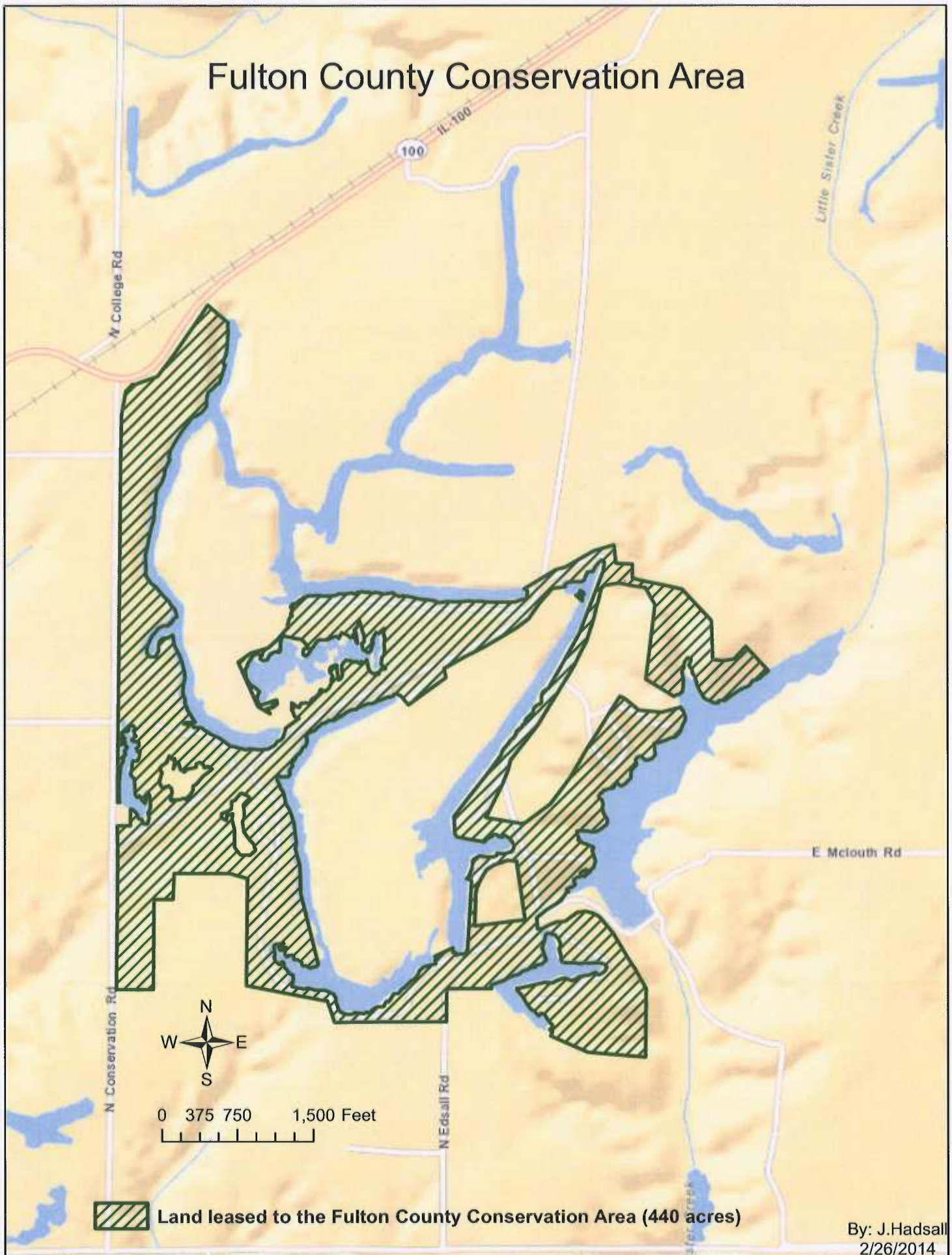
**File #:** 14-1248, **Version:** 1

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of Commissioners for November 6, 2014

Attachment

# Fulton County Conservation Area





# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1249, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to enter into a 5-year lease with the Village of Stickney on 63.7± acres of District real estate located south of 39<sup>th</sup> Street and west of the Stickney Water Reclamation Plant; Main Channel Parcels 38.01, 38.02, 38.04, 38.05, 38.06 and 38.08 for public park and recreational purposes. Consideration shall be a nominal fee of \$10.00

Dear Sir:

The Village of Stickney ("Village") currently leases 63.7± acres of District real estate commonly known as Main Channel Parcels 38.01, 38.02, 38.04, 38.05, 38.06 and 38.08 under a 5-year lease which commenced on November 18, 2010, and expires on November 19, 2015. The land is used exclusively for public park and recreational purposes and is located south of 39<sup>th</sup> Street and west of the Stickney Water Reclamation Plant. The leasehold is improved with a baseball field and a Veteran's War Memorial. The lease was amended in 2013 to allow the Village to commemorate its 100-year anniversary and similar annual events no more than three times per year, including a carnival on parcel 38.01 and an annual fireworks display on parcel 38.04. The rent is a nominal fee of \$10.00. The Village is requesting a new 5-year lease on all parcels upon expiration of the lease.

The current lease was issued for a 5-year period due to the parcels' proximity to the Stickney Water Reclamation Plant and possible future corporate use requirements. The technical departments have no objections to a new 5-year lease. The Village has requested that the new agreement be granted with the same terms and conditions as the previous agreement, as amended, which included a nominal fee and a waiver of the environmental insurance and indemnity bond.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize and approve the District to enter into a 5-year lease with the Village of Stickney on 63.7± acres of District real estate located south of 39<sup>th</sup> Street and west of the Stickney Water Reclamation Plant; Main Channel Parcels 38.01, 38.02, 38.04, 38.05, 38.06 and 38.08 for public park and recreational purposes. Consideration shall be a nominal fee of \$10.00.

It is also requested that the Executive Director recommend to the Board of Commissioners that it authorize and direct the Chairman of the Committee on Finance and the Clerk to execute the lease agreement on behalf of the District after it is approved by the General Counsel as to form and legality.

Requested, Ronald M. Hill, General Counsel, RMH:STM:BEB:ss

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Real Estate Development

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

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**File #:** 14-1249, **Version:** 1

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Attachment





# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1250, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Consent to the Westchester Park District's early surrender of its 39-year lease agreement on 2.46 acres of District real estate located adjacent to the Mayfair Reservoir in the Village of Westchester for public recreational use. Consideration shall be \$10.00

Dear Sir:

The Westchester Park District ("Park District") currently leases the subject 2.46 acres under a 39-year lease that commenced September 20, 2001, and expires September 19, 2040. The lease is for public recreational use and contains playground equipment. The annual rent is \$10.00.

On April 17, 2014, the Board of Commissioners authorized the District to enter into an Intergovernmental Agreement for construction, operation and maintenance of the expansion of the Mayfair Reservoir and additional storm sewer relief in Westchester under Phase II of the Stormwater Management Program to alleviate area flooding. The expansion area will encompass the Park District's leasehold site. The Park District is supportive of the reservoir expansion project and has, therefore, requested to surrender its lease.

It is requested that the Executive Director recommend to the Board of Commissioners that it consent to the Westchester Park District's early surrender of its 39-year lease agreement on 2.46 acres of District real estate located adjacent to the Mayfair Reservoir in the Village of Westchester for public recreational use. Consideration shall be \$10.00.

It is also requested that the Executive Director recommend to the Board of Commissioners that it authorize and direct the Chairman of the Committee on Finance and the Clerk to execute the Consent to the Surrender Agreement, and any other related documents, on behalf of the District after they are approved by the General Counsel as to form and legality.

Requested, Ronald M. Hill, General Counsel, RMH:SM:ss

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Real Estate Development

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment



Wolf Road

Mayfair Ave

Wakefield Street

Mayfair Res.

Westchester Marshfield

Carlisle Street







# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-1256, Version: 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to amend Board Order of March 20, 2014, authorizing the purchase of 4.4 acres of real estate commonly known as 17001 State Street in South Holland, Illinois, adjacent to the Thornton Reservoir, to serve as a buffer and staging area for operating and maintaining a gate shaft at the Thornton Reservoir and authority for payment to Robert Fox, the Trustee of The South Holland Land Management Trust, the owner of said real estate, in an amount not to exceed \$850,000.00, plus closing and title costs, to reflect the correct acreage of 4.764 acres and a purchase price of \$921,000.00. Account 401-50000-656010, Capital Improvement Bond Fund, Agenda Item No. 46, File No. 14-0197

Dear Sir:

At its March 20, 2014, meeting, the District's Board of Commissioners ("Board") authorized the purchase of 4.4 acres of real estate commonly known as 17001 State Street in South Holland, Illinois to serve as a buffer and staging area for operating and maintaining a gate shaft at the Thornton Reservoir in an amount not to exceed \$850,000.00.

After the Board approved the transaction, the seller ordered a survey of the property which showed that the actual acreage of the property was approximately 0.368 acres larger than originally computed. Based on this increased acreage, the seller requested an increase of \$71,000.00 for the purchase price. This amount was calculated by taking the per acre value of \$193,358 times 0.368, or approximately \$71,000.00. All other information in the transmittal letter is correct.

Accordingly, it is requested that the Executive Director recommend to the Board of Commissioners that it amend its Order of March 20, 2014, authorizing the purchase of 4.4 acres of real estate commonly known as 17001 State Street in South Holland, Illinois, adjacent to the Thornton Reservoir, to serve as a buffer and staging area for operating and maintaining a gate shaft at the Thornton Reservoir and authority for payment to Robert Fox, the Trustee of The South Holland Land Management Trust, the owner of said real estate, in an amount not to exceed \$850,000.00, plus closing and title costs, to reflect the correct acreage of 4.764 acres and a purchase price of \$921,000.00.

Requested, Ronald M. Hill, General Counsel, RMH:STM:MLD:TN:vp

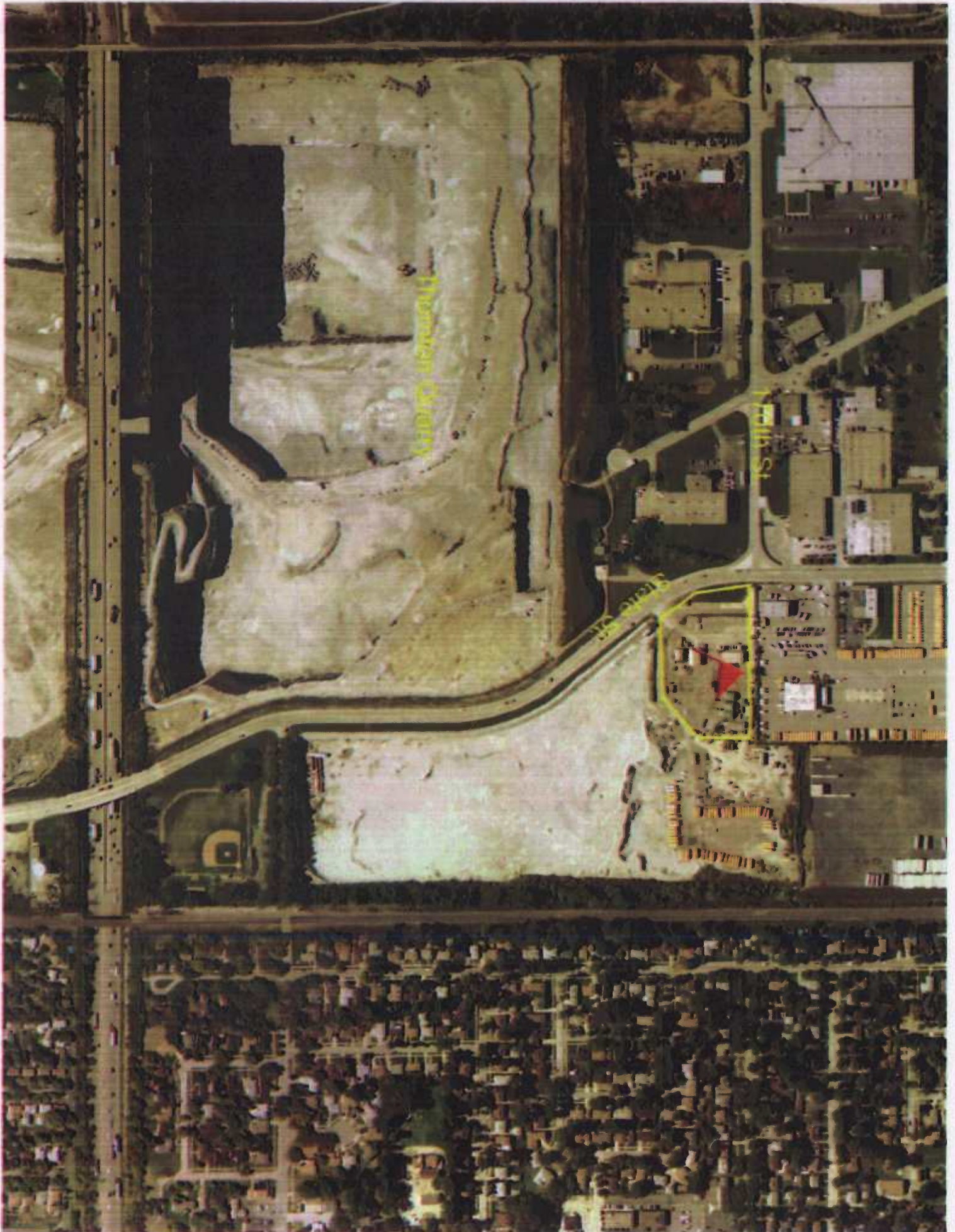
Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Real Estate Development

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment







# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1303, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON REAL ESTATE

David St. Pierre, Executive Director

Authority to issue a six (6) month permit to the Illinois State Toll Highway Authority to access District real estate located along the east side of Elmhurst Road from Willie Road to the east end of the I-90 westbound off-ramp to fully cut drainage ditches, install a storm sewer and remove trees that conflict with the work and to access District real estate at the southeast corner of Elmhurst Road and Oakton Street for the installation of temporary traffic signals. Consideration shall be a nominal fee of \$10.00

Dear Sir:

The Illinois State Toll Highway Authority ("ISTHA") has requested a six (6) month permit to access District real estate located along the east side of Elmhurst Road from Willie Road to the east end of the I-90 westbound off-ramp to fully cut drainage ditches, install a storm sewer and remove trees that conflict with the work and to access District real estate at the southeast corner of Elmhurst Road and Oakton Street for the installation of temporary traffic signals. The referenced work is being done on land, which will be transferred to ISTHA pursuant to the Intergovernmental Agreement previously approved by the District at its September 4, 2014, meeting. All work is part of the construction of the Elgin-O'Hare Western Access Project.

The District's technical departments have reviewed this request and have no objections to issuing the permit to ISTHA. A nominal fee of \$10.00 is recommended as is customary with governmental entities using District property for public purposes.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize and approve the issuance of a six (6) month permit to the Illinois State Toll Highway Authority to access District real estate located along the east side of Elmhurst Road from Willie Road to the east end of the I-90 westbound off-ramp to fully cut drainage ditches, install a storm sewer and remove trees that conflict with the work and to access District real estate at the southeast corner of Elmhurst Road and Oakton Street for the installation of temporary traffic signals. Consideration shall be a nominal fee of \$10.00.

It is further requested that the Executive Director recommend to the Board of Commissioners that the Chairman of the Committee on Finance and the Clerk be authorized and directed to execute said permit on behalf of the District after it is approved by the General Counsel as to form and legality.

Requested, Ronald M. Hill, General Counsel, RMH:SM:MLD:vp

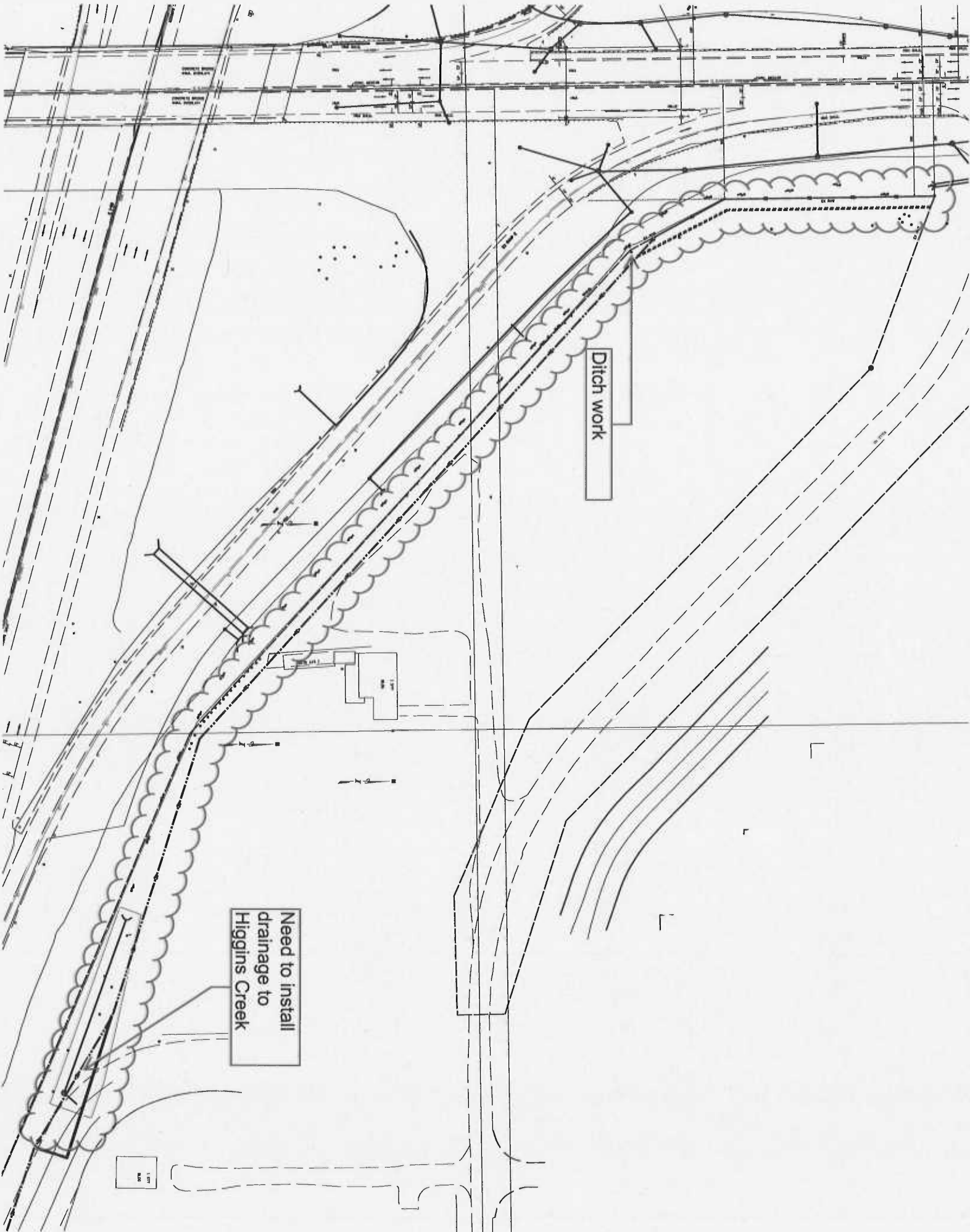
Recommended, David St. Pierre, Executive Director

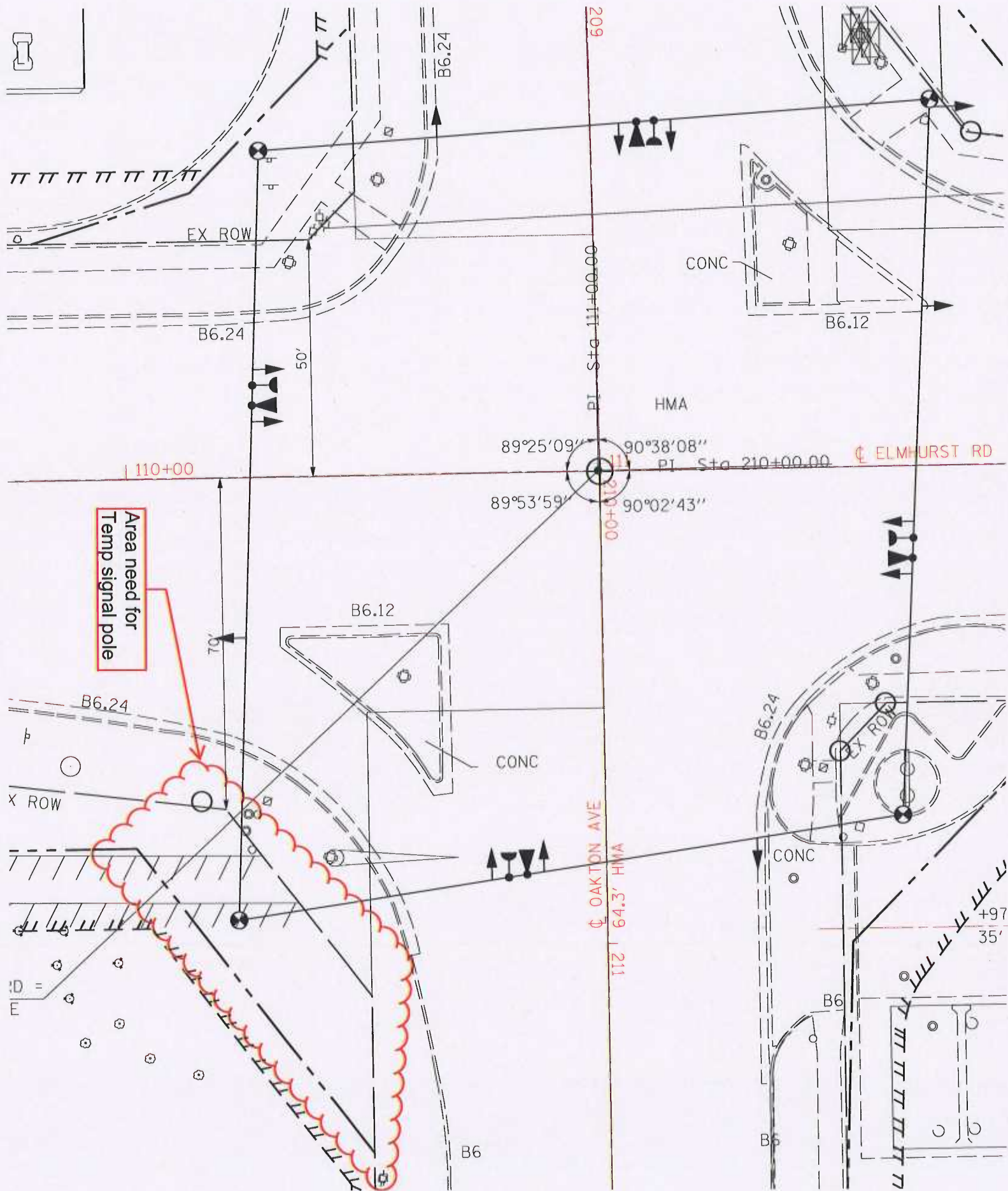
Respectfully submitted, Mariyana T. Spyropoulos, Chairman Committee on Real Estate Development

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment









# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1306, **Version:** 1

### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to issue a 2-year permit to the Village of Crestwood on 41.22+/- acres of District real estate located between Cicero Avenue and Kostner Avenue in Crestwood, Illinois and known as Cal-Sag Channel Parcel 12.05 to remove excess soil, rock and spoil. Consideration shall be \$10.00

Dear Sir:

The Village of Crestwood ("Crestwood") has requested a 2-year permit on 41.22+/- acres of District real estate located between Cicero Avenue and Kostner Avenue in Crestwood, Illinois and known as Cal-Sag Channel Parcel 12.05 ("Property") to remove excess soil, rock and spoil therefrom. The materials were placed on site during the widening of the Cal-Sag Channel. The Property currently contains approximately 706,000 cubic yards of such materials. In 2003, the District issued a permit to Illinois Mining, now known as IM Crushing, LLC ("IM"), to remove all of the rock and spoil from the Property. As extended, IM's permit expired October 31, 2014. During its permit term, IM removed approximately 600,000 cubic yards of spoil and rock.

Crestwood has requested to enter the Property to remove the spoil, rock and dirt therefrom so that it can ultimately be made available for leasing pursuant to the statutory bidding process. Crestwood is proposing to bring the Property to grade level.

A nominal fee of \$10.00 is recommended as Crestwood is a municipal entity utilizing the Property for a public purpose.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize and approve the issuance of a 2-year permit to the Village of Crestwood on 41.22+/- acres of District real estate located between Cicero Avenue and Kostner Avenue in Crestwood, Illinois and known as Cal-Sag Channel Parcel 12.05 to remove excess soil, rock and spoil. Consideration shall be \$10.00.

It is also requested that the Executive Director recommend to the Board of Commissioners that it authorize and direct the Chairman of the Committee on Finance and the Clerk to execute the permit agreement on behalf of the District after it is approved by the General Counsel as to form and legality.

Requested, Ronald M. Hill, General Counsel, RMH:STM:ss

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Real Estate Development

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

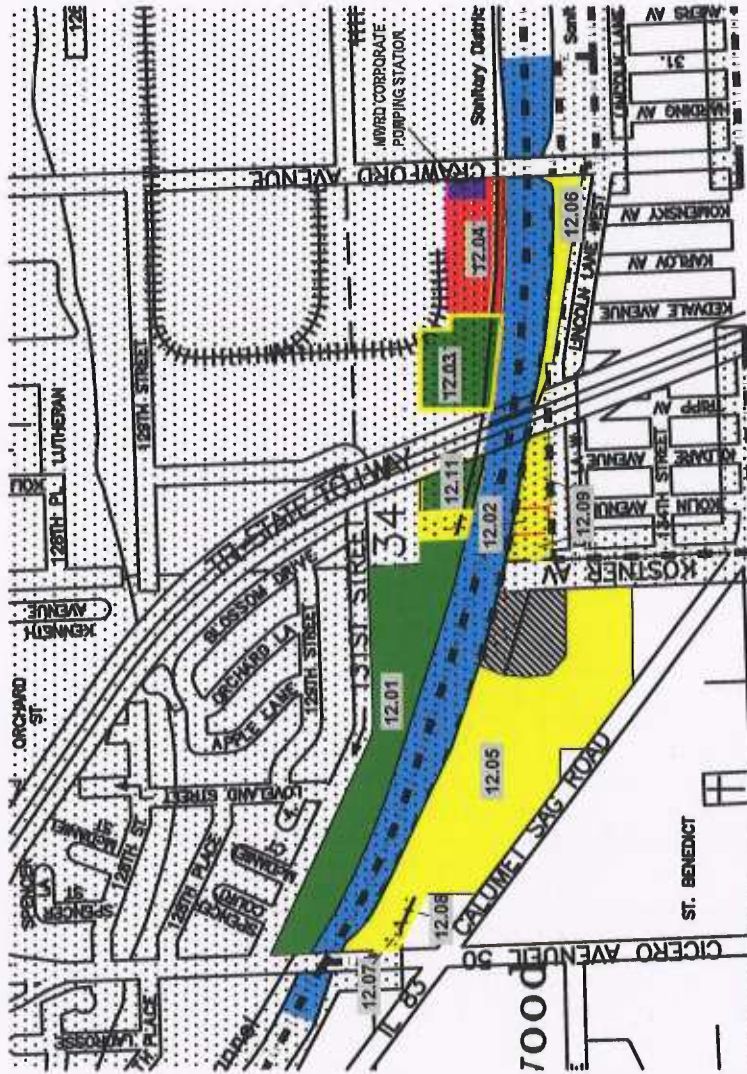
Attachment



# RIGHT OF WAY OF THE CALUMET-SAG CHANNEL

- PARKS/RECREATION
- LEASED
- VACANT
- CORPORATE USE
- WATERWAYS

NOTE: ALL RIGHT OF WAY THAT HAS BEEN CROSSHATCHED  
HAS BEEN TAKEN OR DESIGNATED BY THE  
METROPOLITAN WATER RECLAMATION DISTRICT



Index No.	Permittee or Lessee	Lease/Perm #	Acreage Leased	Terms of Lease	River Edge Renaissance Parcel Number
12.01	Alisp Park District	NL-212	22.65	11-01-93 to 10-31-2052	-
12.02	Vacant		2.38		
12.03	Alisp Park District	NL-212	5.14	11-01-93 to 10-31-2052	-
12.04	Prestone Products	NL-286	6.75	01-19-07 to 01-17-2046	-
12.05	Illinois Mining Corp.	P#323	41.22	11-01-93 to 04-30-2014	8
12.06	Vacant		4.38		5
12.07	Vacant		0.99		6
12.08	Vacant		1.16		8
12.09	Vacant		4.85		-
12.11	Alisp Park District	NL-212	2.50	11-01-93 to 10-31-2052	E#387/3.74 Acres CWE on Parcels 12.02 & 12.11



SCALE OF MILES

12

Revised 3/14



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1242, **Version:** 1

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### TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

#### COMMITTEE ON STATE LEGISLATION AND RULES

Mr. David St. Pierre, Executive Director

Adoption of Amendments to the Rules of the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago

Dear Sir:

In December of 1977, the Board of Commissioners adopted the Rules of the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago ("Rules") to govern all of its regular and special meetings. These Rules have been amended from time to time with the last amendments adopted on February 17, 2011.

The following are proposed amendments to the Rules. These revisions have been underlined. The deleted provisions have been stricken.

#### SECTION 1.2 - Effective Date

These Rules shall be effective from and after ~~the first day of March 3, 2011~~ **December 4, 2014.**

#### SECTION 2.2 - Vacancy of Office

If a vacancy occurs, by reason of death, resignation, noncontinuation of the Officer's tenure as a Commissioner, or removal from the office of Commissioner for any other reason, then the Board shall elect, by a majority of the Board entitled by law to be elected, another of its members to fill such vacancy for the remainder of the two-year term. Such election shall be held not later than the ~~second~~ **third** regular meeting of the Board after the vacancy occurs.

Requested, Ronald M. Hill, General Counsel, RMH:bn

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Cynthia M. Santos, Chairman Committee State Legislation and Rules

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 14-1307, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

#### COMMITTEE ON STORMWATER MANAGEMENT

Mr. David St. Pierre, Executive Director

Authorization to negotiate and enter into an intergovernmental agreement with the Chicago Housing Authority for Rainwater Harvesting System at Dearborn Homes in the City of Chicago

Dear Sir:

Authority is requested to negotiate and enter into an intergovernmental agreement with the Chicago Housing Authority (CHA) to allow for the District to modify an existing underground 290,000 gallon stormwater storage tank located at Dearborn Homes (2930 S. Dearborn Street). The tank currently discharges to the combined sewer system. The project involves use of real-time controls to harvest the detained stormwater for irrigation of nearby landscaping and athletic fields, which will reduce flow to the combined sewer system and help to alleviate localized flooding. The District will seek credit for this project under the Green Infrastructure requirements of the Consent Decree, subject to approval by the United States Environmental Protection Agency. Dearborn Homes is managed by the CHA.

Based on the foregoing, the Engineering Department recommends that the District be authorized to enter into an intergovernmental agreement with CHA for certain responsibilities to be negotiated by the District, and that the Chairman of the Committee on Finance, the Executive Director, and the Clerk be authorized to execute said intergovernmental agreement on behalf of the District, upon approval by the Directors of the Engineering and Maintenance and Operations departments as to technical matters and by the General Counsel as to form and legality.

Requested, Catherine A. O'Connor, Director of Engineering, WSS:JPM

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Michael Alvarez, Chairman Committee on Stormwater Management

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014





# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

File #: 14-0971, Version: 1

### RESOLUTION FOR BOARD MEETING OF NOVEMBER 6, 2014

RESOLUTION sponsored by the Board of Commissioners recognizing the U.S. Minority Contractors Association's 23<sup>rd</sup> Annual Millennium Builders Awards and Banquet

WHEREAS, the U.S. Minority Contractors Association's 23<sup>rd</sup> Annual Millennium Builders Awards and Banquet will be held November 13, 2014 at Belvedere Banquets in Elk Grove; and

WHEREAS, the U.S. Minority Contractors Association (USMCA) is a non-profit professional trade association of minority-owned and operated businesses located in Chicagoland suburban communities; and

WHEREAS, the USMCA provides professional, educational, technical and consulting services in the construction, environmental, building maintenance, architectural engineering design, hospitality training and general service industries; and

WHEREAS, the USMCA seeks to enhance the global position of its members through information technology, accessing capital and marketing each member's niche expertise; and

WHEREAS, the Metropolitan Water Reclamation District of Greater Chicago has been a pioneer in recognizing economic contributions of minority business men and women; and

WHEREAS, this recognition is evidenced by the Metropolitan Water Reclamation District of Greater Chicago's adoption and continuing advocacy of a policy which supports the legitimate aspirations of minority communities and businesses within its jurisdiction; and

WHEREAS, the development of minority business enterprises is in the best interests of the Metropolitan Water Reclamation District of Greater Chicago, the State of Illinois and the United States of America; and

NOW, THEREFORE, BE IT RESOLVED, that we, the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, on behalf of ourselves and staff, do hereby recognize the U.S. Minority Contractors Association's 23<sup>rd</sup> Annual Millennium Builders Awards and Banquet and urge our fellow citizens to take note of, and participate in, the special activities arranged in observance of this event; and

BE IT FURTHER RESOLVED, that this Resolution be spread upon the permanent Record of Proceedings of the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago.

Dated: November 6, 2014

Approved: KATHLEEN THERESE MEANY, President; BARBARA J. MCGOWAN, Vice-President; MARIYANA T. SPYROPOULOS, Chairman, Committee on Finance; MICHAEL A. ALVAREZ; FRANK AVILA; CYNTHIA M. SANTOS; DEBRA SHORE; KARI K. STEELE; PATRICK D. THOMPSON, Commissioners of the Metropolitan Water Reclamation District of Greater Chicago

Approved as to Form and Legality: Ronald M. Hill, General Counsel



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

**File #:** 14-1310, **Version:** 1

### RESOLUTION FOR BOARD MEETING OF NOVEMBER 6, 2014

RESOLUTION sponsored by the Board of Commissioners recognizing Dharani Villivalam's twenty-eight years of service to the Metropolitan Water Reclamation District and congratulating her on her well-earned retirement

WHEREAS, Dharani Villivalam announced her retirement from the District after 28 years of service; and

WHEREAS, Dharani was born on July 30, 1951 to Srinivasa Rao and Sundra Bai Mazumdar, the second of three children; and

WHEREAS, after graduating from St. Joseph's Convent, Dharani earned a degree in mathematics, physics and chemistry from Government Women's College in 1972; and

WHEREAS, Dharani immigrated to the United States on September 11, 1976; and

WHEREAS, in 1981, Dharani completed her Bachelor of Science in Computer Science from Northeastern Illinois University; and

WHEREAS, from 1981 to 1986, Dharani worked as a Senior Programmer Analyst with Cook County in real estate applications; and

WHEREAS, three months after Dharani started at the District, her son Ramachandra Rao Villivalam joined son Arun Kumar and daughter Veena Villivalam to complete the family; and

WHEREAS, Dharani rose through the ranks of the Information Technology Department, becoming a Systems Analyst in August 1996, Assistant Director of Information Technology in August 2006, and Acting Director of Information Technology from January 2012 to February 2013; and

WHEREAS, Dharani worked on many important applications for the Information Technology Department, including Human Resource applications, a number of management systems including LIMS and PIMS, SAP, EGIS, budget, procurement, finance and engineering projects; and

WHEREAS, outside of work, Dharani contributed years of service to a number of non-profit agencies throughout the Chicagoland area, including the Hindu Temple of Greater Chicago, the Balaji Temple of Aurora, the Indo American Democratic Organization, and the Sri Annamacharya Project of North America; and

WHEREAS, as family has always been important to her, retirement will give Dharani more time to spend with her grandchildren, Ruchika Ashwini and Sohan Anush Villivalam; and

WHEREAS, although happy that Dharani will have more time to spend with family and to volunteer with organizations dear to her heart, her District friends will miss her; and

NOW, THEREFORE, BE IT RESOLVED, that we, the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, on behalf of ourselves and staff, do hereby recognize Dharani Villivalam's dedicated service to the Metropolitan Water Reclamation District and express our gratitude and

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**File #:** 14-1310, **Version:** 1

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appreciation for her work on behalf of the taxpayers of the District; and

BE IT FURTHER RESOLVED, that this Resolution be spread upon the permanent Record of Proceedings of the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, and that a copy of same, suitably engrossed, be presented to Dharani Villivalam.

Dated: November 6, 2014

Approved: KATHLEEN THERESE MEANY, President; BARBARA J. MCGOWAN, Vice-President; MARIYANA T. SPYROPOULOS, Chairman, Committee on Finance; MICHAEL A. ALVAREZ; FRANK AVILA; CYNTHIA M. SANTOS; DEBRA SHORE; KARI K. STEELE; PATRICK D. THOMPSON, Commissioners of the Metropolitan Water Reclamation District of Greater Chicago

Approved as to Form and Legality: Ronald M. Hill, General Counsel



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** O14-007, **Version:** 1

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### **ORDINANCE FOR BOARD MEETING OF NOVEMBER 6, 2014**

Adopt Ordinance O14-007 An Ordinance providing for the issuance of not to exceed \$245,000,000 General Obligation Limited Tax Capital Improvement Bonds (2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvement projects to the District's facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds

## **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

### COMMITTEE ON FINANCE

Mr. David St. Pierre, Executive Director

..Title

Ordinance O14-007 An ordinance providing for the issuance of not to exceed \$245,000,000 General Obligation Limited Tax Capital Improvement Bonds(2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvement projects to the District's facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds

..Body

Dear Sir:

Attached is the first of three ordinances being presented to the Board today relating to the District's anticipated issuance of General Obligation Capital Improvement Bonds to evidence the State Revolving Loan Fund( SRF) loans to be issued totaling \$425,000,000. The bonds will be issued as SRF obligations and will not be sold in the public market. On October 2, 2014, the Board of Commissioners of the District conducted and concluded a public hearing regarding the District's intention to sell \$500,000,000 General Obligation Capital Improvement Bonds. The adoption of Ordinance O14-007 will provide for \$245,000,000 of such issuance in connection with non-TARP projects approved by the Illinois Environmental Protection Agency ("IEPA") for funding by reimbursement loans from the State's Revolving Loan Fund.

Upon receipt of the first reimbursement of project construction expenses from the IEPA, the estimated amount to be loaned to the District for that project plus interest accrued during the construction period will be confirmed and a General Obligation Unlimited Tax Capital Improvement Bond for that amount in face value will be issued to the State of Illinois – Illinois Environmental Protection Agency. At that time, the required annual tax levies for payment of semi-annual debt service will be established and filed with the County Clerk of the County of Cook, Illinois.

The passage of the Ordinance is required by the IEPA prior to advancing any funds or initiation of the program relating to these projects. Therefore, it is recommended that "Ordinance O14-007 providing for the issuance of not to exceed \$245,000,000 General Obligation Limited Tax Capital Improvement Bonds(2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvement projects to the District's facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds" be adopted by the Board of Commissioners.

Respectfully Submitted, Mary Ann Boyle, Treasurer, MAB:st

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Finance

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment

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**ORDINANCE NUMBER O14-007****ORDINANCE**

AN ORDINANCE providing for the issuance of not to exceed \$245,000,000 General Obligation Limited Tax Capital Improvement Bonds (2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvements to the District's facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds.

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Adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago on the 6th day of November, 2014.

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**This Table of Contents is for convenience only and is  
not a part of the ordinance.**

## ORDINANCE NUMBER O14-007

AN ORDINANCE providing for the issuance of not to exceed \$245,000,000 General Obligation Limited Tax Capital Improvement Bonds (2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvements to the District's facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds.

### P R E A M B L E S

#### — WHEREAS —

A. The Metropolitan Water Reclamation District of Greater Chicago, County of Cook, State of Illinois (the “*District*”) is a duly organized and operating sanitary district, body politic and corporate, and unit of local government under the constitution and laws of the State of Illinois.

B. The District operates, *inter alia*, under the following Illinois acts and laws, in each case as amended:

1. the Metropolitan Water Reclamation District Act (the “*Act*”);
2. the Local Government Debt Reform Act (the “*Debt Reform Act*”) relating to borrowing; and
3. the Property Tax Extension Limitation Law (the “*Limitation Law*”) relating to certain ad valorem property tax limits.

C. The District is governed by a duly constituted Board of Commissioners (the “*Board*” or the “*Board of Commissioners*”), and the tax extension officer for the District is the County Clerk (the “*County Clerk*”) of The County of Cook, Illinois (the “*County*”).

D. Pursuant to the provisions of Section 9.6a of the Act, the Board is authorized to issue bonds to provide funds required for the replacing, remodeling, completing, altering,



constructing and enlarging of sewage treatment works, administrative buildings, water quality improvement projects, or flood control facilities, and additions therefor, including, but not limited to, the construction of pumping stations, tunnels, conduits, intercepting sewers and outlet sewers, together with the equipment, including air pollution equipment, and appurtenances thereto, to acquire property, real, personal or mixed, necessary for said purposes, and for costs and expenses for the acquisition of the sites and rights-of-way necessary thereto, and for engineering expenses for designing and supervising the construction of such works and other related and incidental expenses (collectively, the “*Capital Improvement Purposes*”), which said Section 9.6a, as amended, authorizes the issuance of bonds for such purposes on or before December 31, 2024, without a referendum, in an aggregate amount at any one time outstanding not to exceed 3.35% of the equalized assessed valuation of all taxable property within the District; *provided*, that the amount of such bonds issued during any one budget year shall not exceed \$150,000,000, plus the amount of any bonds authorized by said section to be issued during the three budget years next preceding the year of issuance but which were not issued; *but, provided, further*, that such limitation is not applicable (i) to the issuance of obligations to refund bonds, notes or other evidences of indebtedness, (ii) to obligations (the “*RLF Obligations*”) issued to provide for the repayment of money received from the Water Pollution Control Revolving Fund of the State of Illinois (the “*RLF*”) for the construction or repair of wastewater treatment works, and (iii) to obligations issued as part of the American Recovery and Reinvestment Act of 2009, issued prior to January 1, 2011, that are commonly known as “Build America Bonds” as authorized by Section 54AA of the Internal Revenue Code, as amended.

E. The Board has considered the conditions of the plant, equipment and flood control facilities of the District and the work and acquisitions which are Capital Improvement Purposes

which are necessary or advisable in order to serve the needs of the residents and the mission of the District.

F. The State of Illinois, acting through the Illinois Environmental Protection Agency (the “*IEPA*”), may make a loan or loans to the District from the RLF for certain qualifying Capital Improvement Purposes, the designations for which are or shall be on file from time to time in the office of the District Clerk with total estimated projects costs of not to exceed \$245,000,000 (the “*Series 2014 IEPA Projects*”).

G. By ordinances duly adopted pursuant to said Section 9.6a, the Board has heretofore provided for the issuance of bonds from 1969 to date.

H. It is deemed advisable and necessary that additional bonds in the principal amount of not to exceed \$245,000,000 be authorized to be issued from time to time pursuant to the provisions of said Section 9.6a to provide funds for the Series 2014 IEPA Projects, and it is hereby determined that the aggregate amount of bonds now outstanding and unpaid, together with the bonds herein proposed to be authorized, will not exceed the applicable limitations imposed by law.

I. The bonds herein to be authorized are non-referendum general obligation bonds, the taxes for which are subject to the limitations set forth in the Limitation Law; and, accordingly, the bonds shall be issued as “limited bonds” under the provisions of Section 15.01 of the Debt Reform Act.

J. The bonds herein authorized are general obligation bonds; and the Board has previously called, noticed, and held a hearing with respect to the sale of the Bonds pursuant to the provisions of the Bond Issue Notification Act, as amended, and such hearing was duly adjourned not less than seven days ago.

K. Certain additional powers in the issuance of bonds are granted to units of local government, including the District, pursuant to the provisions of the Debt Reform Act, and it is the intention of the District to issue the bonds hereinafter authorized in part pursuant to the provisions of the Debt Reform Act in order to avail of the additional powers so granted.

NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, Cook County, Illinois, as follows:

*Section 1. Definitions.* A. Words and terms used in this Ordinance shall have the meanings assigned them unless the context or use clearly indicates another or different meaning is intended. Words and terms defined in the singular may be used in the plural and vice-versa. Reference to any gender shall be deemed to include the other and also inanimate persons such as corporations, where applicable.

“*Act*” is defined in the preambles.

“*Advance for Value*” means a receipt of funds from the IEPA under a Loan Agreement and relative to a Bond which is a loan advance on and partial purchase price consideration for such Bond, to be evidenced as provided in the Bond form.

“*Available Base*” means the amount of Extension of taxes available to the District in any given calendar year under the Debt Service Extension Base, after subtracting Extensions for all previously issued bonds the Extension for which will be chargeable against the Debt Service Extension Base in such year.

“*Board*” and “*Board of Commissioners*” are defined in the preambles.

“*Bond*” or “*Bonds*” means one or more, as applicable, of the not to exceed \$245,000,000 General Obligation Limited Tax Capital Improvement Bonds, Series 2014 IEPA Projects, authorized to be issued by this Ordinance.

*“Bond Account”* means the Bond and Interest Account established for the Bonds pursuant to (Section 11 of) this Ordinance.

*“Bond Register”* means the books of the District kept by the Bond Registrar to evidence the registration and transfer of the Bonds.

*“Bond Registrar”* means the Treasurer of the District or, if appointed by the Treasurer to act as his or her agent, a successor bank with trust powers or a trust company, duly authorized to do business as a bond registrar and paying agent, as herein required.

*“Business Day”* means any day other than a day on which banks in New York, New York, Chicago, Illinois, or the city in which the Bond Registrar maintains its principal corporate trust office are required or authorized to close.

*“Capital Improvement Purposes”* is defined in the preambles.

*“Clerk”* means the Clerk of the District.

*“Code”* means the Internal Revenue Code of 1986, as amended.

*“County”* is defined in the preambles.

*“County Clerk”* is defined in the preambles.

*“Current Collection”* means the taxes in fact received by the District from the County Treasurer from a given Extension up to the date payment is due upon bonds, which payment is to be made from such Extension, plus that amount, if any, received in the year preceding such payment date as the collection of delinquent taxes from prior years allocable to the levy for all Limited Bonds of the District and General Funds.

*“Debt Reform Act”* is defined in the preambles.

*“Debt Service Extension Base”* means the debt service extension base of the District as provided by the Limitation Law, currently, \$156,942,465, and as subject to change from time to time.

*“Designated Officers”* means the officers of the District as follows:

President of the Board (elective), Treasurer of the District (appointive), Chairman of the Committee on Finance (elective), Executive Director (appointive) and Clerk (appointive); *provided* that any act required of more than one of such officers shall be done by not less than one elected officer and one appointive officer.

*“District”* is defined in the preambles.

*“Extension”* means the amount of taxes in fact extended for collection by the County Clerk based upon a levy, which extension is calculable by the sum of taxable property multiplied by the rate (in percent, mills or decimal, as appropriate) of taxation applied for such levy.

*“Face Amount”* means the authorized maximum amount of any Bond, as stated on its face.

*“IEPA”* is defined in the preambles.

*“Future Limited Bonds”* means Limited Bonds to be issued by the District in the future.

*“General Funds”* means any and all funds of the District, other than the Bond Fund, from which payments may lawfully be made to pay principal of or interest on the Bonds.

*“Limitation Law”* is defined in the preambles.

*“Limited Bonds”* means limited bonds issued under Section 15.01 of the Debt Reform Act.

*“Loan Agreement”* or *“Loan Agreements”* means the one or more agreements between the District and the IEPA, substantially in the form the District has in the past executed with the IEPA, which previous agreements are on file in the office of the Clerk, providing for the advance of funds from the IEPA to the District to pay the costs of the Project.

*“Loss in Current Collection”* means the difference between an Extension and the Current Collection from such Extension.

*“Nonreferendum Base Bonds”* means bonds of any kind, other than Limited Bonds, the levy (and resulting Extension) for which is chargeable against (*i.e.*, deductible from) the Debt Service Extension Base in a given year.

*“Ordinance”* means this Ordinance, numbered as set forth on the title page and adopted by the Board on the 6th day of November, 2014.

*“Prior Limited Bonds”* means Limited Bonds previously issued for which taxes have been levied which are allocable to the Debt Service Extension Base, the details of which are on file in the Offices of the Clerk and the Treasurer.

*“Repayment Schedule”* means a repayment schedule for a Bond promulgated by the IEPA pursuant to a Loan Agreement and within the delegated parameters as set by this Ordinance.

*“RLF”* is defined in the preambles.

*“RLF Obligations”* is defined in the preambles.

*“Series 2014 IEPA Projects”* is defined in the preambles.

*“Taxes”* means the direct annual taxes so defined in (Section 10 of) this Ordinance.

*“Treasurer”* means the Treasurer of the District.

B. Definitions also appear in the preambles hereto or in specific sections, as appear below. The headings in and the table of contents preceding this Ordinance are for the convenience of the reader and are not a part of this Ordinance.

*Section 2. Incorporation of Preambles.*

The Board hereby finds that the recitals contained in the preambles to this Ordinance are true, correct and complete; and the Board does incorporate same into this Ordinance by this reference.

*Section 3. Authorization of Bonds.*

The District has heretofore issued various series of bonds as authorized under Section 9.6a of the Act pursuant to the authority of various ordinances. None of the bonds issued hereunder shall be issued prior to loan approval by the IEPA, which approval shall occur in or after 1996, and accordingly, all of the bonds issued hereunder shall be RLF Obligations. It is in the judgment of the Board necessary and appropriate to authorize by this Ordinance not to exceed \$245,000,000 additional bonds pursuant to the authority of the aforesaid Section 9.6a for the Series 2014 IEPA Projects. Bonds of the District are hereby authorized to be issued in the aggregate principal amount of not to exceed \$245,000,000 to provide for all or part of the funds required for the Series 2014 IEPA Projects pursuant to the Act and the Reform Act.

*Section 4. Terms of the Bonds.*

Each Bond shall be designated "General Obligation Limited Tax Capital Improvement Bond, Series 2014 IEPA Projects". Each Bond shall be dated as of the first Advance for Value on such Bond. The amount of each Bond issued, being the sum of the amounts as shown as Advances for Value, not in excess of its Face Amount, less in each case principal payments made from time to time thereon, shall be the "*Outstanding Principal Amount*" of such Bond. The Outstanding Principal Amount of the Bonds from time to time outstanding shall bear interest at the rate of not to exceed 5.0% per annum. The Outstanding Principal Amount of the Bonds shall become due and payable not later than thirty (30) years from date and sooner if pursuant to a schedule of repayment (a "*Repayment Schedule*") determined in accordance with the Loan

Agreements for such Bonds; *provided, however*, that a Repayment Schedule, in order to be enforceable, shall comply with each of the following terms:

- (1) The Repayment Schedule shall be set forth in or as part of each Bond; at such time as the IEPA may promulgate same;
- (2) Payments shall be scheduled only for July 1 and January 1;
- (3) The Repayment Schedule shall provide for substantially level semiannual installments of principal and interest (collectively) within a range of \$50; and
- (4) The final payment on any Bond shall not be later than 30 years after its date of issuance (*"Final Maturity"*).

Each Bond shall bear interest on the Outstanding Principal Amount from time to time at the rate provided, in each case from the time advanced until paid or duly provided for, such interest computed on the basis of a 365-day year and being payable at maturity and on the dates provided in the Repayment Schedule for such Bond. The interest on and all installments of principal of each Bond shall be payable in lawful money of the United States of America upon presentation at the office of the Bond Registrar; *provided, however*, that so long as any agency of the State of Illinois or of the U.S. Government or a financial institution is the registered owner as shown by the Bond Register, then such payments shall be made by check or draft of the Bond Registrar to the registered owner, which check or draft shall be payable in lawful money of the United States of America, and mailed not less than four (4) Business Days prior to the date when due to the address of the Registered Owner as set forth in the Bond Register, or at such other address as is furnished in writing to the Bond Registrar; and, *provided further*, that the final installment of principal and interest, when due, shall only be payable upon presentation of the Bond.

Each Bond and the installments thereon are subject to redemption and prepayment prior to maturity, at the option of the District, in whole or in part, from any available funds, on any



date, at the redemption price of par plus accrued interest to the date fixed for redemption. Any partial prepayment shall be applied in the inverse chronological order of installments of principal. Unless waived by the Bond Registrar, the District shall notify the Bond Registrar of the redemption and prepayment of any Bond not less than 45 days prior to the date of redemption. Unless waived by the registered owner of the Bond to be redeemed, official notice of any such redemption and prepayment shall be given by the Bond Registrar on behalf of the District by mailing the redemption notice by registered or certified mail not less than 30 days and not more than 60 days prior to the date fixed for redemption to the registered owner of the Bond at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar. All official notices of redemption shall include at least the information as follows:

- (1) the amount of the Bond to be redeemed;
- (2) the redemption date;
- (3) the redemption price;
- (4) a statement that on the redemption date the redemption price will become due and payable upon such Bond or portion thereof so called for redemption and that interest thereon shall cease to accrue from and after said date; and
- (5) the place where such Bond is to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Bond Registrar.

Prior to any redemption date, the District shall deposit with the Bond Registrar an amount of money sufficient to pay the redemption price. Notice of redemption having been given as aforesaid, the Bond or portion thereof so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless

the District shall default in the payment of the redemption price) such Bond or portion thereof shall cease to bear interest. Upon surrender of the Bond for redemption and prepayment in accordance with said notice, such Bond or relevant portion shall be paid by the Bond Registrar at the redemption price. For a partial redemption of a Bond, a new Bond in the amount of unpaid principal shall be executed and delivered to the holder of the partially redeemed Bond.

*Section 5. Amendment of Bonds.*

The rights and obligations of the District and of the owners of the Bonds may from time to time be modified or amended by a supplemental ordinance adopted by the Board with the written consent of the registered owners of all Bonds then outstanding. Ownership of Bonds for purposes of consent by the registered owners thereof shall be conclusively proved by the Bond Register. In obtaining or receiving the consents of registered owners, the District may establish reasonable rules of procedure including, without limitation, rules relating to (i) a record date to fix the registered owners who are entitled to vote, (ii) solicitation of proxies and (iii) a meeting of the registered owners for the taking of actions. The registered owners of Bonds may vote their Bond interest in fractional shares. In the event that Bonds are registered in the name or names of nominees or depositories, consent of such owners by proxy in accordance with the applicable customs of the securities industry or rules of the Securities and Exchange Commission, Municipal Securities Rulemaking Board or other association or agency having jurisdiction shall be sufficient.

*Section 6. Execution; Authentication of Bonds.*

The Bonds (or any of the Bonds) shall be executed on behalf of the District with the manual or duly authorized facsimile signature of the Treasurer and attested with the manual or duly authorized facsimile signature of the District Clerk, as they may determine, and shall have impressed or imprinted thereon the corporate seal or facsimile thereof of the District. In case any

officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. All Bonds shall have thereon a certificate of authentication substantially in the form hereinafter set forth duly executed by the Bond Registrar as authenticating agent of the District and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Ordinance unless and until such certificate of authentication shall have been duly executed by the Bond Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Ordinance.

*Section 7. Registration and Transfer of Bonds; Owners.*

The District shall cause books (the Bond Register) for the registration and for the transfer of the Bonds as provided in this Ordinance to be kept at the principal office of the Bond Registrar, who or which is hereby constituted and appointed the registrar of the District for the Bonds. Each Bond may be transferred as a whole but not in part, but only in the manner, subject to the limitations, and upon payment of the charges as set forth in this Ordinance. Upon surrender of the Bond at the principal office of the Bond Registrar, accompanied by a written instrument or instruments of transfer in form satisfactory to the Bond Registrar and duly executed by the registered owner or an attorney for such owner duly authorized in writing, the Bond Registrar shall register the Bond in the name of the new registered owner on the registration grid provided therein, and shall also enter the name and address of the new registered owner in the Bond Register. The Bond Registrar shall not be required to transfer any Bond during the period from the close of business on the 15th day of the calendar month preceding an interest payment date on such Bond to the opening of business on such interest payment date or

during the period of 15 days preceding the giving of notice of redemption of the Bond or to transfer the Bond if it has been called for redemption.

The execution by the District of any fully registered Bond shall constitute full and due authorization of such Bond, and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such Bond. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on the Bond shall be made only to or upon the order of the registered owner thereof or the owner's legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

No service charge shall be made for any transfer of a Bond, but the District or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer of the Bond.

*Section 8. Form of Bonds.*

The Bonds, the Certificate of Authentication to be endorsed thereon, the form of Assignment, the Advances for Value table, the Registered Owner Notation, and the Repayment Schedule are all to be in substantially the following form(s) (with necessary and appropriate variations, omissions and insertions as permitted or required by this Ordinance):

**THIS BOND IS TRANSFERABLE ONLY AS A WHOLE****REGISTERED  
NO. ONE****MAXIMUM  
REGISTERED  
AMOUNT**  
\$\_\_\_\_\_**UNITED STATES OF AMERICA****STATE OF ILLINOIS****THE COUNTY OF COOK****METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO****GENERAL OBLIGATION LIMITED TAX  
CAPITAL IMPROVEMENT BOND DESIGNATED BOND \_\_\_\_****SERIES 2014 IEPA PROJECTS****CONTRACT NO. \_\_\_\_\_****SRF LOAN AGREEMENT NO. L17-\_\_\_\_\_**

KNOW ALL PERSONS BY THESE PRESENTS that the METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO (the "*District*"), a sanitary district, body corporate and politic, and unit of local government duly organized under the laws of the State of Illinois, located in The County of Cook, hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner, or registered assigns as hereinafter provided, on the dates hereinafter set forth, the Outstanding Principal Amount of this Bond. The "Outstanding Principal Amount" is that amount, not to exceed the Face Amount of this Bond as set forth above, shown as advanced in even multiples of \$100 from time to time and received by the District for value, as is noted on this Bond in the form of Advances for Value hereon, less payments of principal hereon. And the District further promises to pay interest on the Outstanding Principal Amount at the rate of \_\_\_\_\_% per annum. The Outstanding Principal Amount of this Bond shall become due and payable thirty (30) years from date, and sooner, pursuant to the schedule of repayment (the

*“Repayment Schedule”*), when promulgated, as attached hereto by the Treasurer of the District. This Bond shall bear interest on the Outstanding Principal Amount from time to time at the rate aforesaid, in each case from the time advanced until paid or duly provided for, such interest computed on the basis of a 365-day year and being payable at maturity or on the dates provided in the Repayment Schedule. The interest on and all installments of principal of this Bond shall be payable in lawful money of the United States of America upon presentation at the office of the District Treasurer, located at 100 East Erie Street, Chicago, Illinois, as bond registrar and paying agent; *provided, however*, that so long as any agency of the State of Illinois or of the U.S. Government or a financial institution is the Registered Owner as shown by the Bond Register, then such payments shall be made by check or draft of the Bond Registrar to the Registered Owner, which check or draft shall be payable in lawful money of the United States of America, and mailed not less than four (4) Business Days prior to the date when due to the address of the Registered Owner as set forth in the Bond Register, or at such other address as is furnished in writing to the Bond Registrar; but, *provided, further*, that the final installment of principal and interest, when due, shall only be payable upon presentation of this Bond.

This Bond is subject to redemption and prepayment prior to maturity, at the option of the District, in whole or in part, from any available funds, on any date, at the redemption price of par plus accrued interest to the date fixed for redemption. Unless waived by the Registered Owner hereof, notice of any such redemption and prepayment shall be given by the Bond Registrar on behalf of the District by mailing the redemption notice by registered or certified mail not less than 30 days and not more than 60 days prior to the date fixed for redemption to the Registered Owner at the address shown on the Bond Register or at such other address as is furnished in writing by the Registered Owner to the Bond Registrar. Notice of redemption having been given as aforesaid, this Bond or portion thereof shall, on the redemption date, become due and payable

at the redemption price therein specified, and from and after such date (unless the District shall default in the payment of the redemption price) this Bond or portion thereof shall cease to bear interest. Upon surrender of this Bond for redemption and prepayment in accordance with said notice, this Bond shall be paid by the Bond Registrar at the redemption price. Any partial prepayment of this Bond shall be applied to principal in the inverse chronological order of installments; and upon any such partial prepayment, a new Bond in the amount of unpaid principal shall be executed and delivered to the holder of this Bond.

This Bond may be transferred as a whole but not in part, but only in the manner, subject to the limitations, and upon payment of the charges as set forth in the hereinafter defined Ordinance. Upon surrender hereof at the office of the Bond Registrar, accompanied by a written instrument or instruments of transfer in form satisfactory to the Bond Registrar and duly executed by the Registered Owner or an attorney for such owner duly authorized in writing, the Bond Registrar shall register this Bond in the name of the new Registered Owner on the registration grid provided herein, and shall also enter the name and address of the new registered owner in the Bond Register. The Bond Registrar shall not be required to transfer this Bond during the period from the close of business on the 15th day of the calendar month preceding an interest payment date on this Bond to the opening of business on such interest payment date or during the period of 15 days preceding the giving of notice of redemption of this Bond or to transfer any Bond which has been called for redemption. The person in whose name this Bond is registered shall be deemed and regarded as the absolute owner hereof for all purposes, and payment of the principal of or interest hereon shall be made only to or upon the order of the Registered Owner hereof or the owner's legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon this Bond to the extent of the sum or sums so paid.

This Bond is one of a series of Bonds authorized to provide all or part of the funds required for the Series 2014 IEPA Projects as set forth in the title. The Bonds are being issued pursuant to the provisions of Section 9.6a of the Metropolitan Water Reclamation District Act, and all laws amendatory thereof and supplementary thereto; pursuant to the Local Government Debt Reform Act of the State of Illinois pursuant to an ordinance (the “*Ordinance*”), numbered O14-007, and entitled:

AN ORDINANCE providing for the issuance of not to exceed \$245,000,000 General Obligation Limited Tax Capital Improvement Bonds (2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvements to the District’s facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds.

as adopted by the Board of Commissioners of the District on the 6th day of November, 2014; and pursuant to one or more Loan Agreements by and between the District and the IEPA, which loans are evidenced by this Bond. Reference is hereby made to the Ordinance and Loan Agreements for a further statement of the terms and conditions of this Bond and of the rights and privileges of the Registered Owner hereof.

The rights and obligations of the District and of the Registered Owner hereof may from time to time be modified or amended by a supplemental ordinance adopted by the Board of Commissioners of the District with the written consent of the Registered Owner of this Bond and all of the Bonds of the series of which this Bond is a part.

The full faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal of and interest on this Bond, and this Bond shall be a direct and general obligation of the District. ALTHOUGH THIS BOND CONSTITUTES A GENERAL OBLIGATION OF THE



DISTRICT, AND NO LIMIT EXISTS ON THE *RATE* OF THE DIRECT ANNUAL TAX LEVIED FOR ITS PAYMENT, THE *AMOUNT* OF THE TAX IS LIMITED BY THE PROVISIONS OF THE PROPERTY TAX EXTENSION LIMITATION LAW OF THE STATE OF ILLINOIS, AS AMENDED (THE "*LIMITATION LAW*"). The Limitation Law provides that the annual amount of the taxes to be extended to pay this Bond and all other Limited Bonds (as defined in the Local Government Debt Reform Act of the State of Illinois, as amended) both previously issued or to be issued by the District in the future shall not exceed the debt service extension base (as defined in the Limitation Law) of the District (the "*Debt Service Extension Base*"), less the amount extended to pay certain Nonreferendum Base Bonds, as more fully defined in the Ordinance. The District is authorized to issue from time to time additional Limited Bonds payable from the Debt Service Extension Base.

It is hereby certified and recited that all conditions, acts, and things required by law to exist or to be done precedent to and in the issuance of this Bond did exist, have happened, been done and performed in regular and due form and time as required by law; that the indebtedness of the District, including the issue of Bonds of which this is one, does not exceed any limitation imposed by law; and that provision has been made for the levy of a direct annual tax to pay the interest hereon as it falls due and also to pay and discharge the principal hereof at maturity.

THE INTEREST ON THIS BOND IS NOT TAX-EXEMPT UNDER THE PROVISIONS OF SECTION 103 OF THE INTERNAL REVENUE CODE OF 1986, AND THE REGISTERED OWNER HEREOF BY ACCEPTANCE OF THIS BOND ACKNOWLEDGES SUCH STATUS AND AGREES WITH THE DISTRICT NOT TO ASSERT ANY CLAIM TO THE CONTRARY.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Bond Registrar. The tables and forms following the signatures on this Bond and entitled Advances for Value, Repayment Schedule and

Registered Owner Notation are an integral part of this Bond as if in each case fully set forth at this place and are incorporated herein by this reference.

IN WITNESS WHEREOF the Metropolitan Water Reclamation District of Greater Chicago, by its Board of Commissioners, has caused this Bond to be executed by the manual or duly authorized facsimile signature of the Treasurer and attested by the manual or duly authorized facsimile signature of its Clerk, and its corporate seal or a facsimile thereof to be impressed or reproduced hereon, all as appearing hereon and as of the Dated Date hereof, to wit, the \_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Treasurer, Metropolitan Water  
Reclamation District of Greater Chicago

ATTEST:

\_\_\_\_\_  
Clerk of the Metropolitan Water  
Reclamation District of Greater Chicago

[SEAL]

Date of Authentication: \_\_\_\_\_, 20\_\_.

#### **CERTIFICATE OF AUTHENTICATION**

This Bond is one of the Bonds described in the within-mentioned Ordinance and is one of the General Obligation Limited Tax Capital Improvement Bonds, Series 2014 IEPA Projects, Designated Bond \_\_\_\_, SRF Loan Agreement No. L17-\_\_\_\_\_ of the Metropolitan Water Reclamation District of Greater Chicago, County of Cook, State of Illinois.

Bond Registrar and Paying Agent:

\_\_\_\_\_  
Treasurer, Metropolitan Water  
Reclamation District of Greater Chicago

**ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

Here insert Social Security Number, Employer Identification Number or other Identifying Number

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(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint

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as attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature guaranteed: \_\_\_\_\_

NOTICE: The signature to this transfer and assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

**REGISTERED  
NO. ONE**

**MAXIMUM  
REGISTERED  
AMOUNT**  
\$ \_\_\_\_\_

**DESIGNATED BOND \_\_\_\_**

**SERIES 2014 IEPA PROJECTS**

**CONTRACT NO. \_\_\_\_\_**

**SRF LOAN AGREEMENT NO. L17-\_\_\_\_\_**

**ADVANCES FOR VALUE**

This Bond is valid to the amount set forth below, the aggregate of said amounts being its Outstanding Principal Amount.

AMOUNT ADVANCED (\$)	DATE ADVANCED	SIGNATURE OF DISTRICT TREASURER
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**REGISTERED  
NO. ONE**

**MAXIMUM  
REGISTERED**  
\$ \_\_\_\_\_

**GENERAL OBLIGATION LIMITED TAX  
CAPITAL IMPROVEMENT BOND**

**DESIGNATED BOND \_\_\_\_**

**SERIES 2014 IEPA PROJECTS**

**CONTRACT NO. \_\_\_\_\_**

**SRF LOAN AGREEMENT NO. L17- \_\_\_\_\_**

**REPAYMENT SCHEDULE**

**GENERAL OBLIGATION LIMITED TAX  
CAPITAL IMPROVEMENT BOND**

**DESIGNATED BOND \_\_\_\_**

**SERIES 2014 IEPA PROJECTS**

**CONTRACT NO. \_\_\_\_\_**

**SRF LOAN AGREEMENT NO. L17-\_\_\_\_\_**

**REGISTERED OWNER NOTATION**

This Bond shall be registered on the Bond Register of the District kept for the purpose by the District Treasurer as Bond Registrar. The principal and interest on this Bond shall be payable only to or upon the order of the Registered Owner or such owner's legal representative.

No registration hereof shall be valid unless signed by the Bond Registrar.

DATE OF  
REGISTRATION

NAME OF  
REGISTERED OWNER

SIGNATURE OF  
BOND REGISTRAR

State of Illinois  
Illinois Environmental  
Protection Agency

\_\_\_\_\_

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*Section 9. Treasurer to Deliver Bonds.*

The Treasurer of the District along with the other Designated Officers is hereby authorized to take all necessary action to have the Bonds prepared and executed and to deliver all necessary documents to complete the borrowing in accordance with the terms of the Loan Agreements. Bonds shall be issued, delivered and dated at the time or times and in the aggregate amount or amounts as the first disbursement of funds for the Series 2014 IEPA Projects or any part of the 2014 IEPA Project is made by the IEPA under one or more Loan Agreements; *provided, however*, that the Treasurer is authorized to release to the IEPA, in trust, signed undated Bonds at the time the District requests such first payment, such Bonds to have an initial Advance for Value in the amount of such request, and authorize the IEPA to date such Bonds and Advance for Value upon the delivery of funds in such amount. For each subsequent Advance for Value, the District Treasurer is authorized to release to the IEPA, in trust, the original Bonds with the Advance for Value Tables signed and completed in the amount of the proposed advance, but undated, and to authorize the IEPA to date such Advance for Value upon the delivery of funds in such amount. Alternatively, as requested by the IEPA, the Treasurer is authorized to hold the Bonds in trust for the IEPA and enter the Advances for Value thereon in accordance with disbursements as actually made. The Treasurer shall act as Bond Registrar and keep a Bond Register showing at all times the name of the registered owner of the Bonds.

*Section 10. Security for the Bonds and Certain Covenants and Reservations; Tax Levy.*

A. The full faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds. The Bonds shall be direct and general obligations of the District, and the District shall be obligated to levy ad valorem taxes upon all the taxable property of the District for the payment of the Bonds and the interest

thereon, without limitation as to rate, but limited as to amount by the provisions of the Limitation Law.

B. The Bonds shall be payable out of the Current Collection of the Taxes; and, in the event the Current Collection shall be insufficient to pay the interest on and the principal of the Bonds when due, the Bonds are payable as a general obligation of the District from the General Funds. In the event General Funds are used, the General Funds shall be reimbursed from the amounts eventually received and attributable to the Loss in Current Collection related to such insufficiency, if any.

C. The District represents that the sum of:

- (1) the Taxes (as levied for the Bonds and defined as such in the text of this Ordinance set out below in this Section);
- (2) the levies for all Prior Limited Bonds; and
- (3) the levies for all Nonreferendum Base Bonds previously issued

does not exceed the Debt Service Extension Base for any year.

D. The District covenants that the sum of

- (1) the Taxes;
- (2) the levies for all Prior Limited Bonds;
- (3) the levies for all Future Limited Bonds; and
- (4) the levies for all Nonreferendum Base Bonds previously issued or to be issued

shall not exceed the Debt Service Extension Base for any year.

E. The Taxes are pledged and available solely for the Bonds. The Extension of the Taxes in any year may be limited to 100% of the Taxes (*i.e.*, the levy) for such year with the result that there may be a deficiency in the amount of the Current Collection from the taxes



(equal to the Loss in Current Collection), which deficiency shall be satisfied from General Funds.

F. Future Limited Bonds may have aggregate debt service requirements (*i.e.*, interest and principal payment requirements) which will not be met by the levy of taxes under the Available Base and, consequently, must be met from General Funds; and the District reserves the right to issue such bonds, but the issuance shall not cause the reduction of the Extension for the Taxes to an amount less than 100% of the levy constituting the Taxes.

G. On or before the time of the first delivery of any Bond of this series, a certified copy of this Ordinance shall be filed with the County Clerk of The County of Cook, Illinois, and shall provide due authorization for the County Clerk to extend taxes to pay the Bonds as herein further provided. At such time, for one or more of the Bonds, as shall be necessary or advisable to meet the covenants of this Section, either (1) the Treasurer shall file a Certificate of Tax Levy for such Bond or Bonds or (2) the Board in its annual tax levy ordinance shall provide for such levy, in each instance to be made and extended and collected in the years so provided in such Certificate or Ordinance, which taxes when received by the Treasurer shall be held separate and apart and be used solely for the purpose of paying the interest on and principal of the Bonds, at maturity or redemption, as shall be then Outstanding. Any such Certificate shall refer to this Ordinance and shall set forth the Bonds for which levied, and the levy amounts, hereby authorized, and shall constitute full and complete authority for the County Clerk to extend said taxes as herein provided, without limitation as to rate, and in addition to and in excess of all other taxes. The Clerk of the District is hereby directed to include the amounts hereinabove levied and required to be raised by taxation in each of said years, respectively, in the amount which shall be certified to the County Clerk in such year as the amount required to be raised by taxation for the District,

and provision to meet the requirements of this section shall hereafter be made in each annual Appropriation Ordinance.

*Section 11. Bond Account.*

Money received from the proceeds of taxes so levied for the payment of the principal of and interest on the Bonds shall be deposited into an account designated “General Obligation Limited Tax Capital Improvement Bonds, Series 2014 IEPA Projects, Bond and Interest Account,” (the “*Bond Account*”) and shall be faithfully applied to the payment of such Bonds and interest thereon as herein provided. Interest and principal on the Bonds coming due at any time when there are insufficient funds from the proceeds of taxes levied to pay the same shall be paid promptly when due from any available moneys of the District. The moneys temporarily so used for such purpose shall be restored to the funds from which they were borrowed as soon as the proceeds of taxes levied therefor are available, and the Chairman of the Committee on Finance of the Board of Commissioners and the Clerk of the District are authorized to execute and deliver to the Treasurer of the District warrants for the payment of money necessary to be used to protect the credit of the District.

*Section 12. Loan Agreements.*

The general form of Loan Agreement as has previously been entered into by the District and the IEPA is hereby approved for continued use in connection with the Bonds for the Series 2014 IEPA Projects. Any of the Designated Officers of the District shall be authorized to execute one or more such Loan Agreements in such form for the Series 2014 IEPA Projects. Each Loan Agreement shall provide for a loan from the RLF, to be evidenced, all as provided herein, by the Bonds. To the extent permitted by law, and so long as the IEPA is the registered owner of any Bond, the District shall be subject to the Loan Agreements for such Bonds. The Loan Agreements and the Bonds so long as held by the IEPA constitute Intergovernmental

Agreements under the constitution and laws of the State of Illinois. It is hereby found and declared that no person holding any office of the District, either by election or appointment, is in any manner financially interested, either directly, in his or her own name, or indirectly, in the name of any other person, association, trust or corporation, in the contracts so confirmed in this Ordinance to the IEPA including in such the Loan Agreements and the Bonds.

*Section 13. Tax-exemption Covenants for IEPA.*

The IEPA has provided as a condition of the offering of the Loan Agreements and purchase of the Bonds that, in certain instances, the District shall make certain covenants substantially in form as has been previously presented to the District and on file in the offices of the Clerk and the Treasurer, and any of the Designated Officers is hereby authorized to execute such certificate and deliver same to the IEPA. The District acknowledges that tax-exempt bonds or other obligations (the “*IEPA Program Bonds*”) have been or will be issued by or for the benefit of the IEPA to provide funds for the RLF, including the Series 2014 IEPA Projects as defined herein, and that the IEPA may pledge the obligations of the District under the Bonds to such IEPA Program Bonds.

*Section 14. Use of Proceeds.*

The proceeds derived from the sale and delivery and advances made from time to time from the IEPA under the Loan Agreements, and as evidenced by the Bonds, shall be used to pay for Series 2014 IEPA Projects or to reimburse the District for such costs as previously advanced, all in accordance with the terms of this Ordinance and the Loan Agreements.

*Section 15. Not Tax-Exempt.*

The District and the IEPA and all subsequent holders of any of the Bonds acknowledge and accept that the Bonds are not tax-exempt under the Code.

*Section 16. Ordinance a Contract.*

The provisions of this Ordinance shall constitute a contract between the District and the registered owners of the Bonds. Any pledge made in this Ordinance and the provisions, covenants, and agreements herein set forth to be performed by or on behalf of the District shall be for the equal benefit, protection, and security of the owners of any and all of the Bonds.

*Section 17. Severability.*

If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

*Section 18. Superseder; Effective Date.*

All ordinances, resolutions, procedural rules, or parts thereof in conflict herewith be and the same are hereby superseded and waived for purposes of this Ordinance; and this Ordinance shall be in full force and effect forthwith upon its adoption.

Attest:

Approved:

---

Clerk, Metropolitan Water Reclamation  
District of Greater Chicago

---

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

Approved as to Form and Legality:

---

Head Assistant Attorney

---

General Counsel

DATED: November 6, 2014

STATE OF ILLINOIS     )  
                                       ) SS  
 COUNTY OF COOK        )

I, JACQUELINE TORRES, Clerk of the Metropolitan Water Reclamation District of Greater Chicago and keeper of its official records and seal, DO HEREBY CERTIFY that the attached Ordinance, numbered O14-007, consisting of \_\_ pages, was duly presented at a meeting of the Board of Commissioners held on November 6, 2014, and that said Ordinance was duly accepted and adopted by the Board of Commissioners.

I FURTHER CERTIFY that said Ordinance remains in full force and effect and has not been rescinded, modified or amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Metropolitan Water Reclamation District of Greater Chicago, this \_\_\_\_ day of \_\_\_\_\_ A.D. 2014.

---

Jacqueline Torres, Clerk of the  
 Metropolitan Water Reclamation  
 District of Greater Chicago

[SEAL]

STATE OF ILLINOIS     )  
                                       ) SS  
 COUNTY OF COOK        )

**CERTIFICATION OF ORDINANCE, AGENDA, POSTING AND MINUTES**

I, Jacqueline Torres, do hereby certify that I am the duly qualified and acting Clerk of the Metropolitan Water Reclamation District of Greater Chicago (the “*District*”) and as such official I am the keeper of the seal, journal of proceedings, books, records, minutes and files of the District and of the Board of Commissioners (the “*Board*”) thereof.

I do further certify that attached hereto is a full, true and complete transcript of the minutes of the legally convened meeting (the “*Meeting*”) of the Board held on the 6th day of November, 2014, and of an ordinance, numbered O14-007, entitled:

AN ORDINANCE providing for the issuance of not to exceed \$245,000,000 General Obligation Limited Tax Capital Improvement Bonds (2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvements to the District’s facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds.

(the “*Ordinance*”) as adopted at the Meeting.

I do further certify that the deliberations of the Board on the adoption of the Ordinance were conducted openly; that the vote on the adoption of the Ordinance was taken openly; that the Meeting was called and held at a specified time and place convenient to the public; that notice of the Meeting was duly given to all of the news media requesting such notice; that an agenda (the “*Agenda*”) for the Meeting was posted at the location where the Meeting was held and at the principal corporate office of the Board (being the same location of 100 East Erie Street, Chicago, Illinois) at least 48 hours in advance of the holding of the Meeting, and also not later than 5:00 p.m. on the Friday next preceding the Meeting; that the Agenda contained a separate specific item concerning the adoption of the Ordinance; *that the Agenda is attached hereto as Exhibit A*; that the Meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, the Metropolitan Water Reclamation District Act, as amended, and the Local Government Debt Reform Act of the State of Illinois, as amended; and that the Board has complied with all of the provisions of law and with all of the procedural rules of the Board in the conduct of the Meeting and the adoption of the Ordinance.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the seal of the District, this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

Jacqueline Torres, Clerk of the  
Metropolitan Water Reclamation  
District of Greater Chicago

[SEAL]

[Attachments: Ordinance, Agenda, and Minutes]



STATE OF ILLINOIS     )  
                                       ) SS  
 COUNTY OF COOK        )

### FILING CERTIFICATE

I, DAVID D. ORR, County Clerk of The County of Cook, Illinois, do hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 2014, there was filed in my office a properly certified copy of an ordinance, numbered O14-007, entitled:

AN ORDINANCE providing for the issuance of not to exceed \$245,000,000 General Obligation Limited Tax Capital Improvement Bonds (2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvements to the District's facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds.

passed by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, on the 6th day of November, 2014 and that the same has been deposited in the official files and records of my office.

GIVEN under my hand and the seal of said County at Chicago, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
 County Clerk of  
 The County of Cook, Illinois

[SEAL]



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** O14-008, **Version:** 1

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### **ORDINANCE FOR BOARD MEETING OF NOVEMBER 6, 2014**

Adopt Ordinance O14-008 An Ordinance providing for the issuance of not to exceed \$80,000,000 General Obligation Unlimited Tax Capital Improvement Bonds (2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvement projects to the District's facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds

## **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

### COMMITTEE ON FINANCE

Mr. David St. Pierre, Executive Director

..Title

Ordinance O14-008 An ordinance providing for the issuance of not to exceed \$80,000,000 General Obligation Unlimited Tax Capital Improvement Bonds(2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvement projects to the District's facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds

..Body

Dear Sir:

Attached is the second of three ordinances being presented to the Board today relating to the District's anticipated issuance of General Obligation Capital Improvement Bonds to evidence the State Revolving Loan Fund( SRF) loans to be issued totaling \$425,000,000. The bonds will be issued as SRF obligations and will not be sold in the public market. On October 2, 2014, the Board of Commissioners of the District conducted and concluded a public hearing regarding the District's intention to sell \$500,000,000 General Obligation Capital Improvement Bonds. The adoption of Ordinance O14-008 will provide for \$80,000,000 of such issuance in connection with TARP projects approved by the Illinois Environmental Protection Agency ("IEPA") for funding by reimbursement loans from the State's Revolving Loan Fund.

Upon receipt of the first reimbursement of project construction expenses from the IEPA, the estimated amount to be loaned to the District for that project plus interest accrued during the construction period will be confirmed and a General Obligation Unlimited Tax Capital Improvement Bond for that amount in face value will be issued to the State of Illinois – Illinois Environmental Protection Agency. At that time, the required annual tax levies for payment of semi-annual debt service will be established and filed with the County Clerk of the County of Cook, Illinois.

The passage of the Ordinance is required by the IEPA prior to advancing any funds or initiation of the program relating to these projects. Therefore, it is recommended that "Ordinance O14-008 providing for the issuance of not to exceed \$80,000,000 General Obligation Unlimited Tax Capital Improvement Bonds(2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvement projects to the District's facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds" be adopted by the Board of Commissioners.

Respectfully Submitted, Mary Ann Boyle, Treasurer, MAB:st

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Finance

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment

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**ORDINANCE NUMBER O14-008****ORDINANCE**

AN ORDINANCE providing for the issuance of not to exceed \$80,000,000 General Obligation Unlimited Tax Capital Improvement Bonds (2014 IEPA Authorization), of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvements to the District's facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of a direct annual tax to pay the interest on and principal of said Bonds.

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Adopted by the Board of Commissioners  
of the Metropolitan Water Reclamation  
District of Greater Chicago on the  
6th day of November, 2014.

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**This Table of Contents is for convenience only and is  
not a part of the ordinance.**

## ORDINANCE NUMBER O14-008

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### P R E A M B L E S

#### — WHEREAS —

A. The Metropolitan Water Reclamation District of Greater Chicago, Cook County, Illinois (the “*District*”) is a duly organized and operating sanitary district, body politic and corporate, and unit of local government district under the constitution and laws of the State of Illinois.

B. The District operates, *inter alia*, under the following Illinois acts and laws, in each case as amended:

1. the Metropolitan Water Reclamation District Act (the “*Act*”);
2. the Local Government Debt Reform Act (the “*Debt Reform Act*”) relating to borrowing; and
3. the Property Tax Extension Limitation Law (the “*Limitation Law*”) relating to certain ad valorem property tax limits.

C. The District is governed by a duly constituted Board of Commissioners (the “*Board*” or the “*Board of Commissioners*”), and the tax extension officer for the District is the County Clerk (the “*County Clerk*”) of The County of Cook, Illinois (the “*County*”).

D. Pursuant to the provisions of Section 9.6a of the Act, the Board is authorized to issue bonds to provide funds required for the replacing, remodeling, completing, altering, constructing and enlarging of sewage treatment works, water quality improvement projects, or flood control facilities, and additions therefor, including, but not limited to, the construction of pumping stations, tunnels, conduits, intercepting sewers and outlet sewers, together with the equipment, including air pollution equipment, and appurtenances thereto, to acquire property, real, personal or mixed, necessary for said purposes, and for costs and expenses for the acquisition of the sites and rights-of-way necessary thereto, and for engineering expenses for designing and supervising the construction of such works and other related and incidental expenses (collectively, the “*Capital Improvement Purposes*”), which said Section 9.6a, as amended, authorizes the issuance of bonds for such purposes on or before December 31, 2024, without a referendum, in an aggregate amount at any one time outstanding not to exceed 3.35% of the equalized assessed valuation of all taxable property within the District; *provided*, that the amount of such bonds issued during any one budget year shall not exceed \$150,000,000, plus the amount of any bonds authorized by said Section to be issued during the three budget years next preceding the year of issuance but which were not issued; *but, provided, further*, that such limitation is not applicable (i) to the issuance of obligations to refund bonds, notes or other evidences of indebtedness, (ii) to obligations (the “*RLF Obligations*”) issued to provide for the repayment of money received from the Water Pollution Control Revolving Fund of the State of Illinois (the “*RLF*”) for the construction or repair of wastewater treatment works, and (iii) to obligations issued as part of the American Recovery and Reinvestment Act of 2009, issued prior to January 1, 2011, that are commonly known as “Build America Bonds” as authorized by Section 54AA of the Internal Revenue Code, as amended (the “*Code*”).

E. The Board has considered the conditions of the plant, equipment and flood control facilities of the District and the work and acquisitions which are Capital Improvement Purposes which are necessary or advisable in order to serve the needs of the residents and the mission of the District.

F. The State of Illinois, acting through the Illinois Environmental Protection Agency (the “IEPA”), may make a loan or loans to the District from the RLF for certain qualifying Capital Improvement Purposes, the designations for which are or shall be on file from time to time in the office of the District Clerk with total estimated projects costs of \$80,000,000 (the “Series 2014 IEPA Projects”).

G. By ordinances duly adopted pursuant to said Section 9.6a, the Board has heretofore provided for the issuance of bonds from 1969 to date.

H. It is deemed advisable and necessary that additional bonds in the principal amount of not to exceed \$80,000,000 be authorized to be issued from time to time pursuant to the provisions of said Section 9.6a to provide funds for the Series 2014 IEPA Projects, and it is hereby determined that the aggregate amount of bonds now outstanding and unpaid, together with the bonds herein proposed to be authorized, will not exceed the applicable limitations imposed by law.

I. The bonds herein to be authorized are non-referendum general obligation bonds, the taxes for which are not subject to any limitations set forth in the Limitation Law because the Series 2014 IEPA Projects for which the bonds are herein authorized shall consist only of those Capital Improvement Purposes constituting construction projects initiated before October 1, 1991 (including in such description, the project described in the 1991 Annual Report and Budget of the District and referred to commonly as the “Deep Tunnel” or “TARP” Project), and the



Limitation Law contains an express exception from applicability for such construction projects of the District.

J. The bonds herein authorized are general obligation bonds, and the Board has previously called, noticed, and held a hearing with respect to the sale of the Bonds pursuant to the provisions of the Bond Issue Notification Act, as amended, which hearing was duly adjourned not less than seven days ago.

K. Certain additional powers in the issuance of bonds are granted to units of local government, including the District, pursuant to the provisions of the Debt Reform Act, and it is the intention of the District to issue the bonds hereinafter authorized in part pursuant to the provisions of the Debt Reform Act in order to avail of the additional powers so granted.

NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, Cook County, Illinois, as follows:

*Section I. Definitions.*

A. Words and terms used in this Ordinance shall have the meanings assigned them unless the context or use clearly indicates another or different meaning is intended. Words and terms defined in the singular may be used in the plural and vice-versa. Reference to any gender shall be deemed to include the other and also inanimate persons such as corporations, where applicable.

“Act” is defined in the preambles.

“Advance for Value” means a receipt of funds from the IEPA under a Loan Agreement and relative to a Bond which is a loan advance on and partial purchase price consideration for such Bond, to be evidenced as provided in the Bond form.

“Board” and “Board of Commissioners” are defined in the preambles.

*“Bond”* or *“Bonds”* means one or more, as applicable, of the not to exceed \$80,000,000 General Obligation Unlimited Tax Capital Improvement Bonds, Series 2014 IEPA Projects, authorized to be issued by this Ordinance.

*“Bond Account”* means the Bond Account created in (Section 11 of) this Ordinance.

*“Bond Registrar”* means the books of the District kept by the Bond Registrar to evidence the registration and transfer of the Bonds.

*“Bond Registrar”* means the Treasurer of the District or, if appointed by the Treasurer to act as his or her agent, a successor bank with trust powers or a trust company, duly authorized to do business as a bond registrar and paying agent, as herein required.

*“Business Day”* means any day other than a day on which banks in New York, New York, Chicago, Illinois, or the city in which the Bond Registrar maintains its principal corporate trust office are required or authorized to close.

*“Capital Improvement Purposes”* is defined in the preambles.

*“Clerk”* means the Clerk of the District.

*“Code”* is defined in the preambles.

*“County”* is defined in the preambles.

*“County Clerk”* is defined in the preambles.

*“Current Collection”* means the taxes in fact received by the District from the County Treasurer from a given Extension up to the date payment is due upon bonds, which payment is to be made from such Extension, plus that amount, if any, received in the year preceding such payment date as the collection of delinquent taxes from prior years allocable to the levy for the District’s outstanding bonds and General Funds.

*“Debt Reform Act”* is defined in the preambles.

*“Designated Officers”* means the officers of the District as follows:

President of the Board (elective), Treasurer of the District (appointive), Chairman of the Committee on Finance (elective), Executive Director (appointive) and Clerk (appointive); *provided* that any act required of more than one of such officers shall be done by not less than one elected officer and one appointive officer.

*“District”* is defined in the preambles.

*“Extension”* means the amount of taxes in fact extended for collection by the County Clerk based upon a levy, which extension is calculable by the sum of taxable property multiplied by the rate (in percent, mills or decimal, as appropriate) of taxation applied for such levy.

*“Face Amount”* means the authorized maximum amount of any Bond, as stated on its face.

*“IEPA”* is defined in the preambles.

*“General Funds”* means any and all funds of the District, other than the Bond Account, from which payments may lawfully be made to pay principal of or interest on the Bonds.

*“Limitation Law”* is defined in the preambles.

*“Loan Agreement”* or *“Loan Agreements”* means the one or more agreements between the District and the IEPA, substantially in the form the District has in the past executed with the IEPA, which previous agreements are on file in the office of the Clerk, providing for the advance of funds from the IEPA to the District to pay the costs of the Project.

*“Loss in Current Collection”* means the difference between an Extension and the Current Collection from such Extension.

*“Ordinance”* means this Ordinance, numbered as set forth on the title page and adopted by the Board on the 6th day of November, 2014.

*“Repayment Schedule”* means a repayment schedule for a Bond promulgated by the IEPA pursuant to a Loan Agreement and within the delegated parameters as set by this Ordinance.

*“RLF”* is defined in the preambles.

*“RLF Obligations”* is defined in the preambles.

*“Series 2014 IEPA Projects”* is defined in the preambles.

*“Taxes”* means the direct annual taxes so defined in (Section 10 of) this Ordinance.

*“Treasurer”* means the Treasurer of the District.

B. Definitions also appear in the preambles hereto or in specific sections, as appear below. The headings in and the table of contents preceding this Ordinance are for the convenience of the reader and are not a part of this Ordinance.

*Section 2. Incorporation of Preambles.*

The Board finds that all of the recitals contained in the preambles to this Ordinance are full, true, and correct and does incorporate them into this Ordinance by this reference.

*Section 3. Authorization of Bonds.*

The District has heretofore issued various series of bonds as authorized under Section 9.6a of the Act pursuant to the authority of various ordinances. None of the bonds issued hereunder shall be issued prior to loan approval by the IEPA, which approval shall occur in or after 1996, and accordingly, all of the bonds issued hereunder shall be RLF Obligations. It is in the judgment of the Board necessary and appropriate to authorize by this Ordinance not to exceed \$80,000,000 additional bonds pursuant to the authority of the aforesaid Section 9.6a for the Series 2014 IEPA Projects. Bonds of the District are hereby authorized to be issued in the aggregate principal amount of not to exceed \$80,000,000 to provide for all or part of the funds required for the Series 2014 IEPA Projects pursuant to the Act and the Debt Reform Act.

*Section 4. Terms of the Bonds.*

Each Bond shall be designated “General Obligation Unlimited Tax Capital Improvement Bond, Series 2014 IEPA Projects”. Each Bond shall be dated as of the first Advance for Value on such Bond. The amount of each Bond issued, being the sum of the amounts as shown as Advances for Value, not in excess of its Face Amount, less in each case principal payments made from time to time thereon, shall be the “*Outstanding Principal Amount*” of such Bond. The Outstanding Principal Amount of the Bonds from time to time outstanding shall bear interest at the rate of not to exceed 5.0% per annum. The Outstanding Principal Amount of the Bonds shall become due and payable not later than thirty (30) years from its date and sooner if pursuant to a schedule of repayment (a “*Repayment Schedule*”) determined in accordance with the Loan Agreements for such Bonds; *provided, however*, that a Repayment Schedule, in order to be enforceable, shall comply with each of the following terms:

- (1) The Repayment Schedule shall be set forth in or as part of each Bond; at such time as the IEPA may promulgate same;
- (2) Payments shall be scheduled only for July 1 and January 1;
- (3) The Repayment Schedule shall provide for substantially level semiannual installments of principal and interest (collectively) within a range of \$50; and
- (4) The final payment on any Bond shall not be later than 30 years after its date of issuance (“*Final Maturity*”).

Each Bond shall bear interest on the Outstanding Principal Amount from time to time at the rate provided, in each case from the time advanced until paid or duly provided for, such interest computed on the basis of a 365-day year and being payable at maturity and on the dates provided in the Repayment Schedule for such Bond. The interest on and all installments of principal of each Bond shall be payable in lawful money of the United States of America upon presentation

at the office of the Bond Registrar; *provided, however*, that so long as any agency of the State of Illinois or of the U.S. Government or a financial institution is the registered owner as shown by the Bond Register, then such payments shall be made by check or draft of the Bond Registrar to the registered owner, which check or draft shall be payable in lawful money of the United States of America, and mailed not less than four (4) Business Days prior to the date when due to the address of the Registered Owner as set forth in the Bond Register, or at such other address as is furnished in writing to the Bond Registrar; and, *provided further*, that the final installment of principal and interest, when due, shall only be payable upon presentation of the Bond.

Each Bond and the installments thereon are subject to redemption and prepayment prior to maturity, at the option of the District, in whole or in part, from any available funds, on any date, at the redemption price of par plus accrued interest to the date fixed for redemption. Any partial prepayment shall be applied in the inverse chronological order of installments of principal. Unless waived by the Bond Registrar, the District shall notify the Bond Registrar of the redemption and prepayment of any Bond not less than 45 days prior to the date of redemption. Unless waived by the registered owner of the Bond to be redeemed, official notice of any such redemption and prepayment shall be given by the Bond Registrar on behalf of the District by mailing the redemption notice by registered or certified mail not less than 30 days and not more than 60 days prior to the date fixed for redemption to the registered owner of the Bond at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar. All official notices of redemption shall include at least the information as follows:

- (1) the amount of the Bond to be redeemed;
- (2) the redemption date;
- (3) the redemption price;

(4) a statement that on the redemption date the redemption price will become due and payable upon such Bond or portion thereof so called for redemption and that interest thereon shall cease to accrue from and after said date; and

(5) the place where such Bond is to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Bond Registrar.

Prior to any redemption date, the District shall deposit with the Bond Registrar an amount of money sufficient to pay the redemption price. Notice of redemption having been given as aforesaid, the Bond or portion thereof so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the District shall default in the payment of the redemption price) such Bond or portion thereof shall cease to bear interest. Upon surrender of the Bond for redemption and prepayment in accordance with said notice, such Bond or relevant portion shall be paid by the Bond Registrar at the redemption price. For a partial redemption of a Bond, a new Bond in the amount of unpaid principal shall be executed and delivered to the holder of the partially redeemed Bond.

*Section 5. Amendment of Bonds.*

The rights and obligations of the District and of the owners of the Bonds may from time to time be modified or amended by a supplemental ordinance adopted by the Board with the written consent of the registered owners of all Bonds then outstanding. Ownership of Bonds for purposes of consent by the registered owners thereof shall be conclusively proved by the Bond Register. In obtaining or receiving the consents of registered owners, the District may establish reasonable rules of procedure including, without limitation, rules relating to (i) a record date to fix the registered owners who are entitled to vote, (ii) solicitation of proxies and (iii) a meeting of the registered owners for the taking of actions. The registered owners of Bonds may vote their

Bond interest in fractional shares. In the event that Bonds are registered in the name or names of nominees or depositories, consent of such owners by proxy in accordance with the applicable customs of the securities industry or rules of the Securities and Exchange Commission, Municipal Securities Rulemaking Board or other association or agency having jurisdiction shall be sufficient.

*Section 6. Execution; Authentication of Bonds.*

The Bonds (or any of the Bonds) shall be executed on behalf of the District by the manual or duly authorized facsimile signatures of the Treasurer and attested with the manual or duly authorized facsimile signature of the Clerk, as they may determine, and shall have impressed or imprinted thereon the corporate seal or facsimile thereof of the District. In case any such officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. All Bonds shall have thereon a certificate of authentication, substantially in the form hereinafter set forth, duly executed by the Bond Registrar as authenticating agent of the District and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Ordinance unless and until such certificate of authentication shall have been duly executed by the Bond Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Ordinance. The certificate of authentication on any Bond shall be deemed to have been executed by it if signed by an authorized signatory of the Bond Registrar, but it shall not be necessary that the same person sign the certificate of authentication on all of the Bonds issued hereunder.



*Section 7. Registration and Transfer of Bonds; Owners.*

The District shall cause books (the Bond Register) for the registration and for the transfer of the Bonds as provided in this Ordinance to be kept at the principal office of the Bond Registrar, who or which is hereby constituted and appointed the registrar of the District for the Bonds. Each Bond may be transferred as a whole but not in part, but only in the manner, subject to the limitations, and upon payment of the charges as set forth in this Ordinance. Upon surrender of the Bond at the principal office of the Bond Registrar, accompanied by a written instrument or instruments of transfer in form satisfactory to the Bond Registrar and duly executed by the registered owner or an attorney for such owner duly authorized in writing, the Bond Registrar shall register the Bond in the name of the new registered owner on the registration grid provided therein, and shall also enter the name and address of the new registered owner in the Bond Register. The Bond Registrar shall not be required to transfer any Bond during the period from the close of business on the 15th day of the calendar month preceding an interest payment date on such Bond to the opening of business on such interest payment date or during the period of 15 days preceding the giving of notice of redemption of the Bond or to transfer the Bond if it has been called for redemption.

The execution by the District of any fully registered Bond shall constitute full and due authorization of such Bond, and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such Bond. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on the Bond shall be made only to or upon the order of the registered owner thereof or the owner's legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

No service charge shall be made for any transfer of a Bond, but the District or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer of the Bond.

*Section 8. Form of Bond.*

The Bonds, the Certificate of Authentication to be endorsed thereon, the form of Assignment, the Advances for Value table, the Registered Owner Notation, and the Repayment Schedule are all to be in substantially the following form(s) (with necessary and appropriate variations, omissions and insertions as permitted or required by this Ordinance):

**THIS BOND IS TRANSFERABLE ONLY AS A WHOLE****REGISTERED  
NO. ONE****MAXIMUM  
REGISTERED  
AMOUNT**

\$\_\_\_\_\_

**UNITED STATES OF AMERICA****STATE OF ILLINOIS****THE COUNTY OF COOK****METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO****GENERAL OBLIGATION UNLIMITED TAX  
CAPITAL IMPROVEMENT BOND DESIGNATED BOND \_\_\_\_****SERIES 2014 IEPA PROJECTS****CONTRACT NO. \_\_\_\_\_****SRF LOAN AGREEMENT NO. L17-\_\_\_\_\_**

KNOW ALL PERSONS BY THESE PRESENTS that the Metropolitan Water Reclamation District of Greater Chicago, Cook County, Illinois (the “*District*”), a sanitary district, body corporate and politic, and unit of local government duly organized under the laws of the State of Illinois, located in The County of Cook, Illinois, hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner identified above, or registered assigns as hereinafter provided, on the dates hereinafter set forth, the Outstanding Principal Amount of this Bond. The “Outstanding Principal Amount” is that amount, not to exceed the Face Amount of this Bond as set forth above, shown as advanced in even multiples of \$50 from time to time and received by the District for value, as is noted on this Bond in the form of Advances for Value hereon, less payments of principal hereon. And the District further promises to pay interest on the Outstanding Principal Amount at the rate of \_\_\_\_\_% per annum. The Outstanding Principal Amount of this Bond shall become due and payable thirty (30) years from date, and sooner, pursuant to the schedule of repayment (the “*Repayment Schedule*”), when promulgated, as

attached hereto by the Treasurer of the District. This Bond shall bear interest on the Outstanding Principal Amount from time to time at the rate aforesaid, in each case from the time advanced until paid or duly provided for, such interest computed on the basis of a 365-day year and being payable at maturity or on the dates provided in the Repayment Schedule. The interest on and all installments of principal of this Bond shall be payable in lawful money of the United States of America upon presentation at the office of the District Treasurer, located at 100 East Erie Street, Chicago, Illinois, as bond registrar and paying agent; *provided, however*, that so long as any agency of the State of Illinois or of the U.S. Government or a financial institution is the Registered Owner as shown by the Bond Register, then such payments shall be made by check or draft of the Bond Registrar to the Registered Owner, which check or draft shall be payable in lawful money of the United States of America, and mailed not less than four (4) Business Days prior to the date when due to the address of the Registered Owner as set forth in the Bond Register, or at such other address as is furnished in writing to the Bond Registrar; but, *provided, further*, that the final installment of principal and interest, when due, shall only be payable upon presentation of this Bond.

This Bond is subject to redemption and prepayment prior to maturity, at the option of the District, in whole or in part, from any available funds, on any date, at the redemption price of par plus accrued interest to the date fixed for redemption. Unless waived by the Registered Owner hereof, notice of any such redemption and prepayment shall be given by the Bond Registrar on behalf of the District by mailing the redemption notice by registered or certified mail not less than 30 days and not more than 60 days prior to the date fixed for redemption to the Registered Owner at the address shown on the Bond Register or at such other address as is furnished in writing by the Registered Owner to the Bond Registrar. Notice of redemption having been given as aforesaid, this Bond or portion thereof shall, on the redemption date, become due and payable

at the redemption price therein specified, and from and after such date (unless the District shall default in the payment of the redemption price) this Bond or portion thereof shall cease to bear interest. Upon surrender of this Bond for redemption and prepayment in accordance with said notice, this Bond shall be paid by the Bond Registrar at the redemption price. Any partial prepayment of this Bond shall be applied to principal in the inverse chronological order of installments; and upon any such partial prepayment, a new Bond in the amount of unpaid principal shall be executed and delivered to the holder of this Bond.

This Bond may be transferred as a whole but not in part, but only in the manner, subject to the limitations, and upon payment of the charges as set forth in the hereinafter defined Ordinance. Upon surrender hereof at the office of the Bond Registrar, accompanied by a written instrument or instruments of transfer in form satisfactory to the Bond Registrar and duly executed by the Registered Owner or an attorney for such owner duly authorized in writing, the Bond Registrar shall register this Bond in the name of the new Registered Owner on the registration grid provided herein, and shall also enter the name and address of the new registered owner in the Bond Register. The Bond Registrar shall not be required to transfer this Bond during the period from the close of business on the 15th day of the calendar month preceding an interest payment date on this Bond to the opening of business on such interest payment date or during the period of 15 days preceding the giving of notice of redemption of this Bond or to transfer any Bond which has been called for redemption. The person in whose name this Bond is registered shall be deemed and regarded as the absolute owner hereof for all purposes, and payment of the principal of or interest hereon shall be made only to or upon the order of the Registered Owner hereof or the owner's legal representative. All such payments shall be valid

and effectual to satisfy and discharge the liability upon this Bond to the extent of the sum or sums so paid.

This Bond is one of a series of Bonds authorized to provide all or part of the funds required for the Series 2014 IEPA Projects as set forth in the title. The Bonds are being issued pursuant to the provisions of Section 9.6a of the Metropolitan Water Reclamation District Act, and all laws amendatory thereof and supplementary thereto; pursuant to the Local Government Debt Reform Act of the State of Illinois pursuant to an ordinance (the "*Ordinance*"), numbered O14-008, and entitled:

AN ORDINANCE providing for the issuance of not to exceed \$80,000,000 General Obligation Unlimited Tax Capital Improvement Bonds (2014 IEPA Authorization), of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvements to the District's facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of a direct annual tax to pay the interest on and principal of said Bonds.

as adopted by the Board of Commissioners of the District on the 6th day of November, 2014; and pursuant to one or more Loan Agreements by and between the District and the IEPA, which loans are evidenced by this Bond. Reference is hereby made to the Ordinance and Loan Agreements for a further statement of the terms and conditions of this Bond and of the rights and privileges of the Registered Owner hereof.

The rights and obligations of the District and of the Registered Owner hereof may from time to time be modified or amended by a supplemental ordinance adopted by the Board of Commissioners of the District with the written consent of the Registered Owner of this Bond and all of the Bonds of the series of which this Bond is a part.

The full faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds. The Bonds shall be direct and general obligations of the District, and the District shall be obligated to levy ad valorem taxes upon all the taxable property in the District for the payment of the Bonds and the interest thereon, without limitation as to rate or amount.

It is hereby certified and recited that all conditions, acts, and things required by law to exist or to be done precedent to and in the issuance of this Bond did exist, have happened, been done and performed in regular and due form and time as required by law; that the indebtedness of the District, including the issue of Bonds of which this is one, does not exceed any limitation imposed by law; and that provision has been made for the collection of a direct annual tax to pay the interest hereon as it falls due and also to pay and discharge the principal hereof at maturity.

THE INTEREST ON THIS BOND IS NOT TAX-EXEMPT UNDER THE PROVISIONS OF SECTION 103 OF THE INTERNAL REVENUE CODE OF 1986, AND THE REGISTERED OWNER HEREOF BY ACCEPTANCE OF THIS BOND ACKNOWLEDGES SUCH STATUS AND AGREES WITH THE DISTRICT NOT TO ASSERT ANY CLAIM TO THE CONTRARY.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Bond Registrar. The tables and forms following the signatures on this Bond and entitled Advances for Value, Repayment Schedule and Registered Owner Notation are an integral part of this Bond as if in each case fully set forth at this place and are incorporated herein by this reference.

IN WITNESS WHEREOF the Metropolitan Water Reclamation District of Greater Chicago, by its Board of Commissioners, has caused this Bond to be signed by the manual or duly authorized facsimile signatures of the Treasurer and attested by the manual or duly authorized facsimile signature of its Clerk, and its corporate seal or a facsimile thereof to be impressed or reproduced hereon, all as appearing and as of the Dated Date hereto, to wit, the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Treasurer, Metropolitan Water  
Reclamation District of Greater Chicago

ATTEST:

\_\_\_\_\_  
Clerk of the Metropolitan Water  
Reclamation District of Greater Chicago

[SEAL]

Date of Authentication: \_\_\_\_\_, 20\_\_.

#### **CERTIFICATE OF AUTHENTICATION**

This Bond is one of the Bonds described in the within-mentioned Ordinance and is one of the General Obligation Unlimited Tax Capital Improvement Bonds, Series 2014 IEPA Projects, Designated Bond \_\_\_\_, SRF Loan Agreement No. L17-\_\_\_\_\_ of the Metropolitan Water Reclamation District of Greater Chicago, County of Cook, State of Illinois.

Bond Registrar and Paying Agent:

\_\_\_\_\_  
Treasurer, Metropolitan Water  
Reclamation District of Greater Chicago



**ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

--

Here insert Social Security Number, Employer Identification Number or other Identifying Number

---



---

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint

---

as attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature guaranteed: \_\_\_\_\_

NOTICE: The signature to this transfer and assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

**REGISTERED  
NO. ONE**

**MAXIMUM  
REGISTERED  
AMOUNT**  
\$ \_\_\_\_\_

**DESIGNATED BOND \_\_\_\_**

**SERIES 2014 IEPA PROJECTS**

**CONTRACT NO. \_\_\_\_\_**

**SRF LOAN AGREEMENT NO. L17-\_\_\_\_\_**

**ADVANCES FOR VALUE**

This Bond is valid to the amount set forth below, the aggregate of said amounts being its Outstanding Principal Amount.

AMOUNT ADVANCED (\$)	DATE ADVANCED	SIGNATURE OF DISTRICT TREASURER
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**REGISTERED  
NO. ONE**

**MAXIMUM  
REGISTERED**  
\$ \_\_\_\_\_

**GENERAL OBLIGATION UNLIMITED TAX  
CAPITAL IMPROVEMENT BOND**

**DESIGNATED BOND \_\_\_\_**

**SERIES 2014 IEPA PROJECTS**

**CONTRACT NO. \_\_\_\_\_**

**SRF LOAN AGREEMENT NO. L17- \_\_\_\_\_**

**REPAYMENT SCHEDULE**

**GENERAL OBLIGATION UNLIMITED TAX  
CAPITAL IMPROVEMENT BOND**

**DESIGNATED BOND \_\_\_\_**

**SERIES 2014 IEPA PROJECTS**

**CONTRACT NO. \_\_\_\_\_**

**SRF LOAN AGREEMENT NO. L17-\_\_\_\_\_**

**REGISTERED OWNER NOTATION**

This Bond shall be registered on the Bond Register of the District kept for the purpose by the District Treasurer as Bond Registrar. The principal and interest on this Bond shall be payable only to or upon the order of the Registered Owner or such owner's legal representative.

No registration hereof shall be valid unless signed by the Bond Registrar.

DATE OF  
REGISTRATION

NAME OF  
REGISTERED OWNER

SIGNATURE OF  
BOND REGISTRAR

State of Illinois  
Illinois Environmental  
Protection Agency

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

*Section 9. Treasurer to Deliver Bonds.*

The Treasurer of the District along with the other Designated Officers is hereby authorized to take all necessary action to have the Bonds prepared and executed and to deliver all necessary documents to complete the borrowing in accordance with the terms of the Loan Agreements. Bonds shall be issued, delivered and dated at the time or times and in the aggregate amount or amounts as the first disbursement of funds for the Series 2014 IEPA Projects or any part of the 2014 IEPA Project is made by the IEPA under one or more Loan Agreements; *provided, however*, that the Treasurer is authorized to release to the IEPA, in trust, signed undated Bonds at the time the District requests such first payment, such Bonds to have an initial Advance for Value in the amount of such request, and authorize the IEPA to date such Bonds and Advance for Value upon the delivery of funds in such amount. For each subsequent Advance for Value, the District Treasurer is authorized to release to the IEPA, in trust, the original Bonds with the Advance for Value Tables signed and completed in the amount of the proposed advance, but undated, and to authorize the IEPA to date such Advance for Value upon the delivery of funds in such amount. Alternatively, as requested by the IEPA, the Treasurer is authorized to hold the Bonds in trust for the IEPA and enter the Advances for Value thereon in accordance with disbursements as actually made. The Treasurer shall act as Bond Registrar and keep a Bond Register showing at all times the name of the registered owner of the Bonds.

*Section 10. Security for the Bonds and Certain Covenants and Reservations; Tax Levy.*

A. The full faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds. The Bonds shall be direct and general obligations of the District, and the District shall be obligated to levy ad valorem taxes (the “*Taxes*”) upon all the taxable property of the District for the payment of the Bonds and the interest thereon, without limitation as to rate or amount.

B. The Bonds shall be payable out of the Current Collection of the Taxes; and, in the event the Current Collection shall be insufficient to pay the interest on and the principal of the Bonds when due, the Bonds are payable as a general obligation of the District from the General Funds. In the event General Funds are used, the General Funds shall be reimbursed from the amounts eventually received and attributable to the Loss in Current Collection related to such insufficiency, if any.

C. The Taxes are pledged and available solely for the Bonds. The Extension of the Taxes in any year may be limited to 100% of the Taxes (*i.e.*, the levy) for such year with the result that there may be a deficiency in the amount of the Current Collection from the taxes (equal to the Loss in Current Collection), which deficiency shall be satisfied from General Funds.

D. On or before the time of the first delivery of any Bond of this series, a certified copy of this Ordinance shall be filed with the County Clerk of The County of Cook, Illinois, and shall provide due authorization for the County Clerk to extend the Taxes as herein further provided. At such time, for one or more of the Bonds, as shall be necessary or advisable to meet the covenants of this Section, either (1) the Treasurer shall file a Certificate of Tax Levy for such Bond or Bonds or (2) the Board in its annual tax levy ordinance shall provide for such levy, in each instance to be made and extended and collected in the years so provided in such Certificate or Ordinance, which taxes when received by the Treasurer shall be held separate and apart and be used solely for the purpose of paying the interest on and principal of the Bonds, at maturity or redemption, as shall be then Outstanding. Any such Certificate shall refer to this Ordinance and shall set forth the Bonds for which levied, and the levy amounts, hereby authorized, and shall constitute full and complete authority for the County Clerk to extend said taxes as herein provided, without limitation as to rate or amount, and in addition to and in excess of all other

taxes. The Clerk of the District is hereby directed to include the amounts hereinabove levied and required to be raised by taxation in each of said years, respectively, in the amount which shall be certified to the County Clerk in such year as the amount required to be raised by taxation for the District, and provision to meet the requirements of this section shall hereafter be made in each annual Appropriation Ordinance.

*Section 11. Bond Account.*

Money received from the proceeds of taxes so levied for the payment of the principal of and interest on the Bonds shall be deposited into an account designated "General Obligation Unlimited Tax Capital Improvement Bonds, Series 2014 IEPA Projects, Bond and Interest Account," (the "*Bond Account*") and shall be faithfully applied to the payment of such Bonds and interest thereon as herein provided. Interest and principal on the Bonds coming due at any time when there are insufficient funds from the proceeds of taxes levied to pay the same shall be paid promptly when due from any available moneys of the District. The moneys temporarily so used for such purpose shall be restored to the funds from which they were borrowed as soon as the proceeds of taxes levied therefor are available, and the Chairman of the Committee on Finance of the Board of Commissioners and the Clerk of the District are authorized to execute and deliver to the Treasurer of the District warrants for the payment of money necessary to be used to protect the credit of the District.

*Section 12. Loan Agreements.*

The general form of Loan Agreement as has previously been entered into by the District and the IEPA is hereby approved for continued use in connection with the Bonds for the Series 2014 IEPA Projects. Any of the Designated Officers of the District shall be authorized to execute one or more such Loan Agreements in such form for the Series 2014 IEPA Projects. Each Loan Agreement shall provide for a loan from the RLF, to be evidenced, all as provided

herein, by the Bonds. To the extent permitted by law, and so long as the IEPA is the registered owner of any Bond, the District shall be subject to the Loan Agreements for such Bonds. The Loan Agreements and the Bonds so long as held by the IEPA constitute Intergovernmental Agreements under the constitution and laws of the State of Illinois. It is hereby found and declared that no person holding any office of the District, either by election or appointment, is in any manner financially interested, either directly, in his or her own name, or indirectly, in the name of any other person, association, trust or corporation, in the contracts so confirmed in this Ordinance to the IEPA including in such the Loan Agreements and the Bonds.

*Section 13. Tax-exemption Covenants for IEPA.*

The IEPA has provided as a condition of the offering of the Loan Agreements and purchase of the Bonds that, in certain instances, the District shall make certain covenants substantially in form as has been previously presented to the District and on file in the offices of the Clerk and the Treasurer, and any of the Designated Officers is hereby authorized to execute such certificate and deliver same to the IEPA. The District acknowledges that tax-exempt bonds or other obligations (the “*IEPA Program Bonds*”) have been or will be issued by or for the benefit of the IEPA to provide funds for the RLF, including the Series 2014 IEPA Projects as defined herein, and that the IEPA may pledge the obligations of the District under the Bonds to such IEPA Program Bonds.

*Section 14. Use of Proceeds.*

The proceeds derived from the sale and delivery and advances made from time to time from the IEPA under the Loan Agreements, and as evidenced by the Bonds, shall be used to pay for Series 2014 IEPA Projects or to reimburse the District for such costs as previously advanced, all in accordance with the terms of this Ordinance and the Loan Agreements.



*Section 15. Not Tax-Exempt.*

The District and the IEPA and all subsequent holders of any of the Bonds acknowledge and accept that the Bonds are not tax-exempt under the Code.

*Section 16. Ordinance a Contract.*

The provisions of this Ordinance shall constitute a contract between the District and the registered owners of the Bonds. Any pledge made in this Ordinance and the provisions, covenants, and agreements herein set forth to be performed by or on behalf of the District shall be for the equal benefit, protection, and security of the owners of any and all of the Bonds.

*Section 17. Severability.*

If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

*Section 18. Superseder; Effective Date.*

All ordinances, resolutions, procedural rules, or parts thereof in conflict herewith be and the same are hereby superseded and waived for purposes of this Ordinance; and this Ordinance shall be in full force and effect forthwith upon its adoption.

Adopted the 6th day of November, 2014.

Attest:

SIGNED: \_\_\_\_\_, 2014.

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Clerk, Metropolitan Water Reclamation  
District of Greater Chicago  
County of Cook, State of Illinois

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President, Board of Commissioners  
Metropolitan Water Reclamation  
District of Greater Chicago  
County of Cook, State of Illinois

Approved as to Form and Legality:

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Head Assistant Attorney,  
Metropolitan Water Reclamation  
District of Greater Chicago  
County of Cook, State of Illinois

---

General Counsel,  
Metropolitan Water Reclamation  
District of Greater Chicago  
County of Cook, State of Illinois

DATED: \_\_\_\_\_, 2014

STATE OF ILLINOIS     )  
                                       ) SS  
 COUNTY OF COOK        )

I, JACQUELINE TORRES, Clerk of the Metropolitan Water Reclamation District of Greater Chicago and keeper of its official records and seal, DO HEREBY CERTIFY that the attached Ordinance, numbered O14-008, consisting of \_\_ pages, was duly presented at a meeting of the Board of Commissioners held on November 6, 2014, and that said Ordinance was duly accepted and adopted by the Board of Commissioners.

I FURTHER CERTIFY that said Ordinance remains in full force and effect and has not been rescinded, modified or amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Metropolitan Water Reclamation District of Greater Chicago, this \_\_\_\_ day of \_\_\_\_\_ A.D. 2014.

---

Jacqueline Torres, Clerk of the  
 Metropolitan Water Reclamation  
 District of Greater Chicago

[SEAL]

STATE OF ILLINOIS     )  
                                       ) SS  
 COUNTY OF COOK        )

### **CERTIFICATION OF ORDINANCE, AGENDA, POSTING AND MINUTES**

I, Jacqueline Torres, do hereby certify that I am the duly qualified and acting Clerk of the Metropolitan Water Reclamation District of Greater Chicago (the “*District*”) and as such official I am the keeper of the seal, journal of proceedings, books, records, minutes and files of the District and of the Board of Commissioners (the “*Board*”) thereof.

I do further certify that attached hereto is a full, true and complete transcript of the minutes of the legally convened meeting (the “*Meeting*”) of the Board held on the 6th day of November, 2014 and of an ordinance, numbered O14-008, entitled:

AN ORDINANCE providing for the issuance of not to exceed \$80,000,000 General Obligation Unlimited Tax Capital Improvement Bonds (2014 IEPA Authorization), of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvements to the District’s facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of a direct annual tax to pay the interest on and principal of said Bonds.

(the “*Ordinance*”) as adopted at the Meeting.

I do further certify that the deliberations of the Board on the adoption of the Ordinance were conducted openly; that the vote on the adoption of the Ordinance was taken openly; that the Meeting was called and held at a specified time and place convenient to the public; that notice of the Meeting was duly given to all of the news media requesting such notice; that an agenda (the “*Agenda*”) for the Meeting was posted at the location where the Meeting was held and at the principal corporate office of the Board (being the same location of 100 East Erie Street, Chicago, Illinois) at least 48 hours in advance of the holding of the Meeting, and also not later than 5:00 p.m. on the Friday next preceding the Meeting; that the Agenda contained a separate specific item concerning the adoption of the Ordinance; *that the Agenda is attached hereto as Exhibit A*; that the Meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, the Metropolitan Water Reclamation District Act, as amended, and the Local Government Debt Reform Act of the State of Illinois, as amended; and that the Board has complied with all of the provisions of law and with all of the procedural rules of the Board in the conduct of the Meeting and the adoption of the Ordinance.

IN WITNESS WHEREOF I hereunto affix my official signature and the seal of the District  
this \_\_\_\_ day of \_\_\_\_\_ 2014.

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Jacqueline Torres, Clerk of the  
Metropolitan Water Reclamation  
District of Greater Chicago

[SEAL]

[Attachments: Agenda, Ordinance, Minutes]

STATE OF ILLINOIS     )  
                                       ) SS  
 COUNTY OF COOK        )

### FILING CERTIFICATE

I, DAVID D. ORR, County Clerk of The County of Cook, Illinois, do hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 2014, there was filed in my office a properly certified copy of an ordinance, numbered O14-008, entitled:

AN ORDINANCE providing for the issuance of not to exceed \$80,000,000 General Obligation Unlimited Tax Capital Improvement Bonds (2014 IEPA Authorization), of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of financing capital improvements to the District's facilities; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of a direct annual tax to pay the interest on and principal of said Bonds.

passed by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, on the 6th day of November, 2014 and that the same has been deposited in the official files and records of my office.

GIVEN under my hand and the seal of said County at Chicago, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2014.

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County Clerk of  
The County of Cook, Illinois

[SEAL]



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** O14-009, **Version:** 1

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### **ORDINANCE FOR BOARD MEETING OF NOVEMBER 6, 2014**

Adopt Ordinance O14-009 An ordinance providing for the issuance of not to exceed \$100,000,000 General Obligation Bonds (Alternate Revenue Source) (2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of providing funds for stormwater management projects; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds

## **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

### COMMITTEE ON FINANCE

Mr. David St. Pierre, Executive Director

..Title

Ordinance O14-009 An ordinance providing for the issuance of not to exceed \$100,000,000 General Obligation Bonds(Alternate Revenue Source)(2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of providing funds for stormwater management projects; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds

..Body

Dear Sir:

Attached is the third of three ordinances being presented to the Board today relating to the District's anticipated issuance of General Obligation Capital Improvement Bonds to evidence the State Revolving Loan Fund( SRF) loans to be issued totaling \$425,000,000. The bonds will be issued as SRF obligations and will not be sold in the public market. On October 2, 2014, the Board of Commissioners of the District conducted and concluded a public hearing regarding the District's intention to sell \$200,000,000 General Obligation Bonds(Alternate Revenue Source). Furthermore, on October 2, 2014, the Board of Commissioners adopted Ordinance O14-006, An Ordinance authorizing the issuance of not to exceed \$200,000,000 General Obligation Bonds(Alternate Revenue Source) of the Metropolitan Water Reclamation District of Greater Chicago, for the purpose of providing funds for stormwater management capital improvement projects. This authorizing ordinance, together with the statutory notice required by Section 15 of the Local Government Debt Reform Act, was published on October 3, 2014, in the "Chicago Sun-Times", a newspaper of general circulation in the District. No petition has been filed with the Clerk of the District requesting that the issuance of the bonds authorized by the authorizing ordinance be submitted to referendum.

The adoption of Ordinance O14-009 will provide for \$100,000,000 of such issuance in connection with stormwater management capital improvement projects approved by the Illinois Environmental Protection Agency ("IEPA") for funding by reimbursement loans from the State's Revolving Loan Fund.

Upon receipt of the first reimbursement of project construction expenses from the IEPA, the estimated amount to be loaned to the District for that project plus interest accrued during the construction period will be confirmed and a General Obligation Unlimited Tax Capital Improvement Bond for that amount in face value will be issued to the State of Illinois – Illinois Environmental Protection Agency. At that time, the required annual tax levies for payment of semi-annual debt service will be established and filed with the County Clerk of the County of Cook, Illinois.

The passage of the Ordinance is required by the IEPA prior to advancing any funds or initiation of the program relating to these projects. Therefore, it is recommended that "Ordinance O14-009 providing for the issuance of not to exceed \$100,000,000 General Obligation Bonds(Alternate Revenue Source)(2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of providing funds for stormwater management projects; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes to pay the interest on and principal of said Bonds" be adopted by the Board of Commissioners.

Respectfully Submitted, Mary Ann Boyle, Treasurer, MAB:st

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Finance



Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment

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**ORDINANCE NUMBER O14-009****ORDINANCE**

AN ORDINANCE providing for the issuance of not to exceed \$100,000,000 General Obligation Bonds (Alternate Revenue Source) (2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of providing funds for stormwater management projects; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes sufficient to pay the interest on and principal of said Bonds.

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Adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago on the 6th day of November, 2014.

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**This Table of Contents is for convenience only and is  
not a part of the ordinance.**

## ORDINANCE NUMBER O14-009

AN ORDINANCE providing for the issuance of not to exceed \$100,000,000 General Obligation Bonds (Alternate Revenue Source) (2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of providing funds for stormwater management projects; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes sufficient to pay the interest on and principal of said Bonds.

### P R E A M B L E S

#### — WHEREAS —

A. The Metropolitan Water Reclamation District of Greater Chicago, County of Cook, State of Illinois (the “*District*”) is a duly organized and operating sanitary district, body politic and corporate, and unit of local government under the constitution and laws of the State of Illinois.

B. The District operates, *inter alia*, under the following Illinois acts and laws, in each case as amended:

1. the Metropolitan Water Reclamation District Act (the “*Act*”);
2. the Local Government Debt Reform Act (the “*Debt Reform Act*”) relating to borrowing; and
3. the Property Tax Extension Limitation Law (the “*Limitation Law*”) relating to certain ad valorem property tax limits.

C. The District is governed by a duly constituted Board of Commissioners (the “*Board*” or the “*Board of Commissioners*”), and the tax extension officer for the District is the County Clerk (the “*County Clerk*”) of The County of Cook, Illinois (the “*County*”).

D. The Board has determined that it is advisable, necessary, and in the best interests of the public health, welfare, and convenience to provide funds required for stormwater

management projects and purposes, including, without limitation, the development, design, planning and construction of regional and local stormwater facilities provided for in the countywide stormwater management plan, the acquisition of real property in furtherance of its regional and local stormwater management activities, within the District, together with any further necessary or advisable acquisition of land or rights in land and incidental construction and all electrical, mechanical, or other services necessary, useful, or advisable to such improvements (the “*Projects*”).

E. One or more of the Projects may be financed and undertaken by the District and one or more of the Projects may be financed in whole or in part by the District and undertaken by other units of local government.

F. The estimated cost of the Projects, including engineering, legal, financial, bond discount, printing and publication costs, and other expenses, is not less than \$100,000,000 plus the estimated amount of investment earnings to be available from the investment of said sum prior to expenditure of said sum.

G. There exist sources of funds, other than enterprise revenues, consisting of property taxes levied and received by the District for stormwater management purposes pursuant to Section 12 of the Act (the “*Pledged Stormwater Management Taxes*”).

H. There are insufficient funds of the District on hand and lawfully available to pay costs of the Projects, and such costs may be payable from the proceeds of alternate bonds of the District to be issued (i) pursuant to the provisions of the Debt Reform Act and (ii) payable from the Pledged Stormwater Management Taxes; *provided, however*, that if such revenue sources are insufficient to pay such alternate bonds, ad valorem property taxes upon all taxable property in the District without limitation as to rate or amount are authorized to be extended to pay the principal of and interest on such alternate bonds.

I. It is necessary and for the best interests of the District that the Projects be undertaken; and in order to raise the funds required for such purpose, it will be necessary for the District to issue alternate bonds, being general obligation bonds payable from the Pledged Stormwater Management Taxes, or from unlimited ad valorem property taxes, all as provided by the Debt Reform Act, in an aggregate principal amount not to exceed \$100,000,000.

J. To authorize the issuance of alternate bonds under the Debt Reform Act payable from the Pledged Stormwater Management Taxes, in accordance with the provisions of the Debt Reform Act, on the 2nd day of October, 2014, the Board adopted an ordinance (the “*Alternate Bond Authorizing Ordinance*”), authorizing the issuance of general obligation alternate bonds (the “*Alternate Bonds*”) as provided in the Debt Reform Act in an amount not to exceed \$100,000,000 for the purpose of paying the costs of the Projects.

K. On the 3rd day of October, 2014, the Alternate Bond Authorizing Ordinance, together with a notice of intent to issue the Alternate Bonds, was published in the *Chicago Sun-Times*, being a newspaper published and of general circulation in the District, and an affidavit evidencing the publication of the Alternate Bond Authorizing Ordinance and said notice of intent have heretofore been presented to the Board and made a part of the permanent records of the Board.

L. More than thirty (30) days have expired since the date of publication of the Alternate Bond Authorizing Ordinance and said notice, and no petitions with the requisite number of valid signatures thereon have been filed with the Clerk of the District requesting that the question of the issuance of the Alternate Bonds be submitted to referendum.

M. The Board has been authorized to issue the Alternate Bonds to the amount of not to exceed \$200,000,000 in accordance with the provisions the Debt Reform Act.

N. The Board has heretofore and does hereby determine that the Pledged Stormwater Management Taxes will be sufficient to provide or pay in each year to final maturity of the proposed Alternate Bonds an amount not less than 1.25 times debt service on the proposed Alternate Bonds and a second proposed series of alternate bonds expected to be issued at or around the same time as the Alternate Bonds (there are currently no other outstanding bonds of the District secured, in any way, by a pledge of any of the Pledged Stormwater Management Taxes), and accordingly, the Alternate Revenue Source collectively will be sufficient for such purpose.

O. The determination of the sufficiency (the “*Determination of Sufficiency*”) of the Pledged Stormwater Management Taxes as stated in the preceding preamble is supported by the most recent audit (the “*Audit*”) of the District for the year ending December 31, 2013.

P. The Determination of Sufficiency is hereby approved by the Board.

Q. The Board has been authorized to issue the Bonds to the amount of not to exceed \$200,000,000 in accordance with the provisions of the Debt Reform Act, as further authorized by the Alternate Bond Authorizing Ordinance; and the Board hereby determines that it is necessary and advisable that there be issued at this time not to exceed \$100,000,000 of the bonds so authorized.

R. The Bonds to be issued, as hereinafter defined, will be payable from the Pledged Stormwater Management Taxes and the Pledged Taxes, hereinafter defined.

S. The Limitation Law imposes certain limitations on the “aggregate extension” of certain property taxes levied by the District, but provides that the definition of “aggregate extension” contained in Section 18-185 of the Limitation Law does not include extensions made for alternate bonds issued under Section 15 of the Debt Reform Act (as are the Bonds provided for herein).



T. The County Clerk is therefore authorized to extend and collect the Pledged Taxes for the payment of the Bonds without limitation as to rate or amount.

U. Prior to adoption of this Ordinance, the Board duly called, noticed, held, and duly adjourned more than seven days past a hearing pursuant to the Bond Issue Notification Act.

V. The State of Illinois, acting through the Illinois Environmental Protection Agency (the “IEPA”), may make a loan or loans to the District from the Water Pollution Control Revolving Fund of the State of Illinois (the “RLF”) for certain qualifying capital improvement purposes, such as the Projects, the designations for which are or shall be on file from time to time in the office of the Clerk with total estimated projects costs of not to exceed \$100,000,000 (the “Series 2014 IEPA Projects”).

W. It is deemed advisable and necessary that bonds in the principal amount of not to exceed \$100,000,000 be authorized to be issued from time to time to provide funds for the Series 2014 IEPA Projects.

NOW THEREFORE BE IT AND IT IS HEREBY ORDAINED by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, Cook County, Illinois, as follows:

*Section I. Definitions.*

A. Words and terms used in this Ordinance shall have the meanings assigned them unless the context or use clearly indicates another or different meaning is intended. Words and terms defined in the singular may be used in the plural and vice-versa. Reference to any gender shall be deemed to include the other and also inanimate persons such as corporations, where applicable.

“Act” is defined in the preambles.

*“Additional Bonds”* means any alternate bonds issued in the future in accordance with the provisions of the Act and the Debt Reform Act on a parity with and sharing ratably and equally in the Pledged Stormwater Management Taxes with the Bonds.

*“Advance for Value”* means a receipt of funds from the IEPA under a Loan Agreement and relative to a Bond which is a loan advance on and partial purchase price consideration for such Bond, to be evidenced as provided in the Bond form.

*“Alternate Bonds”* is defined in the preambles

*“Board”* and *“Board of Commissioners”* are defined in the preambles.

*“Bond”* or *“Bonds”* means one or more, as applicable, of the not to exceed \$100,000,000 General Obligation Bonds (Alternate Revenue Source), Series 2014 IEPA Projects, authorized to be issued by this Ordinance.

*“Bond Fund”* means the General Obligation Bonds (Alternate Revenue Source), Series 2014 IEPA Projects Fund established for the Bonds pursuant to (Section 11 of) this Ordinance.

*“Bond Register”* means the books of the District kept by the Bond Registrar to evidence the registration and transfer of the Bonds.

*“Bond Registrar”* means the Treasurer of the District or, if appointed by the Treasurer to act as his or her agent, a successor bank with trust powers or a trust company, duly authorized to do business as a bond registrar and paying agent, as herein required.

*“Business Day”* means any day other than a day on which banks in New York, New York, Chicago, Illinois, or the city in which the Bond Registrar maintains its principal corporate trust office are required or authorized to close.

*“Clerk”* means the Clerk of the District.

*“Code”* means the Internal Revenue Code of 1986, as amended.

*“County”* is defined in the preambles.

*“County Clerk”* is defined in the preambles.

*“Current Collection”* means the taxes in fact received by the District from the County Treasurer from a given Extension up to the date payment is due upon bonds, which payment is to be made from such Extension, plus that amount, if any, received in the year preceding such payment date as the collection of delinquent taxes from prior years allocable to the levy for all bonds of the District and General Funds.

*“Debt Reform Act”* is defined in the preambles.

*“Defeasance Obligations”* means (a) direct and general full faith and credit obligations of the United States Treasury (*“Directs”*), (b) certificates of participation or trust receipts in trusts comprised wholly of Directs or (c) other obligations unconditionally guaranteed as to timely payment by the United States Treasury.

*“Designated Officers”* means the officers of the District as follows:

President of the Board (elective), Treasurer of the District (appointive), Chairman of the Committee on Finance (elective), Executive Director (appointive) and Clerk (appointive); *provided* that any act required of more than one of such officers shall be done by not less than one elected officer and one appointive officer.

*“District”* is defined in the preambles.

*“Extension”* means the amount of taxes in fact extended for collection by the County Clerk based upon a levy, which extension is calculable by the sum of taxable property multiplied by the rate (in percent, mils or decimal, as appropriate) of taxation applied for such levy.

*“Face Amount”* means the authorized maximum amount of any Bond, as stated on its face.

*“Fiscal Year”* means that twelve-calendar month period constituting the calendar year.

*“IEPA”* is defined in the preambles.

*“General Funds”* means any and all funds of the District, other than the Bond Fund, from which payments may lawfully be made to pay principal of or interest on the Bonds.

*“Limitation Law”* is defined in the preambles.

*“Loan Agreement”* or *“Loan Agreements”* means the one or more agreements between the District and the IEPA, substantially in the form the District has in the past executed with the IEPA, which previous agreements are on file in the office of the Clerk, providing for the advance of funds from the IEPA to the District to pay the costs of the Projects.

*“Loss in Current Collection”* means the difference between an Extension and the Current Collection from such Extension.

*“Ordinance”* means this Ordinance, numbered and set forth on the title page and adopted by the Board on the 6th day of November, 2014.

*“Outstanding”* when used with reference to the Bonds or Additional Bonds means such of those bonds which are outstanding and unpaid; *provided, however*, such term shall not include any Bonds or Additional Bonds (i) which have matured and for which moneys are on deposit with proper paying agents or are otherwise sufficiently available to pay all principal thereof and interest thereon or (ii) the provision for payment of which has been made by the District by the deposit in an irrevocable trust or escrow of Defeasance Obligations, the principal of and interest on which will be sufficient to pay at maturity or as called for redemption all the principal of and interest on such bonds; and when used with reference to such bonds of the District as have a revenue source of Pledged Stormwater Management Taxes means such term (*viz.* *“Outstanding”*) as defined for such bonds.

*“Pledged Moneys”* means the Pledged Stormwater Management Taxes and the Pledged Taxes, as all of such terms are defined herein.

*“Pledged Stormwater Management Taxes”* is defined in the preambles.

*“Pledged Taxes”* means the ad valorem taxes levied against all of the taxable property in the District without limitation as to rate or amount, as provided in (Section 12 of) this Ordinance, pledged hereunder by the District as security for the Bonds.

*“Repayment Schedule”* means a repayment schedule for a Bond promulgated by the IEPA pursuant to a Loan Agreement and within the delegated parameters as set by this Ordinance.

*“RLF”* is defined in the preambles.

*“Series 2014 IEPA Projects”* is defined in the preambles.

*“Treasurer”* means the Treasurer of the District.

B. Definitions also appear in the preambles hereto or in specific sections, as appear below. The headings in and the table of contents preceding this Ordinance are for the convenience of the reader and are not a part of this Ordinance.

*Section 2. Incorporation of Preambles.*

The Board hereby finds that the recitals contained in the preambles to this Ordinance are true, correct and complete; and the Board does incorporate same into this Ordinance by this reference.

*Section 3. Determination to Issue Bonds.*

It is necessary and in the best interests of the District to provide for the payment of the Projects, and to pay all related costs and expenses incidental thereto, and to borrow money and issue the Bonds for such purposes.

*Section 4. Terms of the Bonds.*

Each Bond shall be designated “General Obligation Bond (Alternate Revenue Source), Series 2014 IEPA Projects”. Each Bond shall be dated as of the first Advance for Value on such Bond. The amount of each Bond issued, being the sum of the amounts as shown as Advances for Value, not in excess of its Face Amount, less in each case principal payments made from time to

time thereon, shall be the “*Outstanding Principal Amount*” of such Bond. The Outstanding Principal Amount of the Bonds from time to time outstanding shall bear interest at the rate of not to exceed 5.0% per annum. The Outstanding Principal Amount of the Bonds shall become due and payable not later than thirty (30) years from date and sooner if pursuant to a schedule of repayment (a “*Repayment Schedule*”) determined in accordance with the Loan Agreements for such Bonds; *provided, however*, that a Repayment Schedule, in order to be enforceable, shall comply with each of the following terms:

- (1) The Repayment Schedule shall be set forth in or as part of each Bond; at such time as the IEPA may promulgate same;
- (2) Payments shall be scheduled only for July 1 and January 1;
- (3) The Repayment Schedule shall provide for substantially level semiannual installments of principal and interest (collectively) within a range of \$50; and
- (4) The final payment on any Bond shall not be later than 30 years after its date of issuance (“*Final Maturity*”).

Each Bond shall bear interest on the Outstanding Principal Amount from time to time at the rate provided, in each case from the time advanced until paid or duly provided for, such interest computed on the basis of a 365-day year and being payable at maturity and on the dates provided in the Repayment Schedule for such Bond. The interest on and all installments of principal of each Bond shall be payable in lawful money of the United States of America upon presentation at the office of the Bond Registrar; *provided, however*, that so long as any agency of the State of Illinois or of the U.S. Government or a financial institution is the registered owner as shown by the Bond Register, then such payments shall be made by check or draft of the Bond Registrar to the registered owner, which check or draft shall be payable in lawful money of the United States of America, and mailed not less than four (4) Business Days prior to the date when due to the

address of the Registered Owner as set forth in the Bond Register, or at such other address as is furnished in writing to the Bond Registrar; and, *provided further*, that the final installment of principal and interest, when due, shall only be payable upon presentation of the Bond.

Each Bond and the installments thereon are subject to redemption and prepayment prior to maturity, at the option of the District, in whole or in part, from any available funds, on any date, at the redemption price of par plus accrued interest to the date fixed for redemption. Any partial prepayment shall be applied in the inverse chronological order of installments of principal. Unless waived by the Bond Registrar, the District shall notify the Bond Registrar of the redemption and prepayment of any Bond not less than 45 days prior to the date of redemption. Unless waived by the registered owner of the Bond to be redeemed, official notice of any such redemption and prepayment shall be given by the Bond Registrar on behalf of the District by mailing the redemption notice by registered or certified mail not less than 30 days and not more than 60 days prior to the date fixed for redemption to the registered owner of the Bond at the address shown on the Bond Register or at such other address as is furnished in writing by such registered owner to the Bond Registrar. All official notices of redemption shall include at least the information as follows:

- (1) the amount of the Bond to be redeemed;
- (2) the redemption date;
- (3) the redemption price;
- (4) a statement that on the redemption date the redemption price will become due and payable upon such Bond or portion thereof so called for redemption and that interest thereon shall cease to accrue from and after said date; and

(5) the place where such Bond is to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Bond Registrar.

Prior to any redemption date, the District shall deposit with the Bond Registrar an amount of money sufficient to pay the redemption price. Notice of redemption having been given as aforesaid, the Bond or portion thereof so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the District shall default in the payment of the redemption price) such Bond or portion thereof shall cease to bear interest. Upon surrender of the Bond for redemption and prepayment in accordance with said notice, such Bond or relevant portion shall be paid by the Bond Registrar at the redemption price. For a partial redemption of a Bond, a new Bond in the amount of unpaid principal shall be executed and delivered to the holder of the partially redeemed Bond.

*Section 5. Amendment of Bonds.*

The rights and obligations of the District and of the owners of the Bonds may from time to time be modified or amended by a supplemental ordinance adopted by the Board with the written consent of the registered owners of all Bonds then outstanding. Ownership of Bonds for purposes of consent by the registered owners thereof shall be conclusively proved by the Bond Register. In obtaining or receiving the consents of registered owners, the District may establish reasonable rules of procedure including, without limitation, rules relating to (i) a record date to fix the registered owners who are entitled to vote, (ii) solicitation of proxies and (iii) a meeting of the registered owners for the taking of actions. The registered owners of Bonds may vote their Bond interest in fractional shares. In the event that Bonds are registered in the name or names of nominees or depositories, consent of such owners by proxy in accordance with the applicable customs of the securities industry or rules of the Securities and Exchange Commission,



Municipal Securities Rulemaking Board or other association or agency having jurisdiction shall be sufficient.

*Section 6. Execution; Authentication of Bonds.*

The Bonds (or any of the Bonds) shall be executed on behalf of the District with the manual or duly authorized facsimile signature of the Treasurer and attested with the manual or duly authorized facsimile signature of the Clerk, as they may determine, and shall have impressed or imprinted thereon the corporate seal or facsimile thereof of the District. In case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. All Bonds shall have thereon a certificate of authentication substantially in the form hereinafter set forth duly executed by the Bond Registrar as authenticating agent of the District and showing the date of authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this Ordinance unless and until such certificate of authentication shall have been duly executed by the Bond Registrar by manual signature, and such certificate of authentication upon any such Bond shall be conclusive evidence that such Bond has been authenticated and delivered under this Ordinance.

*Section 7. Registration and Transfer of Bonds; Owners.*

The District shall cause books (the Bond Register) for the registration and for the transfer of the Bonds as provided in this Ordinance to be kept at the principal office of the Bond Registrar, who or which is hereby constituted and appointed the registrar of the District for the Bonds. Each Bond may be transferred as a whole but not in part, but only in the manner, subject to the limitations, and upon payment of the charges as set forth in this Ordinance. Upon surrender of the Bond at the principal office of the Bond Registrar, accompanied by a written

instrument or instruments of transfer in form satisfactory to the Bond Registrar and duly executed by the registered owner or an attorney for such owner duly authorized in writing, the Bond Registrar shall register the Bond in the name of the new registered owner on the registration grid provided therein, and shall also enter the name and address of the new registered owner in the Bond Register. The Bond Registrar shall not be required to transfer any Bond during the period from the close of business on the 15th day of the calendar month preceding an interest payment date on such Bond to the opening of business on such interest payment date or during the period of 15 days preceding the giving of notice of redemption of the Bond or to transfer the Bond if it has been called for redemption.

The execution by the District of any fully registered Bond shall constitute full and due authorization of such Bond, and the Bond Registrar shall thereby be authorized to authenticate, date and deliver such Bond. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of or interest on the Bond shall be made only to or upon the order of the registered owner thereof or the owner's legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

No service charge shall be made for any transfer of a Bond, but the District or the Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer of the Bond.

*Section 8. Form of Bonds.*

The Bonds, the Certificate of Authentication to be endorsed thereon, the form of Assignment, the Advances for Value table, the Registered Owner Notation, and the Repayment Schedule are all to be in substantially the following form(s) (with necessary and appropriate variations, omissions and insertions as permitted or required by this Ordinance):

**THIS BOND IS TRANSFERABLE ONLY AS A WHOLE**

**REGISTERED  
NO. ONE**

**MAXIMUM  
REGISTERED  
AMOUNT**  
\$ \_\_\_\_\_

**UNITED STATES OF AMERICA**

**STATE OF ILLINOIS**

**THE COUNTY OF COOK**

**METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO**

**GENERAL OBLIGATION BOND  
(ALTERNATE REVENUE SOURCE) DESIGNATED BOND \_\_\_\_**

**SERIES 2014 IEPA PROJECTS**

**CONTRACT NO. \_\_\_\_\_**

**SRF LOAN AGREEMENT NO. L17-\_\_\_\_\_**

KNOW ALL PERSONS BY THESE PRESENTS that the METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO (the "*District*"), a sanitary district, body corporate and politic, and unit of local government duly organized under the laws of the State of Illinois, located in The County of Cook, hereby acknowledges itself to owe and for value received promises to pay to the Registered Owner, or registered assigns as hereinafter provided, on the dates hereinafter set forth, the Outstanding Principal Amount of this Bond. The "Outstanding Principal Amount" is that amount, not to exceed the Face Amount of this Bond as set forth above, shown as advanced in even multiples of \$100 from time to time and received by the District for value, as is noted on this Bond in the form of Advances for Value hereon, less payments of principal hereon. And the District further promises to pay interest on the Outstanding Principal Amount at the rate of \_\_\_\_% per annum. The Outstanding Principal Amount of this Bond shall become due and payable \_\_\_\_\_ (\_\_) years from date, and sooner, pursuant to the schedule of repayment (the

*“Repayment Schedule”*), when promulgated, as attached hereto by the Treasurer of the District. This Bond shall bear interest on the Outstanding Principal Amount from time to time at the rate aforesaid, in each case from the time advanced until paid or duly provided for, such interest computed on the basis of a 365-day year and being payable at maturity or on the dates provided in the Repayment Schedule. The interest on and all installments of principal of this Bond shall be payable in lawful money of the United States of America upon presentation at the office of the District Treasurer, located at 100 East Erie Street, Chicago, Illinois, as bond registrar and paying agent; *provided, however*, that so long as any agency of the State of Illinois or of the U.S. Government or a financial institution is the Registered Owner as shown by the Bond Register, then such payments shall be made by check or draft of the Bond Registrar to the Registered Owner, which check or draft shall be payable in lawful money of the United States of America, and mailed not less than four (4) Business Days prior to the date when due to the address of the Registered Owner as set forth in the Bond Register, or at such other address as is furnished in writing to the Bond Registrar; but, *provided, further*, that the final installment of principal and interest, when due, shall only be payable upon presentation of this Bond.

This Bond is subject to redemption and prepayment prior to maturity, at the option of the District, in whole or in part, from any available funds, on any date, at the redemption price of par plus accrued interest to the date fixed for redemption. Unless waived by the Registered Owner hereof, notice of any such redemption and prepayment shall be given by the Bond Registrar on behalf of the District by mailing the redemption notice by registered or certified mail not less than 30 days and not more than 60 days prior to the date fixed for redemption to the Registered Owner at the address shown on the Bond Register or at such other address as is furnished in writing by the Registered Owner to the Bond Registrar. Notice of redemption having been given as aforesaid, this Bond or portion thereof shall, on the redemption date, become due and payable

at the redemption price therein specified, and from and after such date (unless the District shall default in the payment of the redemption price) this Bond or portion thereof shall cease to bear interest. Upon surrender of this Bond for redemption and prepayment in accordance with said notice, this Bond shall be paid by the Bond Registrar at the redemption price. Any partial prepayment of this Bond shall be applied to principal in the inverse chronological order of installments; and upon any such partial prepayment, a new Bond in the amount of unpaid principal shall be executed and delivered to the holder of this Bond.

This Bond may be transferred as a whole but not in part, but only in the manner, subject to the limitations, and upon payment of the charges as set forth in the hereinafter defined Ordinance. Upon surrender hereof at the office of the Bond Registrar, accompanied by a written instrument or instruments of transfer in form satisfactory to the Bond Registrar and duly executed by the Registered Owner or an attorney for such owner duly authorized in writing, the Bond Registrar shall register this Bond in the name of the new Registered Owner on the registration grid provided herein, and shall also enter the name and address of the new registered owner in the Bond Register. The Bond Registrar shall not be required to transfer this Bond during the period from the close of business on the 15th day of the calendar month preceding an interest payment date on this Bond to the opening of business on such interest payment date or during the period of 15 days preceding the giving of notice of redemption of this Bond or to transfer any Bond which has been called for redemption. The person in whose name this Bond is registered shall be deemed and regarded as the absolute owner hereof for all purposes, and payment of the principal of or interest hereon shall be made only to or upon the order of the Registered Owner hereof or the owner's legal representative. All such payments shall be valid and effectual to satisfy and discharge the liability upon this Bond to the extent of the sum or sums so paid.

This bond is one of a series of Bonds authorized to provide all or part of the funds required for the Series 2014 IEPA Projects as set forth in the title. The Bonds are being issued pursuant to and in all respects in compliance with the applicable provisions of the Metropolitan Water Reclamation District Act of the State of Illinois, and all acts amendatory thereof and supplementary thereto; pursuant to the Local Government Debt Reform Act of the State of Illinois; pursuant to an authorizing ordinance passed by the Board of the District (the “*Board*”) on the 2nd day of October, 2014, as duly thereafter published in the *Chicago Sun-Times*; pursuant to a more complete ordinance setting forth terms and details, and passed by the Board on the 6th day of November, 2014, numbered O14-009, and entitled:

AN ORDINANCE providing for the issuance of not to exceed \$100,000,000 General Obligation Bonds (Alternate Revenue Source), Series 2014 IEPA Projects of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of providing funds for stormwater management projects; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes sufficient to pay the interest on and principal of said Bonds.

(the “*Ordinance*”); and pursuant to one or more Loan Agreements by and between the District and the IEPA, which loans are evidenced by this Bond. Reference is hereby made to the Ordinance and Loan Agreements for a further statement of the terms and conditions of this Bond and of the rights and privileges of the Registered Owner hereof.

The rights and obligations of the District and of the Registered Owner hereof may from time to time be modified or amended by a supplemental ordinance adopted by the Board of Commissioners of the District with the written consent of the Registered Owner of this Bond and all of the Bonds of the series of which this Bond is a part.

The Bonds are payable from the Pledged Stormwater Management Taxes of the District and the Pledged Taxes of the District, each as defined in the Ordinance as defined below.

FOR THE PROMPT PAYMENT OF THIS BOND, BOTH PRINCIPAL AND INTEREST AT MATURITY, THE FULL FAITH, CREDIT, AND RESOURCES OF THE DISTRICT ARE HEREBY IRREVOCABLY PLEDGED.

It is hereby certified and recited that all acts, conditions, and things required to be done precedent to and in the issuance of this Bond have been done and have happened and have been performed in regular and due form and time as required by law; that the indebtedness of the District, including the issue of Bonds of which this is one, does not exceed any limitation imposed by law; that provision has been made for the collection of the Pledged Stormwater Management Taxes, the levy and collection of the Pledged Taxes, and the segregation of all Pledged Moneys to pay the interest hereon as it falls due and also to pay and discharge the principal hereof at maturity; and that the District hereby covenants and agrees that it will properly account for the Pledged Moneys and will comply with all the covenants of and maintain the funds and accounts as provided by the Ordinance.

THIS BOND DOES NOT AND WILL NOT CONSTITUTE AN INDEBTEDNESS OF THE DISTRICT WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISION OR LIMITATION, UNLESS THE PLEDGED TAXES SHALL BE EXTENDED PURSUANT TO THE GENERAL OBLIGATION, FULL FAITH AND CREDIT PROMISE SUPPORTING THE BONDS, IN WHICH CASE THE AMOUNT OF THE BONDS THEN OUTSTANDING SHALL BE INCLUDED IN THE COMPUTATION OF INDEBTEDNESS OF THE DISTRICT FOR PURPOSES OF ALL STATUTORY PROVISIONS OR LIMITATIONS UNTIL SUCH TIME AS AN AUDIT OF THE DISTRICT SHALL SHOW THAT THE BONDS SHALL HAVE BEEN PAID FROM THE PLEDGED STORMWATER MANAGEMENT TAXES FOR A COMPLETE FISCAL YEAR.

THE INTEREST ON THIS BOND IS NOT TAX-EXEMPT UNDER THE PROVISIONS OF SECTION 103 OF THE INTERNAL REVENUE CODE OF 1986, AND THE REGISTERED OWNER HEREOF BY

ACCEPTANCE OF THIS BOND ACKNOWLEDGES SUCH STATUS AND AGREES WITH THE DISTRICT NOT TO ASSERT ANY CLAIM TO THE CONTRARY.

This Bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been signed by the Bond Registrar. The tables and forms following the signatures on this Bond and entitled Advances for Value, Repayment Schedule and Registered Owner Notation are an integral part of this Bond as if in each case fully set forth at this place and are incorporated herein by this reference.

IN WITNESS WHEREOF the Metropolitan Water Reclamation District of Greater Chicago, by its Board of Commissioners, has caused this Bond to be executed by the manual or duly authorized facsimile signature of the Treasurer and attested by the manual or duly authorized facsimile signature of its Clerk, and its corporate seal or a facsimile thereof to be impressed or reproduced hereon, all as appearing hereon and as of the Dated Date hereof, to wit, the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

---

Treasurer, Metropolitan Water Reclamation  
District of Greater Chicago

ATTEST:

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Clerk of the Metropolitan Water  
Reclamation District of Greater Chicago

[SEAL]

Date of Authentication: \_\_\_\_\_, 20\_\_.



**CERTIFICATE OF AUTHENTICATION**

This Bond is one of the Bonds described in the within-mentioned Ordinance and is one of the General Obligation Bonds (Alternate Revenue Source), Series 2014 IEPA Projects, Designated Bond \_\_\_\_, SRF Loan Agreement No. L17-\_\_\_\_\_ of the Metropolitan Water Reclamation District of Greater Chicago, County of Cook, State of Illinois.

Bond Registrar and Paying Agent:

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Treasurer, Metropolitan Water Reclamation  
District of Greater Chicago

**ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

Here insert Social Security Number,  
Employer Identification Number or  
other Identifying Number

---



---

(Name and Address of Assignee)

the within Bond and does hereby irrevocably constitute and appoint

---

as attorney to transfer the said Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature guaranteed: \_\_\_\_\_

NOTICE: The signature to this transfer and assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

**REGISTERED  
NO. ONE**

**MAXIMUM  
REGISTERED  
AMOUNT**  
\$ \_\_\_\_\_

**DESIGNATED BOND \_\_\_\_**

**SERIES 2014 IEPA PROJECTS**

**CONTRACT NO. \_\_\_\_\_**

**SRF LOAN AGREEMENT NO. L17-\_\_\_\_\_**

**ADVANCES FOR VALUE**

This Bond is valid to the amount set forth below, the aggregate of said amounts being its Outstanding Principal Amount.

AMOUNT ADVANCED (\$)	DATE ADVANCED	SIGNATURE OF DISTRICT TREASURER
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**REGISTERED  
NO. ONE**

**MAXIMUM  
REGISTERED**  
\$ \_\_\_\_\_

**GENERAL OBLIGATION BOND  
(ALTERNATE REVENUE SOURCE),**

**DESIGNATED BOND \_\_\_\_**

**SERIES 2014 IEPA PROJECTS**

**CONTRACT NO. \_\_\_\_\_**

**SRF LOAN AGREEMENT NO. L17- \_\_\_\_\_**

**REPAYMENT SCHEDULE**

**GENERAL OBLIGATION BOND  
(ALTERNATE REVENUE SOURCE)**

**DESIGNATED BOND \_\_\_\_**

**SERIES 2014 IEPA PROJECTS**

**CONTRACT NO. \_\_\_\_\_**

**SRF LOAN AGREEMENT NO. L17-\_\_\_\_\_**

**REGISTERED OWNER NOTATION**

This Bond shall be registered on the Bond Register of the District kept for the purpose by the District Treasurer as Bond Registrar. The principal and interest on this Bond shall be payable only to or upon the order of the Registered Owner or such owner's legal representative.

No registration hereof shall be valid unless signed by the Bond Registrar.

DATE OF  
REGISTRATION

NAME OF  
REGISTERED OWNER

SIGNATURE OF  
BOND REGISTRAR

State of Illinois  
Illinois Environmental  
Protection Agency

\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

*Section 9. Treasurer to Deliver Bonds.*

The Treasurer of the District along with the other Designated Officers is hereby authorized to take all necessary action to have the Bonds prepared and executed and to deliver all necessary documents to complete the borrowing in accordance with the terms of the Loan Agreements. Bonds shall be issued, delivered and dated at the time or times and in the aggregate amount or amounts as the first disbursement of funds for the Series 2014 IEPA Projects or any part of the 2014 IEPA Projects is made by the IEPA under one or more Loan Agreements; *provided, however*, that the Treasurer is authorized to release to the IEPA, in trust, signed undated Bonds at the time the District requests such first payment, such Bonds to have an initial Advance for Value in the amount of such request, and authorize the IEPA to date such Bonds and Advance for Value upon the delivery of funds in such amount. For each subsequent Advance for Value, the District Treasurer is authorized to release to the IEPA, in trust, the original Bonds with the Advance for Value Tables signed and completed in the amount of the proposed advance, but undated, and to authorize the IEPA to date such Advance for Value upon the delivery of funds in such amount. Alternatively, as requested by the IEPA, the Treasurer is authorized to hold the Bonds in trust for the IEPA and enter the Advances for Value thereon in accordance with disbursements as actually made. The Treasurer shall act as Bond Registrar and keep a Bond Register showing at all times the name of the registered owner of the Bonds.

*Section 10. Treatment of Bonds As Debt.*

The Bonds shall be payable from the Pledged Moneys and do not and shall not constitute an indebtedness of the District within the meaning of any constitutional or statutory limitation, unless the Pledged Taxes shall be extended pursuant to the general obligation, full faith and credit promise supporting the Bonds (as set forth in Section 12 hereof) in which case the amount of the Bonds then Outstanding shall be included in the computation of indebtedness of the

District for purposes of all statutory provisions or limitations until such time as an audit of the District shall show that the Bonds have been paid from the Pledged Stormwater Management Taxes for a complete Fiscal Year, in accordance with the Act.

*Section 11. Alternate Bond Fund.*

There is hereby created a special fund of the District, which fund shall be held separate and apart from all other funds and accounts of the District and shall be known as the “General Obligation Bonds (Alternate Revenue Source), Series 2014 IEPA Projects Bond Fund” (the “*Bond Fund*”). The purpose of the Bond Fund is to provide a fund to receive and disburse the Pledged Stormwater Management Taxes for the Bonds and to receive and disburse Pledged Taxes for any (or all) of the Bonds. There are hereby created two accounts of the Bond Fund, designated the Pledged Stormwater Management Taxes Account and the Taxes Account. All moneys from Pledged Stormwater Management Taxes as required for the Bonds shall be deposited to the credit of the Pledged Stormwater Management Taxes Account, and all Pledged Taxes shall be deposited to the credit of the Taxes Account. The Bond Fund and its respective accounts constitute a trust fund established for the purpose of carrying out the covenants, terms, and conditions imposed upon the District by this Ordinance. The Treasurer shall deposit the moneys from Pledged Stormwater Management Taxes to the Pledged Stormwater Management Taxes Account of the Bond Fund (at the times and in the amounts required by Section 14 hereof). Any Pledged Taxes received by the District shall promptly be deposited into the Taxes Account of the Bond Fund. Pledged Taxes on deposit to the credit of the Taxes Account of the Bond Fund shall be fully spent to pay the principal of and interest and premium, if any, on the series of Bonds for which such taxes were levied and collected prior to use of any moneys on deposit in the Pledged Stormwater Management Taxes Account of the Bond Fund.

*Section 12. Pledged Taxes; Tax Levy.*

A. The full faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal of and interest on the Bonds. The Bonds shall be direct and general obligations of the District, and the District shall be obligated to levy ad valorem taxes upon all the taxable property of the District for the payment of the Bonds and the interest thereon, without limitation as to rate or amount (the “*Pledged Taxes*”).

B. The Bonds shall be payable out of the Current Collection of the Taxes; and, in the event the Current Collection shall be insufficient to pay the interest on and the principal of the Bonds when due, the Bonds are payable as a general obligation of the District from the General Funds. In the event General Funds are used, the General Funds shall be reimbursed from the amounts eventually received and attributable to the Loss in Current Collection related to such insufficiency, if any.

C. The Pledged Taxes are pledged and available solely for the Bonds. The Extension of the Pledged Taxes in any year may be limited to 100% of the Pledged Taxes (*i.e.*, the levy) for such year with the result that there may be a deficiency in the amount of the Current Collection from the taxes (equal to the Loss in Current Collection), which deficiency shall be satisfied from General Funds.

D. On or before the time of the first delivery of any Bond of this series, a certified copy of this Ordinance shall be filed with the County Clerk, and shall provide due authorization for the County Clerk to extend taxes to pay the Bonds as herein further provided. At such time, for one or more of the Bonds, as shall be necessary or advisable to meet the covenants of this Section, either (1) the Treasurer shall file a Certificate of Tax Levy for such Bond or Bonds or (2) the Board in its annual tax levy ordinance shall provide for such levy, in each instance to be made and extended and collected in the years so provided in such Certificate or Ordinance,



which taxes when received by the Treasurer shall be held separate and apart and be used solely for the purpose of paying the interest on and principal of the Bonds, at maturity or redemption, as shall be then Outstanding. Any such Certificate shall refer to this Ordinance and shall set forth the Bonds for which levied, and the levy amounts, hereby authorized, and shall constitute full and complete authority for the County Clerk to extend said taxes as herein provided, without limitation as to rate or amount, and in addition to and in excess of all other taxes. The Clerk of the District is hereby directed to include the amounts hereinabove levied and required to be raised by taxation in each of said years, respectively, in the amount which shall be certified to the County Clerk in such year as the amount required to be raised by taxation for the District, and provision to meet the requirements of this section shall hereafter be made in each annual appropriation ordinance to be adopted by the Board.

*Section 13. Budget and Appropriation; Abatement of Pledged Taxes.*

For the purpose of providing Pledged Stormwater Management Taxes in each year sufficient to pay debt service of all Outstanding Bonds for such year, the District agrees and covenants to make provision therefor in the District's annual budget and appropriation ordinance to be duly adopted by the Board, all in the manner, form and time as provided by law. Annually, prior to the deadline for the timely annual abatement of the Pledged Taxes for the Bonds, upon the determination of the Board (by budget and appropriation proceedings or otherwise), that there will be sufficient Pledged Stormwater Management Taxes to provide for the payment of the Bonds, the Board or the officers of the District acting with proper authority shall direct the abatement of such levy of Pledged Taxes for the Bonds.

*Section 14. Pledged Stormwater Management Taxes; General Covenants.*

The District covenants and agrees with the holders of the Bonds that, so long as any Bonds remain Outstanding:

A. The Pledged Stormwater Management Taxes are hereby pledged to the payment of the Bonds; and the Board covenants and agrees to provide for, collect and apply the Pledged Stormwater Management Taxes to the payment of all the Bonds as are from time to time Outstanding and the provision of not less than an additional 0.25 times debt service thereon, all in accordance with Section 15 of the Act.

B. The District will punctually pay or cause to be paid from the Bond Fund the principal of, interest on and premium, if any, to become due in respect to the Bonds in strict conformity with the terms of the Bonds and this Ordinance, and it will faithfully observe and perform all of the conditions, covenants and requirements thereof.

C. The District will pay and discharge, or cause to be paid and discharged, from the Bond Fund any and all lawful claims which, if unpaid, might become a lien or charge upon the Pledged Stormwater Management Taxes or the Pledged Taxes, or any part thereof, or upon any such funds in the hands of the Bond Registrar, or which might impair the security of the Bonds. Nothing herein contained shall require the District to make any such payment so long as the District in good faith shall contest the validity of said claims.

D. The District will keep, or cause to be kept, proper books of record and accounts, separate from all other records and accounts of the District, in which complete and correct entries shall be made of all transactions relating to the Pledged Stormwater Management Taxes and to the Bond Fund.

E. The District will preserve and protect the security of the Bonds and the rights of the registered owners of the Bonds, and will warrant and defend their rights against all claims and demands of all persons. From and after the sale and delivery of any of the Bonds by the District, the Bonds shall be incontestable by the District.

F. The District will adopt, make, execute, and deliver any and all such further ordinances, resolutions, instruments, and assurances as may be reasonably necessary or proper to carry out the intention of, or to facilitate the performance of, this Ordinance, and for the better assuring and confirming unto the holders of the Bonds of the rights and benefits provided in this Ordinance.

G. As long as any Bonds are Outstanding, the District will continue to deposit the Pledged Stormwater Management Taxes and, if necessary, the Pledged Taxes to the appropriate accounts of the Bond Fund. The District covenants and agrees with the Purchaser of the Bonds and with the registered owners thereof that so long as any Bonds remain Outstanding, the District will take no action or fail to take any action which in any way would adversely affect the ability of the District to collect the Pledged Stormwater Management Taxes. The District and its officers will comply with all present and future applicable laws in order to assure that the Pledged Stormwater Management Taxes and the Pledged Taxes may be collected as provided herein and deposited into the Bond Fund.

H. Once issued, the Bonds shall be and forever remain until paid or defeased the general obligation of the District, for the payment of which its full faith and credit are pledged, and shall be payable, in addition to the Pledged Stormwater Management Taxes, from the levy of the Pledged Taxes as provided in the Act.

*Section 15. Additional Bonds.*

The District reserves the right to issue Additional Bonds, as permitted by law, without limit from time to time payable from all or any portion of the Pledged Stormwater Management Taxes, and any such Additional Bonds shall share ratably and equally in the Pledged Stormwater Management Taxes with the Bonds.

*Section 16. Loan Agreements.*

The general form of Loan Agreement as has previously been entered into by the District and the IEPA is hereby approved for continued use in connection with the Bonds for the Series 2014 IEPA Projects. Any of the Designated Officers of the District shall be authorized to execute one or more such Loan Agreements in such form for the Series 2014 IEPA Projects. Each Loan Agreement shall provide for a loan from the RLF, to be evidenced, all as provided herein, by the Bonds. To the extent permitted by law, and so long as the IEPA is the registered owner of any Bond, the District shall be subject to the Loan Agreements for such Bonds. The Loan Agreements and the Bonds so long as held by the IEPA constitute Intergovernmental Agreements under the constitution and laws of the State of Illinois. It is hereby found and declared that no person holding any office of the District, either by election or appointment, is in any manner financially interested, either directly, in his or her own name, or indirectly, in the name of any other person, association, trust or corporation, in the contracts so confirmed in this Ordinance to the IEPA including in such the Loan Agreements and the Bonds.

*Section 17. Defeasance.*

Bonds which are no longer Outstanding Bonds as defined in this Ordinance shall cease to have any lien on or right to receive or be paid from the Pledged Stormwater Management Taxes or the Pledged Taxes, and shall no longer have the benefits of any covenant for the registered

owners of Outstanding Bonds as set forth herein as such relates to lien and security for the Bonds in the Pledged Stormwater Management Taxes or the Pledged Taxes.

*Section 18. Tax-exemption Covenants for IEPA.*

The IEPA has provided as a condition of the offering of the Loan Agreements and purchase of the Bonds that, in certain instances, the District shall make certain covenants substantially in form as has been previously presented to the District and on file in the offices of the Clerk and the Treasurer, and any of the Designated Officers is hereby authorized to execute such certificate and deliver same to the IEPA. The District acknowledges that tax-exempt bonds or other obligations (the “*IEPA Program Bonds*”) have been or will be issued by or for the benefit of the IEPA to provide funds for the RLF, including the Series 2014 IEPA Projects as defined herein, and that the IEPA may pledge the obligations of the District under the Bonds to such IEPA Program Bonds.

*Section 19. Use of Proceeds.*

The proceeds derived from the sale and delivery and advances made from time to time from the IEPA under the Loan Agreements, and as evidenced by the Bonds, shall be used to pay for Series 2014 IEPA Projects or to reimburse the District for such costs as previously advanced, all in accordance with the terms of this Ordinance and the Loan Agreements.

*Section 20. Not Tax-Exempt.*

The District and the IEPA and all subsequent holders of any of the Bonds acknowledge and accept that the Bonds are not tax-exempt under the Code.

*Section 21. This Ordinance a Contract.*

The provisions of this Ordinance shall constitute a contract between the District and the registered owners of the Bonds. Any pledge made in this Ordinance and the provisions, covenants, and agreements herein set forth to be performed by or on behalf of the District shall

be for the equal benefit, protection, and security of the owners of any and all of the Bonds. All covenants relating to the Bonds and the conditions and obligations imposed by Section 15 of the Debt Reform Act are enforceable by any holder of the Bonds affected, any taxpayer of the District and the people of the State of Illinois acting through the Attorney General or any designee.

*Section 22. Severability.*

If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this Ordinance.

*Section 23. Superseder; Effective Date.*

All ordinances, resolutions, procedural rules, or parts thereof in conflict herewith be and the same are hereby superseded and waived for purposes of this Ordinance; and this Ordinance shall be in full force and effect forthwith upon its adoption.

Attest:

Approved:

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Clerk, Metropolitan Water Reclamation  
District of Greater Chicago

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

Approved as to Form and Legality:

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Head Assistant Attorney

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General Counsel

DATED: November 6, 2014

STATE OF ILLINOIS     )  
                                       ) SS  
 COUNTY OF COOK        )

I, JACQUELINE TORRES, Clerk of the Metropolitan Water Reclamation District of Greater Chicago and keeper of its official records and seal, DO HEREBY CERTIFY that the attached Ordinance, numbered O14-009, consisting of \_\_\_ pages, was duly presented at a meeting of the Board of Commissioners held on November 6, 2014, and that said Ordinance was duly accepted and adopted by the Board of Commissioners.

I FURTHER CERTIFY that said Ordinance remains in full force and effect and has not been rescinded, modified or amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Metropolitan Water Reclamation District of Greater Chicago, this \_\_\_\_ day of \_\_\_\_\_ A.D. 2014.

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Jacqueline Torres, Clerk of the  
 Metropolitan Water Reclamation  
 District of Greater Chicago

[SEAL]



STATE OF ILLINOIS     )  
                                       ) SS  
 COUNTY OF COOK        )

**CERTIFICATION OF ORDINANCE, AGENDA, POSTING AND MINUTES**

I, Jacqueline Torres, do hereby certify that I am the duly qualified and acting Clerk of the Metropolitan Water Reclamation District of Greater Chicago (the “*District*”) and as such official I am the keeper of the seal, journal of proceedings, books, records, minutes and files of the District and of the Board of Commissioners (the “*Board*”) thereof.

I do further certify that attached hereto is a full, true and complete transcript of the minutes of the legally convened meeting (the “*Meeting*”) of the Board held on the 6th day of November, 2014, and of an ordinance, numbered O14-009, entitled:

AN ORDINANCE providing for the issuance of not to exceed \$100,000,000 General Obligation Bonds (Alternate Revenue Source) (2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of providing funds for stormwater management projects; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes sufficient to pay the interest on and principal of said Bonds.

(the “*Ordinance*”) as adopted at the Meeting.

I do further certify that the deliberations of the Board on the adoption of the Ordinance were conducted openly; that the vote on the adoption of the Ordinance was taken openly; that the Meeting was called and held at a specified time and place convenient to the public; that notice of the Meeting was duly given to all of the news media requesting such notice; that an agenda (the “*Agenda*”) for the Meeting was posted at the location where the Meeting was held and at the principal corporate office of the Board (being the same location of 100 East Erie Street, Chicago, Illinois) at least 48 hours in advance of the holding of the Meeting, and also not later than 5:00 p.m. on the Friday next preceding the Meeting; that the Agenda contained a separate specific item concerning the adoption of the Ordinance; *that the Agenda is attached hereto as Exhibit A*; that the Meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, the Metropolitan Water Reclamation District Act, as amended, and the Local Government Debt Reform Act of the State of Illinois, as amended; and that the Board has complied with all of the provisions of law and with all of the procedural rules of the Board in the conduct of the Meeting and the adoption of the Ordinance.

IN WITNESS WHEREOF I have hereunto affixed my official signature and the seal of the District, this \_\_\_\_ day of \_\_\_\_\_, 2014.

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Jacqueline Torres, Clerk of the  
Metropolitan Water Reclamation  
District of Greater Chicago

[SEAL]

[Attachments: Ordinance, Agenda, and Minutes]

STATE OF ILLINOIS     )  
                                       ) SS  
 COUNTY OF COOK        )

### FILING CERTIFICATE

I, DAVID D. ORR, County Clerk of The County of Cook, Illinois, do hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 2014, there was filed in my office a properly certified copy of an ordinance, numbered O14-009, entitled:

AN ORDINANCE providing for the issuance of not to exceed \$100,000,000 General Obligation Bonds (Alternate Revenue Source) (2014 IEPA Authorization) of the Metropolitan Water Reclamation District of Greater Chicago for the purpose of providing funds for stormwater management projects; authorizing and providing for related Loan Agreements with the Illinois Environmental Protection Agency providing for loans from the Revolving Loan Fund, and such other documents as may be necessary; and providing for the levy of taxes sufficient to pay the interest on and principal of said Bonds.

passed by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, on the 6th day of November, 2014 and that the same has been deposited in the official files and records of my office.

GIVEN under my hand and the seal of said County at Chicago, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2014.

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County Clerk of  
The County of Cook, Illinois

[SEAL]



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** O14-010, **Version:** 1

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### **ORDINANCE FOR BOARD MEETING OF NOVEMBER 6, 2014**

Adopt Ordinance O14-010 An Ordinance Authorizing and Providing For the Issuance of Not to Exceed \$75,000,000 General Obligation Limited Tax Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago

## **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

### COMMITTEE ON FINANCE

Mr. David St. Pierre, Executive Director

..Title

Ordinance O14-010 An Ordinance Authorizing and Providing For the Issuance of Not to Exceed \$75,000,000 General Obligation Limited Tax Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago

..Body

Dear Sir:

Attached is the first of four ordinances being presented to the Board today relating to the District's anticipated General Obligation Capital Improvement Bonds sale totaling \$300,000,000. This Ordinance O14-010 authorizes the sale of not to exceed \$75,000,000 General Obligation Limited Tax Capital Improvement Bonds. The sale of these bonds will fund capital projects initiated after the effective date of the Property Tax Extension Limitation Law(October of 1991) which are subject to its provisions.

The District held a public hearing on October 2, 2014, pursuant to the Bond Issue Notification Act stating its intention to issue not to exceed \$500,000,000 of General Obligation Capital Improvement Bonds. All Ordinances presented for approval will be issued in accordance with the conditions stated at that hearing.

The Ordinance sets the legal parameters for issuance of the bonds and provides for various necessary details relative to the bonds, including the required authority to levy and collect the direct annual taxes for payment of bond principal and interest as due, and the Ordinance authorizes the Treasurer and any one elective officer of the District to sign a binding bond purchase agreement with the underwriters on behalf of the District, and also to sign a related "Bond Order," on the date of sale. Such authority permits the sale to be completed in a prompt and timely manner when conditions in the bond market are in a stable and acceptable state for issuance of the District's bonds. The Bonds may be sold in one or more bond sales over the next year dependent upon the capital financing needs of the District. The action of the Treasurer and the elective officer in signing the bond purchase agreement(s) and executing the Bond Order(s) will be reported to the Board at the next regular meeting following each sale date.

The authority to sell the Bonds shall expire on April 30, 2015. This expiration period has been proposed to allow for flexibility in issue size and the ability to adapt to changing conditions in the bond market. Authority is requested to access the market to sell up to \$225,000,000 in new money bonds to fund capital improvement projects and up to \$75,000,000 in refunding bonds dependent upon market conditions. The size and structure of the sale will be determined with the assistance of the Underwriters and Financial Advisors based upon the market interest rates, investor cash positions, supply of bonds for sale, liquidity of the market and other conditions. .

The purchase price is set at not less than 97% of the original principal amount; compensation to the purchasers is not to exceed seventy-five cents(\$0.75) per \$1,000 principal amount of bonds sold (excluding syndicate expenses and underwriter counsel fees); the bonds may be subject to optional redemption at not more than 103%; interest may be capitalized for a period of not more than twenty-four months; and the bonds may mature not later than December 1, 2044.

It is recommended that "Ordinance O14-010 Authorizing and Providing For the Issuance of Not to Exceed \$75,000,000 General Obligation Limited Tax Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago" be adopted by the Board of Commissioners.

Requested, Mary Ann Boyle, Treasurer, MAB:st

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Finance

Disposition of this agenda item will be documented in the official Regular Board Meeting

Minutes of the Board of Commissioners for November 6, 2014

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ORDINANCE NUMBER O14-010

An Ordinance Authorizing and Providing For the Issuance of Not to Exceed \$75,000,000 General Obligation Limited Tax Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago

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Adopted by the Board of Commissioners  
of the Metropolitan Water Reclamation  
District of Greater Chicago on the  
6<sup>th</sup> day of November, 2014.

## ORDINANCE NUMBER O14-010

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$75,000,000 GENERAL OBLIGATION LIMITED TAX CAPITAL IMPROVEMENT BONDS OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO, AS FOLLOWS:

**Section 1. Authority and Purpose.** This ordinance is adopted pursuant to the Metropolitan Water Reclamation District Act, 70 Illinois Compiled Statutes 2605, and the Local Government Debt Reform Act, 30 Illinois Compiled Statutes 350, for the purpose of providing funds required by the Metropolitan Water Reclamation District of Greater Chicago (the “District”) for the replacing, remodeling, completing, altering, constructing and enlarging of sewage treatment works, water quality improvement projects or flood control facilities, and additions therefor, including, but not limited to, the construction of pumping stations, tunnels, conduits, intercepting sewers and outlet sewers, together with equipment, including air pollution equipment, and appurtenances thereto, to acquire property, real, personal or mixed, necessary for said purposes, for costs and expenses for the acquisition of the sites and rights-of-way necessary thereto, and for engineering expenses for designing and supervising the construction of such works and other related and incidental expenses (collectively, the “Capital Improvement Purposes”).

**Section 2. Findings and Determinations.** It is found and determined that:

(A) Pursuant to Section 9.6a of the Metropolitan Water Reclamation District Act, the District is authorized to issue its general obligation bonds for the purpose of financing the costs of the Capital Improvement Purposes and the costs of issuance of the bonds authorized by this ordinance. Said Section 9.6a authorizes the issuance of bonds for the purposes set forth in Section 1 of this ordinance on or before December 31, 2024, without submitting the question of such issuance to the legal voters of the District, in an aggregate amount at any one time



outstanding not to exceed 3.35% of the equalized assessed valuation of all taxable property within the District; provided that the amount of such bonds issued during any one budget year shall not exceed \$150,000,000, plus the amount of any bonds authorized by said Section 9.6a to be issued during the three budget years next preceding the year of issuance but which were not issued. This annual bond issuance debt limitation does not apply to refunding obligations and to obligations issued to provide for the repayment of money received from the Water Pollution Control Revolving Fund of the State of Illinois for the construction or repair of wastewater treatment works. The Board of Commissioners hereby determines that each series of bonds issued pursuant to this ordinance will be issued within the foregoing limitations of Section 9.6a of the Metropolitan Water Reclamation District Act.

(B) The District is subject to the provisions of the Property Tax Extension Limitation Law, 35 Illinois Compiled Statutes 200/18-185 through 18-245 and the current "Debt Service Extension Base" (as defined in the Property Tax Extension Limitation Law) of the District is \$156,942,465.

(C) Pursuant to the Bond Issue Notification Act, 30 Illinois Compiled Statutes 352, a public hearing was held and completed before the Board of Commissioners on October 2, 2014 with respect to the sale of the general obligation bonds authorized to be issued pursuant to this ordinance (the "2014 Bonds"). Notice of said public hearing (i) was published in the "*Chicago Sun-Times*" on September 25, 2014 and (ii) was posted at least 48 hours prior to the start of the public hearing at the office of the Board of Commissioners.

(D) The Capital Improvement Purposes constitute public purposes of the District to be undertaken in the public interest.

**Section 3. Approval of Financing Plan.** The District hereby determines to proceed with the financing of a portion of the costs of the Capital Improvement Purposes (the "Project Costs") by the issuance and sale of the 2014 Bonds. The 2014 Bonds shall be sold pursuant to

a negotiated sale to the following underwriters (collectively, the “Underwriters”): Morgan Stanley & Co. LLC, as senior managing underwriter (and book runner); Loop Capital Markets, LLC, as co-senior managing underwriter and the following managing underwriters: Cabrera Capital Markets, LLC; Goldman, Sachs & Co.; Jefferies LLC; Rice Securities, LLC.

In order to accommodate current market practices and the provisions of federal income tax law and to provide the opportunity to sell the 2014 Bonds under the most favorable terms, the Board of Commissioners appoints (i) the President of the Board of Commissioners, the Vice-President of the Board of Commissioners and the Chairman of the Committee on Finance of the Board of Commissioners (the “Elected Officers”) and (ii) the Executive Director of the District and the Treasurer of the District (the “Appointed Officers” and together with the Elected Officers, the “Designated Officers”) and hereby delegates to the Elected Officers and the Appointed Officers the authority to sell the 2014 Bonds to the Underwriters, to sign a bond purchase agreement with respect to the 2014 Bonds and to determine certain details of the 2014 Bonds. All determinations delegated to the Elected Officers and the Appointed Officers pursuant to this ordinance shall be made by the Elected Officers and the Appointed Officers by the execution of one or more written bond orders (each a “Bond Order”) signed by one of the Elected Officers and one of the Appointed Officers. The delegated authority granted pursuant to this Section shall expire on April 30, 2015.

**Section 4. Authorization and Terms of 2014 Bonds.** The sum of \$75,000,000 is appropriated to meet part of the Project Costs, including capitalized interest on the 2014 Bonds for a period of not more than 24 months, the costs of issuance of the 2014 Bonds, and any municipal bond insurance premium with respect to the 2014 Bonds. For the purpose of financing said appropriation, the 2014 Bonds are authorized to be issued in one or more series and sold in an aggregate principal amount of not to exceed \$75,000,000. The 2014 Bonds are authorized, and shall be issued, as general obligation bonds of the District pursuant to the

provisions of Section 9.6a of the Metropolitan Water Reclamation District Act and as “limited bonds” pursuant to Section 15.01 of the Local Government Debt Reform Act.

The 2014 Bonds of each series shall be issued in such principal amount as shall be determined in the applicable Bond Order and shall be designated “General Obligation Limited Tax Capital Improvement Bonds” and shall include additional designations to distinguish each series of the 2014 Bonds.

The 2014 Bonds shall be issuable in the denominations of \$5,000 or any integral multiple thereof and may bear such identifying numbers or letters as shall be useful to facilitate the registration, transfer and exchange of the 2014 Bonds. Each 2014 Bond delivered upon the original issuance of the 2014 Bonds shall be dated as of the date specified in the applicable Bond Order. Each 2014 Bond thereafter issued upon any transfer, exchange or replacement of 2014 Bonds shall be dated so that no gain or loss of interest shall result from such transfer, exchange or replacement.

The 2014 Bonds shall mature, and 2014 Bonds of certain maturities may be subject to mandatory sinking fund redemption, on December 1 in such years and in such principal amounts as shall be specified in the applicable Bond Order, provided that no 2014 Bond shall mature later than December 1, 2044.

Each 2014 Bond shall bear interest from its date, computed on the basis of a 360 day year consisting of twelve 30 day months and payable in lawful money of the United States of America on an initial interest payment date of June 1, 2015, December 1, 2015 or June 1, 2016 (as determined in the applicable Bond Order) and semiannually thereafter on each June 1 and December 1 at the rates per annum as shall be specified in the applicable Bond Order, provided that no 2014 Bond shall bear interest at a rate exceeding 6.00% per annum.

Prior to the issuance of any of the 2014 Bonds, the Treasurer of the District shall appoint a bank, trust company or national banking association to act as bond registrar and paying agent for the 2014 Bonds. The principal of and premium, if any, on the 2014 Bonds shall be payable

in lawful money of the United States of America upon presentation and surrender thereof at the designated corporate trust office of the bond registrar and paying agent. Interest on the 2014 Bonds shall be payable on each interest payment date to the registered owners of record thereof appearing on the registration books maintained by the District for such purpose at the corporate trust office of the bond registrar, as of the close of business on the 15<sup>th</sup> day of the calendar month next preceding the applicable interest payment date. Interest on the 2014 Bonds shall be paid by check or draft mailed to such registered owners at their addresses appearing on the registration books or by wire transfer pursuant to an agreement by and between the District and the registered owner.

The 2014 Bonds of each series may be subject to redemption prior to maturity at the option of the District, as determined in the applicable Bond Order, and upon notice as herein provided, in such principal amounts and from such maturities as the District shall determine as set forth in the applicable Bond Order. Any optional redemption shall be at redemption prices that may include a redemption premium for each 2014 Bond to be redeemed expressed as a percentage, not exceeding 3% of the principal amount to be redeemed.

All 2014 Bonds subject to mandatory sinking fund redemption shall be redeemed at a redemption price equal to the principal amount thereof to be redeemed. The bond registrar is hereby authorized and directed to mail notice of the mandatory sinking fund redemption of the 2014 Bonds in the manner herein provided.

Whenever 2014 Bonds subject to mandatory sinking fund redemption are redeemed at the option of the District, the principal amount thereof so redeemed shall be credited against the unsatisfied balance of future sinking fund installments or final maturity amount established with respect to such 2014 Bonds, in such amounts and against such installments or final maturity amount as shall be determined by the District in the proceedings authorizing such optional redemption or, in the absence of such determination, shall be credited pro-rata against the unsatisfied balance of the applicable sinking fund installments and final maturity amount.

On or prior to the 60<sup>th</sup> day preceding any sinking fund installment date, the District may purchase 2014 Bonds, which are subject to mandatory redemption on such sinking fund installment date, at such prices (not exceeding par plus accrued interest) as the District shall determine. Any 2014 Bond so purchased shall be cancelled and the principal amount thereof so purchased shall be credited against the unsatisfied balance of the next ensuing sinking fund installment of the 2014 Bonds of the same series, maturity and interest rate as the 2014 Bond so purchased.

Unless otherwise determined in the Bond Order, in the event of the redemption of less than all the 2014 Bonds of like series, maturity and interest rate, the aggregate principal amount thereof to be redeemed shall be \$5,000 or an integral multiple thereof and the bond registrar shall assign to each 2014 Bond of such maturity a distinctive number for each \$5,000 principal amount of such 2014 Bond and shall select by lot from the numbers so assigned as many numbers as, at \$5,000 for each number, shall equal the principal amount of such 2014 Bonds to be redeemed. The 2014 Bonds to be redeemed shall be the 2014 Bonds to which were assigned numbers so selected; provided that only so much of the principal amount of each 2014 Bond shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected.

Notice of the redemption of 2014 Bonds shall be mailed not less than 30 days nor more than 60 days prior to the date fixed for such redemption to the registered owners of 2014 Bonds to be redeemed at their last addresses appearing on said registration books. The 2014 Bonds or portions thereof specified in said notice shall become due and payable at the applicable redemption price on the redemption date therein designated, and if, on the redemption date, moneys for payment of the redemption price of all the 2014 Bonds or portions thereof to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, and if notice of redemption shall have been mailed as aforesaid (and notwithstanding any defect therein or the lack of actual receipt thereof by any registered owner) then from and after the redemption date interest on such 2014 Bonds or portions thereof shall cease to accrue

and become payable. If there shall be drawn for redemption less than all of a 2014 Bond, the District shall execute and the bond registrar shall authenticate and deliver, upon surrender of such 2014 Bond, without charge to the owner thereof, in exchange for the unredeemed balance of the 2014 Bond so surrendered, 2014 Bonds of like series, maturity and interest rate and of the denomination of \$5,000 or any integral multiple thereof.

The bond registrar shall not be required to transfer or exchange any 2014 Bond after notice of the redemption of all or a portion thereof has been mailed. The bond registrar shall not be required to transfer or exchange any 2014 Bond during a period of 15 days next preceding the mailing of a notice of redemption that could designate for redemption all or a portion of such 2014 Bond.

**Section 5. Approval of Documents.** In connection with the sale of the 2014 Bonds, the Designated Officers are authorized and directed to execute and deliver one or more Bond Purchase Agreements by and between the District and the Underwriters in substantially the form of prior Bond Purchase Agreements executed and delivered on behalf of the District in connection with prior sales of the District's bonds, with such changes and completions as may be approved by the Designated Officers, subject to the limitations of this ordinance. The execution and delivery of each Bond Purchase Agreement shall constitute conclusive evidence of the approval of such changes and completions.

The Treasurer is authorized to approve a Preliminary Official Statement of the District with respect to the 2014 Bonds, in substantially the form of the Preliminary Official Statements of the District distributed in connection with prior sales of the District's bonds, with such changes, omissions, insertions and revisions as the Treasurer shall deem advisable. The distribution of the Preliminary Official Statement to prospective purchasers and the use thereof by the Underwriters in connection with the offering of the 2014 Bonds is authorized and approved. Any of the Designated Officers may take such actions as may be required so that each Official Statement with respect to 2014 Bonds will be "deemed final" as of its date for

purposes of Securities and Exchange Commission Rule 15c2-12 promulgated under the Securities Exchange Act of 1934. The Treasurer is authorized to permit the distribution of each final Official Statement with such changes, omissions, insertions and revisions as she shall deem advisable.

The District shall enter into a Continuing Disclosure Undertaking for the benefit of the beneficial owners of each series of the 2014 Bonds and in order to assist participating underwriters of the 2014 Bonds and brokers, dealers and municipal securities dealers in complying with Securities and Exchange Rule 15c2-12(b)(5) promulgated under the Securities Exchange Act of 1934. The form of Continuing Disclosure Undertaking with respect to the 2014 Bonds, shall be in substantially the same form as the Continuing Disclosure Undertakings entered into by the District with respect to previously issued bonds of the District. Any of the Designated Officers is authorized and directed to execute and deliver a Continuing Disclosure Undertaking with such changes and completions as may be approved by said officials. The execution and delivery of any Continuing Disclosure Undertaking shall constitute conclusive evidence of the approval of such changes and completions.

Each of the documents approved by this Section may be executed in one or more counterparts. The corporate seal of the District, or a facsimile thereof may, if required, be affixed or otherwise reproduced upon each document and attested by the manual or authorized facsimile signature of the Clerk.

**Section 6. Bond Insurance.** Authority is hereby delegated to the Treasurer, at her option, to obtain from a municipal bond insurer (the "Bond Insurer") a policy of municipal bond insurance insuring the payment of the principal of and interest on any of the 2014 Bonds.

**Section 7. Sale and Delivery of 2014 Bonds.** (A) Subject to the limitations contained in this ordinance, authority is delegated to the Designated Officers to sell one or more series of the 2014 Bonds to the Underwriters, provided that (a) the underwriting discount of the Underwriters for such series (exclusive of syndicate expenses and Underwriters' counsel fees)

shall not exceed an amount equal to \$0.75 per \$1,000 of the principal amount of the 2014 Bonds of such series; (b) the principal of and interest on the 2014 Bonds payable in each debt service year shall not be greater than the debt service taxes levied for the applicable tax levy year pursuant to Section 12 of this ordinance, provided that for this purpose interest shall not include any interest that is to be paid from moneys deposited, on the date of issuance of the 2014 Bonds, into the 2014 Limited Tax Debt Service Fund established by Section 14 of this ordinance; (c) the purchase price of the 2014 Bonds of such series is not less than 97% of the principal amount of such series; and (d) the District obtains a letter, report or certificate signed by the District's independent financial advisors, stating that the terms of the series of the 2014 Bonds to be sold are reasonable in light of current conditions in the market for tax-exempt obligations, such as the 2014 Bonds of such series.

(B) As used in paragraph (A) of this Section, the term "debt service year" means the year following the applicable tax levy year.

(C) The sale and award of each series of the 2014 Bonds shall be evidenced by a Bond Order. An executed counterpart of the Bond Order shall be filed in the office of the Clerk and entered in the records of the District.

(D) The Designated Officers, the Clerk and the other officials of the District are authorized and directed to do and perform, or cause to be done or performed for or on behalf of the District each and every thing necessary for the issuance of the 2014 Bonds, including the proper execution and delivery of the 2014 Bonds, the Bond Purchase Agreements, the Continuing Disclosure Undertakings and the Official Statements.

**Section 8. Execution and Authentication.** Each 2014 Bond shall be executed in the name of the District by the manual or authorized facsimile signature of its President and shall be countersigned by the manual or authorized facsimile signature of its Treasurer. The corporate seal of the District, or a facsimile thereof, shall be thereunto affixed or otherwise



reproduced upon each 2014 Bond and attested by the manual or authorized facsimile signature of the Clerk.

In case any officer whose signature, or a facsimile of whose signature, shall appear on any 2014 Bond shall cease to hold such office before the issuance of the 2014 Bond, such 2014 Bond shall nevertheless be valid and sufficient for all purposes, the same as if the person whose signature, or a facsimile thereof, appears on such 2014 Bond had not ceased to hold such office. Any 2014 Bond may be signed, countersigned, sealed or attested on behalf of the District by any person who, on the date of such act, shall hold the proper office, notwithstanding that at the date of such 2014 Bond such person may not have held such office. No recourse shall be had for the payment of any 2014 Bonds against any officer who executes the 2014 Bonds.

Each 2014 Bond shall bear thereon a certificate of authentication executed manually by the bond registrar. No 2014 Bond shall be entitled to any right or benefit under the Authorizing Ordinance or this ordinance or shall be valid or obligatory for any purpose until such certificate of authentication shall have been duly executed by the bond registrar.

**Section 9. Transfer, Exchange and Registry.** The 2014 Bonds shall be negotiable, subject to the provisions for registration of transfer contained herein. Each 2014 Bond shall be transferable only upon the registration books maintained by the District for that purpose at the corporate trust office of the bond registrar, by the registered owner thereof in person or by the registered owner's attorney duly authorized in writing, upon surrender thereof together with a written instrument of transfer satisfactory to the bond registrar and duly executed by the registered owner or the registered owner's duly authorized attorney. Upon the surrender for transfer of any such 2014 Bond, the District shall execute and the bond registrar shall authenticate and deliver a new 2014 Bond or 2014 Bonds registered in the name of the transferee, of the same aggregate principal amount, series, maturity and interest rate as the surrendered 2014 Bond. 2014 Bonds, upon surrender thereof at the corporate trust office of the

bond registrar, with a written instrument satisfactory to the bond registrar, duly executed by the registered owner or his attorney duly authorized in writing, may be exchanged for an equal aggregate principal amount of 2014 Bonds of the same series, maturity and interest rate and of the denominations of \$5,000 or any integral multiple thereof.

For every such exchange or registration of transfer of 2014 Bonds, the District or the bond registrar may make a charge sufficient for the reimbursement of any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. No other charge shall be made for the privilege of making such transfer or exchange. The provisions of the Illinois Bond Replacement Act shall govern the replacement of lost, destroyed or defaced 2014 Bonds.

The District and the bond registrar may deem and treat the person in whose name any 2014 Bond shall be registered upon the registration books as the absolute owner of such 2014 Bond, whether such 2014 Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of, redemption premium, if any, or interest thereon and for all other purposes whatsoever, and all such payments so made to any such registered owner or upon the order of such registered owner shall be valid and effectual to satisfy and discharge the liability upon such 2014 Bond to the extent of the sum or sums so paid, and neither the District nor the bond registrar shall be affected by any notice to the contrary.

**Section 10. Security for Limited Bonds.** The 2014 Bonds are issued as “limited bonds” as defined in Section 3 of the Local Government Debt Reform Act. The 2014 Bonds are payable from the District's “Debt Service Extension Base,” as defined in the Property Tax Extension Limitation Law. The District covenants that it will not issue any bonds, notes or other obligations if the issuance thereof would cause the anticipated tax extension for any tax levy year for limited bonds of the District to exceed the then current Debt Service Extension Base of

the District less the amount in items (b), (c) and (e) of the applicable definition of "aggregate extension" contained in the Property Tax Extension Limitation Law, for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds issued by the District under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991.

The full faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal of and interest on the 2014 Bonds. The 2014 Bonds shall be direct and general obligations of the District, and the District shall be obligated to levy ad valorem taxes upon all the taxable property in the District for the payment of the 2014 Bonds and the interest thereon, without limitation as to rate, but limited in amount by provisions of the Property Tax Extension Limitation Law.

**Section 11. Form of 2014 Bonds.** The 2014 Bonds shall be issued as fully registered bonds and shall be in substantially the following form, the blanks to be appropriately completed when the 2014 Bonds are printed:

No. \_\_\_\_\_

United States of America  
State of Illinois  
County of Cook  
METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO  
GENERAL OBLIGATION LIMITED TAX CAPITAL IMPROVEMENT BOND,  
SERIES 2014\_

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
. %	December 1, 20__	_____, 2014	_____

REGISTERED OWNER: Cede & Co.

PRINCIPAL AMOUNT:

The METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO, a sanitary district and a body politic and corporate of the State of Illinois organized and existing under the Metropolitan Water Reclamation District Act, acknowledges itself indebted and for

value received hereby promises to pay to the registered owner of this bond, or registered assigns, the principal amount specified above on the maturity date specified above, and to pay interest on such principal amount from the date hereof at the interest rate per annum specified above, computed on the basis of a 360 day year consisting of twelve 30 day months and payable in lawful money of the United States of America on \_\_\_\_\_ 1, 201\_\_ and semiannually thereafter on June 1 and December 1 in each year until the principal amount shall have been paid, to the registered owner of record hereof as of the 15<sup>th</sup> day of the calendar month next preceding such interest payment date, by wire transfer pursuant to an agreement by and between the District and the registered owner, or otherwise by check or draft mailed to the registered owner at the address of such owner appearing on the registration books maintained by the District for such purpose at the corporate trust office of \_\_\_\_\_, in the City of Chicago, Illinois, as bond registrar or its successor (the "Bond Registrar"). This bond, as to principal and premium, if any, when due, will be payable in lawful money of the United States of America upon presentation and surrender of this bond at the corporate trust office of the Bond Registrar. The full faith and credit of the District are irrevocably pledged for the punctual payment of the principal of and interest on this bond according to its terms.

This bond is one of the series of bonds issued in the aggregate principal amount of \$\_\_\_\_\_, which are authorized and issued under and pursuant to the Metropolitan Water Reclamation District Act, 70 Illinois Compiled Statutes 2605, and the Local Government Debt Reform Act, 30 Illinois Compiled Statutes 350, and under and in accordance with an ordinance adopted by the Board of Commissioners of the District on November 6, 2014, and entitled: "An Ordinance Authorizing and Providing For the Issuance of Not to Exceed \$75,000,000 General Obligation Limited Tax Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago" (the "Ordinance").

This bond is a “limited bond” as defined in the Local Government Debt Reform Act and is payable from the debt service extension base of the District as defined in the Property Tax Extension Limitation Law, 35 Illinois Compiled Statutes 200/18-185 through 18-245.

The bonds of such series maturing on or after December 1, 20\_\_ are subject to redemption prior to maturity at the option of the District and upon notice as herein provided, in such principal amounts and from such maturities as the District shall determine and by lot within a single maturity, on \_\_\_\_\_, 20\_\_ and on any date thereafter, at a redemption price equal to the principal amount thereof to be redeemed plus, if such bond is to be redeemed during any period (both dates inclusive) shown in the following table, the applicable redemption premium, expressed as a percentage of such principal amount, set forth opposite such period:

<u>Redemption Period</u>	<u>Redemption Premium</u>
	%

The bonds of such series maturing in the years 20\_\_\_\_, 20\_\_ and 20\_\_ (the “Term Bonds”) are subject to mandatory redemption, in part and by lot, on December 1 of the years and in the respective principal amounts set forth in the following tables, by the application of sinking fund installments, at a redemption price equal to the principal amount thereof to be redeemed:

<u>20__ Term Bonds</u>		<u>20__ Term Bonds</u>		<u>20__ Term Bonds</u>	
<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
20__	\$ ,000	20__	\$ ,000	20__	\$ ,000
20__	,000	20__	,000	20__	,000
20__	,000	20__	,000	20__	,000

Notice of the redemption of bonds will be mailed not less than 30 days nor more than 60 days prior to the date fixed for such redemption to the registered owners of bonds to be redeemed at their last addresses appearing on such registration books. The bonds or portions

thereof specified in said notice shall become due and payable at the applicable redemption price on the redemption date therein designated, and if, on the redemption date, moneys for payment of the redemption price of all the bonds or portions thereof to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, and if notice of redemption shall have been mailed as aforesaid (and notwithstanding any defect therein or the lack of actual receipt thereof by any registered owner) then from and after the redemption date interest on such bonds or portions thereof shall cease to accrue and become payable.

This bond is transferable only upon such registration books by the registered owner hereof in person, or by the registered owner's attorney duly authorized in writing, upon surrender hereof at the corporate trust office of the Bond Registrar together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the registered owner or by the registered owner's duly authorized attorney, and thereupon a new registered bond or bonds, in the authorized denominations of \$5,000 or any integral multiple thereof and of the same aggregate principal amount, maturity and interest rate as this bond shall be issued to the transferee in exchange therefor. In like manner, this bond may be exchanged for an equal aggregate principal amount of bonds of the same maturity and interest rate and of any of such authorized denominations. The District or the Bond Registrar may make a charge sufficient for the reimbursement of any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange of this bond. No other charge shall be made for the privilege of making such transfer or exchange. The District and the Bond Registrar may treat and consider the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes whatsoever.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been duly executed by the Bond Registrar.

It is hereby certified, recited and declared that this bond is issued in part pursuant to the Local Government Debt Reform Act, that all acts, conditions and things required to be done, exist and be performed precedent to and in the issuance of this bond in order to make it a legal, valid and binding obligation of the District have been done, exist and have been performed in regular and due time, form and manner as required by law, and that the series of bonds of which this bond is one, together with all other indebtedness of the District, is within every debt or other limit prescribed by law.

IN WITNESS WHEREOF, the Metropolitan Water Reclamation District of Greater Chicago has caused this bond to be executed in its name and on its behalf by the manual or facsimile signature of its President, to be countersigned by the manual or facsimile signature of its Treasurer, and its corporate seal, or a facsimile thereof, to be hereunto affixed or otherwise reproduced hereon and attested by the manual or facsimile signature of its Clerk.

Dated: \_\_\_\_\_

METROPOLITAN WATER RECLAMATION  
DISTRICT OF GREATER CHICAGO

\_\_\_\_\_  
President

Countersigned:

\_\_\_\_\_  
Treasurer

Attest:

#### CERTIFICATE OF AUTHENTICATION

This bond is one of the General Obligation Limited Tax Capital Improvement Bonds, Series \_\_\_\_, described in the within mentioned Ordinance.

\_\_\_\_\_  
Clerk

\_\_\_\_\_, as  
Bond Registrar

By \_\_\_\_\_  
Authorized Signer



ASSIGNMENT

For value received the undersigned sells, assigns and transfers unto \_\_\_\_\_

\_\_\_\_\_

the within bond and hereby irrevocably constitutes and appoints \_\_\_\_\_

\_\_\_\_\_

attorney to transfer the said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated \_\_\_\_\_

Signature Guarantee:

\_\_\_\_\_

\_\_\_\_\_

**Section 12. Levy and Extension of Taxes.** (A) For the purpose of providing the money required to pay the interest on the 2014 Bonds when and as the same falls due and to pay and discharge the principal (including mandatory sinking fund installments) thereof as the same shall mature, there is hereby levied upon all the taxable property in the District, in each year while any of the 2014 Bonds shall be outstanding, a direct annual tax sufficient for that purpose in addition to all other taxes, as follows:

<u>Tax Levy Year</u>	<u>A Tax Sufficient to Produce</u>
2014	\$ 8,000,000
2015	8,000,000
2016	15,000,000
2017	8,000,000
2018	8,000,000
2019	8,000,000
2020	8,000,000
2021	8,000,000
2022	8,000,000
2023	8,000,000
2024	8,000,000
2025	20,000,000
2026	20,000,000
2027	20,000,000
2028	20,000,000
2029	20,000,000
2030	20,000,000
2031	20,000,000
2032	20,000,000
2033	20,000,000
2034	20,000,000
2035	20,000,000
2036	20,000,000
2037	20,000,000
2038	20,000,000
2039	20,000,000
2040	20,000,000
2041	20,000,000
2042	20,000,000
2043	20,000,000

(B) Interest or principal coming due at any time when there shall be insufficient funds on hand to pay the same shall be paid promptly when due from current funds on hand in

advance of the collection of the taxes herein levied; and when said taxes shall have been collected, reimbursement shall be made to the said funds in the amounts thus advanced.

(C) After the sale of each series of the 2014 Bonds and the execution of the applicable Bond Order, an executed copy of the applicable Bond Order and a copy of this ordinance certified by the Clerk, which certificate shall recite that this ordinance has been duly adopted, shall be filed with the County Clerk of Cook County, Illinois, who is hereby directed to ascertain the rate per cent required to produce the aggregate tax hereinbefore provided to be levied in the years 2014 to 2043, inclusive, and subject to adjustment as provided in paragraph (D) of this Section to extend the same for collection on the tax books in connection with other taxes levied in said years, in and by the District for general corporate purposes of the District, and in said years such annual tax shall be levied and collected in like manner as taxes for general corporate purposes for said years are levied and collected, without limit as to rate, but limited as to amount by the provisions of the Property Tax Extension Limitation Law, and, when collected, the moneys received by the District from such taxes (the "Debt Service Tax Receipts") shall be used for the purpose of paying the principal of and interest on the 2014 Bonds as the same become due and payable.

(D) In the event that 2014 Bonds are to be issued in principal amounts and bearing interest such that for any tax levy year an amount less than that set forth in paragraph (A) of this Section is required to be produced to pay when due the principal of and interest on the 2014 Bonds, then the Treasurer is authorized and directed to file with the aforesaid County Clerk, a direction for abatement of taxes specifying the exact amount of taxes to be levied to produce the required amounts for each of the various tax levy years.

(E) After the issuance of the 2014 Bonds, the District shall not abate the debt service taxes levied pursuant to this Section or take any action to restrict the extension and collection of those taxes except that the District may abate any such debt service taxes for any tax levy year to the extent that, at the time of such abatement, moneys then held in the 2014 Limited Tax

Debt Service Fund established by this ordinance, or otherwise held in trust for the payment of debt service on the 2014 Bonds, together with the amount to be extended for collection taking into account the proposed abatement, will be sufficient to provide for the punctual payment of the principal of and interest on the 2014 Bonds otherwise payable from the debt service taxes levied for such tax levy year.

**Section 13. Application of Proceeds.** The proceeds of sale of each series of the 2014 Bonds shall be applied as follows:

1. To any Bond Insurer of such series of 2014 Bonds, the applicable premium for the municipal bond insurance policy.
2. To the Capitalized Interest Account of the 2014 Limited Tax Debt Service Fund established by this ordinance, the amount (if any) allocated to capitalize interest on such series of the 2014 Bonds as determined by the Treasurer.
3. To the 2014 Limited Tax Bond Proceeds Fund established by this ordinance, the amount of such proceeds of sale remaining after making the foregoing payment (if any) and deposit.

**Section 14. Debt Service Fund.** The Debt Service Tax Receipts, and all other moneys to be used for the payment of the principal of and interest on the 2014 Bonds, shall be deposited in the “2014 Limited Tax Debt Service Fund”, which is hereby established as a special fund of the District and shall be administered as a bona fide debt service fund under the Internal Revenue Code of 1986 (the “Code”). The District may establish within the 2014 Limited Tax Debt Service Fund, separate accounts for each series of the 2014 Bonds.

The moneys deposited or to be deposited into the 2014 Limited Tax Debt Service Fund, including the Debt Service Tax Receipts, are pledged as security for the payment of the principal of and interest on the 2014 Bonds to the extent and in the manner provided in this ordinance. This pledge is made pursuant to Section 13 of the Local Government Debt Reform

Act and shall be valid and binding from the date of issuance of the 2014 Bonds. All such Debt Service Tax Receipts and the moneys held in the 2014 Limited Tax Debt Service Fund shall immediately be subject to the lien of such pledge without any physical delivery or further act and the lien of such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the District irrespective of whether such parties have notice thereof.

The Capitalized Interest Account is hereby established as an account within the 2014 Limited Tax Debt Service Fund. Moneys in the Capitalized Interest Account are pledged as security for the payment of the 2014 Bonds. At the direction of the Treasurer of the District moneys in the Capitalized Interest Account shall be used for the payment of interest on the 2014 Bonds.

**Section 15. Bond Proceeds Fund.** The “2014 Limited Tax Bond Proceeds Fund,” is hereby established as a special fund of the District. Moneys in the 2014 Limited Tax Bond Proceeds Fund shall be used for the payment of the Project Costs, and costs of issuance of the 2014 Bonds, but may thereafter be reappropriated and used for other purposes if such reappropriation is permitted under Illinois law and will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the 2014 Bonds. The District may establish within the 2014 Limited Tax Bond Proceeds Fund separate accounts of each series of the 2014 Bonds.

**Section 16. Investment Regulations.** No investment shall be made of any moneys in the 2014 Limited Tax Debt Service Fund or the 2014 Limited Tax Bond Proceeds Fund except in accordance with the tax covenants set forth in Section 17 of this ordinance. All income derived from such investments in respect of moneys or securities in any Fund shall be credited in each case to the Fund in which such moneys or securities are held.

Any moneys in any Fund that are subject to investment yield restrictions may be invested in United States Treasury Securities, State and Local Government Series, pursuant to

the regulations of the United States Treasury Department, Bureau of Public Debt, or in any tax-exempt bond that is not an “investment property” within the meaning of Section 148(b)(2) of the Code. The Treasurer and agents designated by her are hereby authorized to submit, on behalf of the District, subscriptions for such United States Treasury Securities and to request redemption of such United States Treasury Securities.

**Section 17. Tax Covenants.** The District shall not take, or omit to take, any action lawful and within its power to take, which action or omission would cause interest on any 2014 Bond to become subject to federal income taxes in addition to federal income taxes to which interest on such 2014 Bond is subject on the date of original issuance thereof.

The District shall not permit any of the proceeds of the 2014 Bonds, or any facilities financed with such proceeds, to be used in any manner that would cause any 2014 Bond to constitute a “private activity bond” within the meaning of Section 141 of the Code.

The District shall not permit any of the proceeds of the 2014 Bonds or other moneys to be invested in any manner that would cause any 2014 Bond to constitute an “arbitrage bond” within the meaning of Section 148 of the Code or a “hedge bond” within the meaning of Section 149(g) of the Code.

The District shall comply with the provisions of Section 148(f) of the Code relating to the rebate of certain investment earnings at periodic intervals to the United States of America.

**Section 18. Bond Registrar.** The District covenants that it shall at all times retain a bond registrar with respect to the 2014 Bonds, that it will maintain at the designated office of such bond registrar a place where 2014 Bonds may be presented for payment and registration of transfer or exchange and that it shall require that the bond registrar maintain proper registration books and perform the other duties and obligations imposed upon the bond registrar by this ordinance in a manner consistent with the standards, customs and practices of the municipal securities business.

The bond registrar shall signify its acceptance of the duties and obligations imposed upon it by this ordinance by executing the certificate of authentication on any 2014 Bond, and by such execution the bond registrar shall be deemed to have certified to the District that it has all requisite power to accept, and has accepted such duties and obligations not only with respect to the 2014 Bond so authenticated but with respect to all the 2014 Bonds. The bond registrar is the agent of the District and shall not be liable in connection with the performance of its duties except for its own negligence or default. The bond registrar shall, however, be responsible for any representation in its certificate of authentication on the 2014 Bonds.

The District may remove the bond registrar at any time. In the event that the bond registrar shall resign or shall be removed or shall become incapable of acting, or shall be adjudged a bankrupt or insolvent, or if a receiver, liquidator or conservator of the bond registrar, or of its property, shall be appointed, or if any public officer shall take charge or control of the bond registrar or of its property or affairs, the District covenants and agrees that it will thereupon appoint a successor bond registrar. The District shall mail notice of any such appointment made by it to each registered owner of 2014 Bonds within twenty days after such appointment.

**Section 19. Book-Entry System.** In order to provide for the initial issuance of the 2014 Bonds in a form that provides for a system of book-entry only transfers, the ownership of one fully registered 2014 Bond for each maturity of each series, in the aggregate principal amount of such maturity, shall be registered in the name of Cede & Co., as a nominee of The Depository Trust Company, as securities depository for the 2014 Bonds. The Treasurer is authorized to execute and deliver on behalf of the District such letters to, or agreements with, the securities depository as shall be necessary to effectuate such book-entry system.

In the event that the securities depository shall resign or shall become incapable of acting, then the District shall appoint a successor securities depository to provide a system of book-entry only transfers for the 2014 Bonds, by written notice to the predecessor securities

depository directing it to notify its participants (those persons for whom the securities depository holds securities) of the appointment of a successor securities depository.

If the system of book-entry only transfers for the 2014 Bonds is discontinued, then the District shall issue and the bond registrar shall authenticate, register and deliver to the beneficial owners of the 2014 Bonds, bond certificates in replacement of such beneficial owners' beneficial interests in the 2014 Bonds, all as shown in the records maintained by the securities depository.

**Section 20. Defeasance and Payment of 2014 Bonds.** (A) If the District shall pay or cause to be paid to the registered owners of the 2014 Bonds, the principal, premium, if any, and interest due or to become due thereon, at the times and in the manner stipulated therein and in this ordinance, then the pledge of Debt Service Tax Receipts, securities and funds hereby pledged and the covenants, agreements and other obligations of the District to the registered owners and the beneficial owners of the 2014 Bonds shall be discharged and satisfied.

(B) Any 2014 Bonds or interest installments appertaining thereto, whether at or prior to the maturity or redemption date of such 2014 Bonds, shall be deemed to have been paid within the meaning of paragraph (A) of this Section if (1) in case any such 2014 Bonds are to be redeemed prior to the maturity thereof, there shall have been taken all action necessary to call such 2014 Bonds for redemption and notice of such redemption shall have been duly given or provision shall have been made for the giving of such notice, and (2) there shall have been deposited in trust with a bank, trust company or national banking association acting as fiduciary for such purpose either (i) moneys in an amount which shall be sufficient, or (ii) "Federal Obligations" as defined in paragraph (C) of this Section, the principal of and the interest on which when due will provide moneys which, together with any moneys on deposit with such fiduciary at the same time for such purpose, shall be sufficient, to pay when due the principal of, redemption premium, if any, and interest due and to become due on, said 2014 Bonds on and prior to the applicable maturity date or redemption date thereof.



(C) As used in this Section, the term “Federal Obligations” means (i) non-callable, direct obligations of the United States of America, (ii) non-callable and non-prepayable, direct obligations of any agency of the United States of America, which are unconditionally guaranteed by the United States of America as to full and timely payment of principal and interest, (iii) non-callable, non-prepayable coupons or interest installments from the securities described in clause (i) or clause (ii) of this paragraph, which are stripped pursuant to programs of the Department of the Treasury of the United States of America, or (iv) coupons or interest installments stripped from bonds of the Resolution Funding Corporation.

**Section 21. Ordinance to Constitute a Contract.** The provisions of this ordinance shall constitute a contract between the District and the registered owners of the 2014 Bonds. Any pledge made in this ordinance and the provisions, covenants and agreements herein set forth to be performed by or on behalf of the District shall be for the equal benefit, protection and security of the owners of any and all of the 2014 Bonds. All of the 2014 Bonds, regardless of the time or times of their issuance, shall be of equal rank without preference, priority or distinction of any of the 2014 Bonds over any other thereof except as expressly provided in or pursuant to this ordinance. This ordinance shall constitute full authority for the issuance of the 2014 Bonds and to the extent that the provisions of this ordinance conflict with the provisions of any other ordinance or resolution of the District, the provisions of this ordinance shall control. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

**Section 22. Publication.** The Clerk is hereby authorized and directed to publish this ordinance in pamphlet form and to file copies thereof for public inspection in the office of the Clerk.

**Section 23. Effective Date.** This ordinance shall become effective upon its adoption.

ADOPTED this 6<sup>th</sup> day of November, 2014.

Approved: November 6, 2014

ATTEST:

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Clerk, Metropolitan Water Reclamation  
District of Greater Chicago

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

[SEAL]

Approved as to Form and Legality:

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Head Assistant Attorney

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General Counsel

Dated: November 6, 2014

RECORDED in the District Records on November 6, 2014.

### CERTIFICATE

I, Jacqueline Torres, Clerk of the Metropolitan Water Reclamation District of Greater Chicago, hereby certify that the foregoing ordinance entitled: "An Ordinance Authorizing and Providing for the Issuance of Not to Exceed \$75,000,000 General Obligation Limited Tax Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago," is a true copy of an original ordinance that was duly adopted by the recorded affirmative votes of a majority of the members of the Board of Commissioners of the District at a meeting thereof that was duly called and held at 10:00 a.m. on November 6, 2014, in the Board Room at 100 East Erie Street, in the City of Chicago, Illinois, and at which a quorum was present and acting throughout, and that said copy has been compared by me with the original ordinance signed by the President of the Board of Commissioners on November 6, 2014, published in pamphlet form on November 6, 2014 and recorded in the records of the District and that it is a correct transcript thereof and of the whole of said ordinance, and that said ordinance has not been altered, amended, repealed or revoked, but is in full force and effect.

I further certify that the agenda for said meeting included the ordinance as a matter to be considered at the meeting and that said agenda was posted at least 48 hours in advance of the holding of the meeting in the manner required by the Open Meetings Act, 5 Illinois Compiled Statutes 120 and was continuously available for public review during the 48 hour period preceding the meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the District, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Clerk, Metropolitan Water Reclamation  
District of Greater Chicago

(SEAL)



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** O14-011, **Version:** 1

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### **ORDINANCE FOR BOARD MEETING OF NOVEMBER 6, 2014**

Adopt Ordinance O14-011 An Ordinance Authorizing and Providing for the Issuance of Not to Exceed \$100,000,000 General Obligation Unlimited Tax Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago

## **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

### COMMITTEE ON FINANCE

Mr. David St. Pierre, Executive Director

..Title

Ordinance O14-011 An Ordinance Authorizing and Providing for the Issuance of Not to Exceed \$100,000,000 General Obligation Unlimited Tax Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago

..Body

Dear Sir:

Attached is the second of four ordinances being presented to the Board today relating to the District's anticipated General Obligation Capital Improvement Bonds sale totaling \$300,000,000. This Ordinance O14-011 authorizes the sale of not to exceed \$100,000,000 General Obligation Unlimited Tax Capital Improvement Bonds. The sale of these bonds will fund continuing construction of TARP and costs of other construction projects which were initiated before the Property Tax Extension Limitation Law(October of 1991) and are not subject to its provisions.

The District held a public hearing on October 2, 2014, pursuant to the Bond Issue Notification Act stating its intention to issue not to exceed \$500,000,000 of General Obligation Capital Improvement Bonds. All Ordinances presented for approval will be issued in accordance with the conditions stated at that hearing.

The Ordinance sets the legal parameters for issuance of the bonds and provides for various necessary details relative to the bonds, including the required authority to levy and collect the direct annual taxes for payment of bond principal and interest as due, and the Ordinance authorizes the Treasurer and any one elective officer of the District to sign a binding bond purchase agreement with the underwriters on behalf of the District, and also to sign a related "Bond Order," on the date of sale. Such authority permits the sale to be completed in a prompt and timely manner when conditions in the bond market are in a stable and acceptable state for issuance of the District's bonds. The Bonds may be sold in one or more bond sales over the next year dependent upon the capital financing needs of the District. The action of the Treasurer and the elective officer in signing the bond purchase agreement(s) and executing the Bond Order(s) will be reported to the Board at the next regular meeting following each sale date.

The authority to sell the Bonds shall expire on April 30, 2015. This expiration period has been proposed to allow for flexibility in issue size and the ability to adapt to changing conditions in the bond market. Authority is requested to access the market to sell up to \$225,000,000 in new money bonds to fund capital improvement projects and up to \$75,000,000 in refunding bonds dependent upon market conditions. The size and structure of the sale will be determined with the assistance of the Underwriters and Financial Advisors based upon the market interest rates, investor cash positions, supply of bonds for sale, liquidity of the market and other conditions. .

The purchase price is set at not less than 97% of the original principal amount; compensation to the purchasers is not to exceed seventy-five cents(\$0.75) per \$1,000 principal amount of bonds sold (excluding syndicate expenses and underwriter counsel fees); the bonds may be subject to optional redemption at not more than 103%; interest may be capitalized for a period of not more than twenty-four months; and the bonds may mature not later than December 1, 2044.

It is recommended that "Ordinance O14-011 Authorizing and Providing For the Issuance of Not to Exceed \$100,000,000 General Obligation Unlimited Tax Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago" be adopted by the Board of Commissioners.

Requested, Mary Ann Boyle, Treasurer, MAB:st

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Finance

Disposition of this agenda item will be documented in the official Regular Board Meeting

Minutes of the Board of Commissioners for November 6, 2014

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ORDINANCE NUMBER O14-011

An Ordinance Authorizing and Providing For the Issuance of Not to Exceed \$100,000,000 General Obligation Unlimited Tax Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago

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Adopted by the Board of Commissioners  
of the Metropolitan Water Reclamation  
District of Greater Chicago on the  
6<sup>th</sup> day of November, 2014.

## ORDINANCE NUMBER O14-011

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$100,000,000 GENERAL OBLIGATION UNLIMITED TAX CAPITAL IMPROVEMENT BONDS OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO, AS FOLLOWS:

**Section 1. Authority and Purpose.** This ordinance is adopted pursuant to the Metropolitan Water Reclamation District Act, 70 Illinois Compiled Statutes 2605, and the Local Government Debt Reform Act, 30 Illinois Compiled Statutes 350, for the purpose of providing funds required by the Metropolitan Water Reclamation District of Greater Chicago (the “District”) for the replacing, remodeling, completing, altering, constructing and enlarging of sewage treatment works, water quality improvement projects or flood control facilities, and additions therefor, including, but not limited to, the construction of pumping stations, tunnels, conduits, intercepting sewers and outlet sewers, together with equipment, including air pollution equipment, and appurtenances thereto, to acquire property, real, personal or mixed, necessary for said purposes, for costs and expenses for the acquisition of the sites and rights-of-way necessary thereto, and for engineering expenses for designing and supervising the construction of such works and other related and incidental expenses (collectively, the “Capital Improvement Purposes”).

**Section 2. Findings and Determinations.** It is found and determined that:

(A) Pursuant to Section 9.6a of the Metropolitan Water Reclamation District Act, the District is authorized to issue its unlimited tax general obligation bonds for the purpose of financing the costs of the Capital Improvement Purposes and the costs of issuance of the bonds authorized by this ordinance. Said Section 9.6a authorizes the issuance of bonds for the purposes set forth in Section 1 of this ordinance on or before December 31, 2024, without submitting the question of such issuance to the legal voters of the District, in an aggregate



amount at any one time outstanding not to exceed 3.35% of the equalized assessed valuation of all taxable property within the District; provided that the amount of such bonds issued during any one budget year shall not exceed \$150,000,000, plus the amount of any bonds authorized by said Section 9.6a to be issued during the three budget years next preceding the year of issuance but which were not issued. This annual bond issuance debt limitation does not apply to refunding obligations and to obligations issued to provide for the repayment of money received from the Water Pollution Control Revolving Fund of the State of Illinois for the construction or repair of wastewater treatment works. The Board of Commissioners hereby determines that each series of bonds issued pursuant to this ordinance will be issued within the foregoing limitations of Section 9.6a of the Metropolitan Water Reclamation District Act.

(B) The bonds authorized to be issued by this ordinance will finance capital improvements related to the Thornton Composite Reservoir and the McCook Reservoir, including all connecting tunnels between the existing Tunnel and Reservoir Plan System and the Reservoirs (the "TARP Projects") which are Capital Improvement Purposes consisting only of projects initiated before October 1, 1991 (including in such description, the project described in the 1991 Annual Report and Budget of the District and commonly known as the "Deep Tunnel" or "TARP" Project). The Board of Commissioners determines that the taxes levied to pay the principal and interest on the bonds authorized by this ordinance will not be subject to the ad valorem property tax limits contained in the Property Tax Extension Limitation Law, 35 Illinois Compiled Statutes 200/18-185 through 18-245.

(C) Pursuant to the Bond Issue Notification Act, 30 Illinois Compiled Statutes 352, a public hearing was held and completed before the Board of Commissioners on October 2, 2014 with respect to the sale of the general obligation bonds authorized to be issued pursuant to this ordinance (the "2014 Bonds"). Notice of said public hearing (i) was published in the "*Chicago Sun-Times*" on September 25, 2014 and (ii) was posted at least 48 hours prior to the start of the public hearing at the office of the Board of Commissioners.

(D) The Capital Improvement Purposes constitute public purposes of the District to be undertaken in the public interest.

**Section 3. Approval of Financing Plan.** The District hereby determines to proceed with the financing of a portion of the costs of the Capital Improvement Purposes related to the TARP Projects (the "Project Costs") by the issuance and sale of the 2014 Bonds. The 2014 Bonds shall be sold pursuant to a negotiated sale to the following underwriters (collectively, the "Underwriters"): Morgan Stanley & Co. LLC, as senior managing underwriter (and book runner); Loop Capital Markets, LLC, as co-senior managing underwriter and the following managing underwriters: Cabrera Capital Markets, LLC; Goldman, Sachs & Co.; Jefferies LLC; Rice Securities, LLC.

In order to accommodate current market practices and the provisions of federal income tax law and to provide the opportunity to sell the 2014 Bonds under the most favorable terms, the Board of Commissioners appoints (i) the President of the Board of Commissioners, the Vice-President of the Board of Commissioners and the Chairman of the Committee on Finance of the Board of Commissioners (the "Elected Officers") and (ii) the Executive Director of the District and the Treasurer of the District (the "Appointed Officers" and together with the Elected Officers, the "Designated Officers") and hereby delegates to the Elected Officers and the Appointed Officers the authority to sell the 2014 Bonds to the Underwriters, to sign a bond purchase agreement with respect to the 2014 Bonds and to determine certain details of the 2014 Bonds. All determinations delegated to the Elected Officers and the Appointed Officers pursuant to this ordinance shall be made by the Elected Officers and the Appointed Officers by the execution of one or more written bond orders (each a "Bond Order") signed by one of the Elected Officers and one of the Appointed Officers. The delegated authority granted pursuant to this Section shall expire on April 30, 2015.

**Section 4. Authorization and Terms of 2014 Bonds.** The sum of \$100,000,000 is appropriated to meet part of the Project Costs, including capitalized interest on the 2014 Bonds

for a period of not more than 24 months, the costs of issuance of the 2014 Bonds, and any municipal bond insurance premium with respect to the 2014 Bonds. For the purpose of financing said appropriation, the 2014 Bonds are authorized to be issued in one or more series and sold in an aggregate principal amount of not to exceed \$100,000,000. The 2014 Bonds are authorized, and shall be issued, as unlimited tax general obligation bonds of the District pursuant to the provisions of Section 9.6a of the Metropolitan Water Reclamation District Act and the Local Government Debt Reform Act.

The 2014 Bonds of each series shall be issued in such principal amount as shall be determined in the applicable Bond Order and shall be designated "General Obligation Unlimited Tax Capital Improvement Bonds" and shall include additional designations to distinguish each series of the 2014 Bonds.

The 2014 Bonds shall be issuable in the denominations of \$5,000 or any integral multiple thereof and may bear such identifying numbers or letters as shall be useful to facilitate the registration, transfer and exchange of the 2014 Bonds. Each 2014 Bond delivered upon the original issuance of the 2014 Bonds shall be dated as of the date specified in the applicable Bond Order. Each 2014 Bond thereafter issued upon any transfer, exchange or replacement of 2014 Bonds shall be dated so that no gain or loss of interest shall result from such transfer, exchange or replacement.

The 2014 Bonds shall mature, and 2014 Bonds of certain maturities may be subject to mandatory sinking fund redemption, on December 1 in such years and in such principal amounts as shall be specified in the applicable Bond Order, provided that no 2014 Bond shall mature later than December 1, 2044.

Each 2014 Bond shall bear interest from its date, computed on the basis of a 360 day year consisting of twelve 30 day months and payable in lawful money of the United States of America on an initial interest payment date of June 1, 2015, December 1, 2015 or June 1, 2016 (as determined in the applicable Bond Order) and semiannually thereafter on each June 1 and

December 1 at the rates per annum as shall be specified in the applicable Bond Order, provided that no 2014 Bond shall bear interest at a rate exceeding 6.00% per annum.

Prior to the issuance of any of the 2014 Bonds, the Treasurer of the District shall appoint a bank, trust company or national banking association to act as bond registrar and paying agent for the 2014 Bonds. The principal of and premium, if any, on the 2014 Bonds shall be payable in lawful money of the United States of America upon presentation and surrender thereof at the designated corporate trust office of the bond registrar and paying agent. Interest on the 2014 Bonds shall be payable on each interest payment date to the registered owners of record thereof appearing on the registration books maintained by the District for such purpose at the corporate trust office of the bond registrar, as of the close of business on the 15<sup>th</sup> day of the calendar month next preceding the applicable interest payment date. Interest on the 2014 Bonds shall be paid by check or draft mailed to such registered owners at their addresses appearing on the registration books or by wire transfer pursuant to an agreement by and between the District and the registered owner.

The 2014 Bonds of each series may be subject to redemption prior to maturity at the option of the District, as determined in the applicable Bond Order, and upon notice as herein provided, in such principal amounts and from such maturities as the District shall determine as set forth in the applicable Bond Order. Any optional redemption shall be at redemption prices that may include a redemption premium for each 2014 Bond to be redeemed expressed as a percentage, not exceeding 3% of the principal amount to be redeemed.

All 2014 Bonds subject to mandatory sinking fund redemption shall be redeemed at a redemption price equal to the principal amount thereof to be redeemed. The bond registrar is hereby authorized and directed to mail notice of the mandatory sinking fund redemption of the 2014 Bonds in the manner herein provided.

Whenever 2014 Bonds subject to mandatory sinking fund redemption are redeemed at the option of the District, the principal amount thereof so redeemed shall be credited against the

unsatisfied balance of future sinking fund installments or final maturity amount established with respect to such 2014 Bonds, in such amounts and against such installments or final maturity amount as shall be determined by the District in the proceedings authorizing such optional redemption or, in the absence of such determination, shall be credited pro-rata against the unsatisfied balance of the applicable sinking fund installments and final maturity amount.

On or prior to the 60<sup>th</sup> day preceding any sinking fund installment date, the District may purchase 2014 Bonds, which are subject to mandatory redemption on such sinking fund installment date, at such prices (not exceeding par plus accrued interest) as the District shall determine. Any 2014 Bond so purchased shall be cancelled and the principal amount thereof so purchased shall be credited against the unsatisfied balance of the next ensuing sinking fund installment of the 2014 Bonds of the same series, maturity and interest rate as the 2014 Bond so purchased.

Unless otherwise determined in the Bond Order, in the event of the redemption of less than all the 2014 Bonds of like series, maturity and interest rate, the aggregate principal amount thereof to be redeemed shall be \$5,000 or an integral multiple thereof and the bond registrar shall assign to each 2014 Bond of such maturity a distinctive number for each \$5,000 principal amount of such 2014 Bond and shall select by lot from the numbers so assigned as many numbers as, at \$5,000 for each number, shall equal the principal amount of such 2014 Bonds to be redeemed. The 2014 Bonds to be redeemed shall be the 2014 Bonds to which were assigned numbers so selected; provided that only so much of the principal amount of each 2014 Bond shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected.

Notice of the redemption of 2014 Bonds shall be mailed not less than 30 days nor more than 60 days prior to the date fixed for such redemption to the registered owners of 2014 Bonds to be redeemed at their last addresses appearing on said registration books. The 2014 Bonds or portions thereof specified in said notice shall become due and payable at the applicable redemption price on the redemption date therein designated, and if, on the redemption date,

moneys for payment of the redemption price of all the 2014 Bonds or portions thereof to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, and if notice of redemption shall have been mailed as aforesaid (and notwithstanding any defect therein or the lack of actual receipt thereof by any registered owner) then from and after the redemption date interest on such 2014 Bonds or portions thereof shall cease to accrue and become payable. If there shall be drawn for redemption less than all of a 2014 Bond, the District shall execute and the bond registrar shall authenticate and deliver, upon surrender of such 2014 Bond, without charge to the owner thereof, in exchange for the unredeemed balance of the 2014 Bond so surrendered, 2014 Bonds of like series, maturity and interest rate and of the denomination of \$5,000 or any integral multiple thereof.

The bond registrar shall not be required to transfer or exchange any 2014 Bond after notice of the redemption of all or a portion thereof has been mailed. The bond registrar shall not be required to transfer or exchange any 2014 Bond during a period of 15 days next preceding the mailing of a notice of redemption that could designate for redemption all or a portion of such 2014 Bond.

**Section 5. Approval of Documents.** In connection with the sale of the 2014 Bonds, the Designated Officers are authorized and directed to execute and deliver one or more Bond Purchase Agreements by and between the District and the Underwriters in substantially the form of prior Bond Purchase Agreements executed and delivered on behalf of the District in connection with prior sales of the District's bonds, with such changes and completions as may be approved by the Designated Officers, subject to the limitations of this ordinance. The execution and delivery of each Bond Purchase Agreement shall constitute conclusive evidence of the approval of such changes and completions.

The Treasurer is authorized to approve a Preliminary Official Statement of the District with respect to the 2014 Bonds, in substantially the form of the Preliminary Official Statements of the District distributed in connection with prior sales of the District's bonds, with such

changes, omissions, insertions and revisions as the Treasurer shall deem advisable. The distribution of the Preliminary Official Statement to prospective purchasers and the use thereof by the Underwriters in connection with the offering of the 2014 Bonds is authorized and approved. Any of the Designated Officers may take such actions as may be required so that each Official Statement with respect to 2014 Bonds will be "deemed final" as of its date for purposes of Securities and Exchange Commission Rule 15c2-12 promulgated under the Securities Exchange Act of 1934. The Treasurer is authorized to permit the distribution of each final Official Statement with such changes, omissions, insertions and revisions as she shall deem advisable.

The District shall enter into a Continuing Disclosure Undertaking for the benefit of the beneficial owners of each series of the 2014 Bonds and in order to assist participating underwriters of the 2014 Bonds and brokers, dealers and municipal securities dealers in complying with Securities and Exchange Rule 15c2-12(b)(5) promulgated under the Securities Exchange Act of 1934. The form of Continuing Disclosure Undertaking with respect to the 2014 Bonds, shall be in substantially the same form as the Continuing Disclosure Undertakings entered into by the District with respect to previously issued bonds of the District. Any of the Designated Officers is authorized and directed to execute and deliver a Continuing Disclosure Undertaking with such changes and completions as may be approved by said officials. The execution and delivery of any Continuing Disclosure Undertaking shall constitute conclusive evidence of the approval of such changes and completions.

Each of the documents approved by this Section may be executed in one or more counterparts. The corporate seal of the District, or a facsimile thereof may, if required, be affixed or otherwise reproduced upon each document and attested by the manual or authorized facsimile signature of the Clerk.

**Section 6. Bond Insurance.** Authority is hereby delegated to the Treasurer, at her option, to obtain from a municipal bond insurer (the “Bond Insurer”) a policy of municipal bond insurance insuring the payment of the principal of and interest on any of the 2014 Bonds.

**Section 7. Sale and Delivery of 2014 Bonds.** (A) Subject to the limitations contained in this ordinance, authority is delegated to the Designated Officers to sell one or more series of the 2014 Bonds to the Underwriters, provided that (a) the underwriting discount of the Underwriters for such series (exclusive of syndicate expenses and Underwriters’ counsel fees) shall not exceed an amount equal to \$0.75 per \$1,000 of the principal amount of the 2014 Bonds of such series; (b) the principal of and interest on the 2014 Bonds payable in each debt service year shall not be greater than the debt service taxes levied for the applicable tax levy year pursuant to Section 12 of this ordinance, provided that for this purpose interest shall not include any interest that is to be paid from moneys deposited, on the date of issuance of the 2014 Bonds, into the 2014 Unlimited Tax Debt Service Fund established by Section 14 of this ordinance; (c) the purchase price of the 2014 Bonds of such series is not less than 97% of the principal amount of such series; and (d) the District obtains a letter, report or certificate signed by the District’s independent financial advisors, stating that the terms of the series of the 2014 Bonds to be sold are reasonable in light of current conditions in the market for tax-exempt obligations, such as the 2014 Bonds of such series.

(B) As used in paragraph (A) of this Section, the term “debt service year” means the year following the applicable tax levy year.

(C) The sale and award of each series of the 2014 Bonds shall be evidenced by a Bond Order. An executed counterpart of the Bond Order shall be filed in the office of the Clerk and entered in the records of the District.

(D) The Designated Officers, the Clerk and the other officials of the District are authorized and directed to do and perform, or cause to be done or performed for or on behalf of



the District each and every thing necessary for the issuance of the 2014 Bonds, including the proper execution and delivery of the 2014 Bonds, the Bond Purchase Agreements, the Continuing Disclosure Undertakings and the Official Statements.

**Section 8. Execution and Authentication.** Each 2014 Bond shall be executed in the name of the District by the manual or authorized facsimile signature of its President and shall be countersigned by the manual or authorized facsimile signature of its Treasurer. The corporate seal of the District, or a facsimile thereof, shall be thereunto affixed or otherwise reproduced upon each 2014 Bond and attested by the manual or authorized facsimile signature of the Clerk.

In case any officer whose signature, or a facsimile of whose signature, shall appear on any 2014 Bond shall cease to hold such office before the issuance of the 2014 Bond, such 2014 Bond shall nevertheless be valid and sufficient for all purposes, the same as if the person whose signature, or a facsimile thereof, appears on such 2014 Bond had not ceased to hold such office. Any 2014 Bond may be signed, countersigned, sealed or attested on behalf of the District by any person who, on the date of such act, shall hold the proper office, notwithstanding that at the date of such 2014 Bond such person may not have held such office. No recourse shall be had for the payment of any 2014 Bonds against any officer who executes the 2014 Bonds.

Each 2014 Bond shall bear thereon a certificate of authentication executed manually by the bond registrar. No 2014 Bond shall be entitled to any right or benefit under the Authorizing Ordinance or this ordinance or shall be valid or obligatory for any purpose until such certificate of authentication shall have been duly executed by the bond registrar.

**Section 9. Transfer, Exchange and Registry.** The 2014 Bonds shall be negotiable, subject to the provisions for registration of transfer contained herein. Each 2014 Bond shall be transferable only upon the registration books maintained by the District for that purpose at the corporate trust office of the bond registrar, by the registered owner thereof in person or by the

registered owner's attorney duly authorized in writing, upon surrender thereof together with a written instrument of transfer satisfactory to the bond registrar and duly executed by the registered owner or the registered owner's duly authorized attorney. Upon the surrender for transfer of any such 2014 Bond, the District shall execute and the bond registrar shall authenticate and deliver a new 2014 Bond or 2014 Bonds registered in the name of the transferee, of the same aggregate principal amount, series, maturity and interest rate as the surrendered 2014 Bond. 2014 Bonds, upon surrender thereof at the corporate trust office of the bond registrar, with a written instrument satisfactory to the bond registrar, duly executed by the registered owner or his attorney duly authorized in writing, may be exchanged for an equal aggregate principal amount of 2014 Bonds of the same series, maturity and interest rate and of the denominations of \$5,000 or any integral multiple thereof.

For every such exchange or registration of transfer of 2014 Bonds, the District or the bond registrar may make a charge sufficient for the reimbursement of any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. No other charge shall be made for the privilege of making such transfer or exchange. The provisions of the Illinois Bond Replacement Act shall govern the replacement of lost, destroyed or defaced 2014 Bonds.

The District and the bond registrar may deem and treat the person in whose name any 2014 Bond shall be registered upon the registration books as the absolute owner of such 2014 Bond, whether such 2014 Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of, redemption premium, if any, or interest thereon and for all other purposes whatsoever, and all such payments so made to any such registered owner or upon the order of such registered owner shall be valid and effectual to satisfy and discharge the

liability upon such 2014 Bond to the extent of the sum or sums so paid, and neither the District nor the bond registrar shall be affected by any notice to the contrary.

**Section 10. General Obligations.** The full faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal of and interest on the 2014 Bonds. The 2014 Bonds shall be direct and general obligations of the District, and the District shall be obligated to levy ad valorem taxes upon all the taxable property in the District for the payment of the 2014 Bonds and the interest thereon, without limitation as to rate or amount.

**Section 11. Form of 2014 Bonds.** The 2014 Bonds shall be issued as fully registered bonds and shall be in substantially the following form, the blanks to be appropriately completed when the 2014 Bonds are printed:

No. \_\_\_\_\_

United States of America  
State of Illinois  
County of Cook  
METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO  
GENERAL OBLIGATION UNLIMITED TAX CAPITAL IMPROVEMENT BOND,  
SERIES 2014\_

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
. %	December 1, 20__	_____, 2014	_____

REGISTERED OWNER: Cede & Co.

PRINCIPAL AMOUNT:

The METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO, a sanitary district and a body politic and corporate of the State of Illinois organized and existing under the Metropolitan Water Reclamation District Act, acknowledges itself indebted and for value received hereby promises to pay to the registered owner of this bond, or registered assigns, the principal amount specified above on the maturity date specified above, and to pay interest on such principal amount from the date hereof at the interest rate per annum specified above, computed on the basis of a 360 day year consisting of twelve 30 day months and

payable in lawful money of the United States of America on \_\_\_\_\_ 1, 201\_\_ and semiannually thereafter on June 1 and December 1 in each year until the principal amount shall have been paid, to the registered owner of record hereof as of the 15<sup>th</sup> day of the calendar month next preceding such interest payment date, by wire transfer pursuant to an agreement by and between the District and the registered owner, or otherwise by check or draft mailed to the registered owner at the address of such owner appearing on the registration books maintained by the District for such purpose at the corporate trust office of \_\_\_\_\_, in the City of Chicago, Illinois, as bond registrar or its successor (the "Bond Registrar"). This bond, as to principal and premium, if any, when due, will be payable in lawful money of the United States of America upon presentation and surrender of this bond at the corporate trust office of the Bond Registrar. The full faith and credit of the District are irrevocably pledged for the punctual payment of the principal of and interest on this bond according to its terms.

This bond is one of the series of bonds issued in the aggregate principal amount of \$\_\_\_\_\_, which are authorized and issued under and pursuant to the Metropolitan Water Reclamation District Act, 70 Illinois Compiled Statutes 2605, and the Local Government Debt Reform Act, 30 Illinois Compiled Statutes 350, and under and in accordance with an ordinance adopted by the Board of Commissioners of the District on November 6, 2014, and entitled: "An Ordinance Authorizing and Providing For the Issuance of Not to Exceed \$100,000,000 General Obligation Unlimited Tax Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago" (the "Ordinance").

The bonds of such series maturing on or after December 1, 20\_\_ are subject to redemption prior to maturity at the option of the District and upon notice as herein provided, in such principal amounts and from such maturities as the District shall determine and by lot within a single maturity, on \_\_\_\_\_, 20\_\_ and on any date thereafter, at a redemption price equal to the principal amount thereof to be redeemed plus, if such bond is to be redeemed

during any period (both dates inclusive) shown in the following table, the applicable redemption premium, expressed as a percentage of such principal amount, set forth opposite such period:

<u>Redemption Period</u>	<u>Redemption Premium</u>
	%

The bonds of such series maturing in the years 20\_\_\_, 20\_\_ and 20\_\_ (the "Term Bonds") are subject to mandatory redemption, in part and by lot, on December 1 of the years and in the respective principal amounts set forth in the following tables, by the application of sinking fund installments, at a redemption price equal to the principal amount thereof to be redeemed:

<u>20___ Term Bonds</u>		<u>20___ Term Bonds</u>		<u>20___ Term Bonds</u>	
<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
20___	\$ ,000	20___	\$ ,000	20___	\$ ,000
20___	,000	20___	,000	20___	,000
20___	,000	20___	,000	20___	,000

Notice of the redemption of bonds will be mailed not less than 30 days nor more than 60 days prior to the date fixed for such redemption to the registered owners of bonds to be redeemed at their last addresses appearing on such registration books. The bonds or portions thereof specified in said notice shall become due and payable at the applicable redemption price on the redemption date therein designated, and if, on the redemption date, moneys for payment of the redemption price of all the bonds or portions thereof to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, and if notice of redemption shall have been mailed as aforesaid (and notwithstanding any defect therein or the lack of actual receipt thereof by any registered owner) then from and after the redemption date interest on such bonds or portions thereof shall cease to accrue and become payable.

This bond is transferable only upon such registration books by the registered owner hereof in person, or by the registered owner's attorney duly authorized in writing, upon surrender hereof at the corporate trust office of the Bond Registrar together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the registered owner or by the registered owner's duly authorized attorney, and thereupon a new registered bond or bonds, in the authorized denominations of \$5,000 or any integral multiple thereof and of the same aggregate principal amount, maturity and interest rate as this bond shall be issued to the transferee in exchange therefor. In like manner, this bond may be exchanged for an equal aggregate principal amount of bonds of the same maturity and interest rate and of any of such authorized denominations. The District or the Bond Registrar may make a charge sufficient for the reimbursement of any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange of this bond. No other charge shall be made for the privilege of making such transfer or exchange. The District and the Bond Registrar may treat and consider the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes whatsoever.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been duly executed by the Bond Registrar.

It is hereby certified, recited and declared that this bond is issued in part pursuant to the Local Government Debt Reform Act, that all acts, conditions and things required to be done, exist and be performed precedent to and in the issuance of this bond in order to make it a legal, valid and binding obligation of the District have been done, exist and have been performed in regular and due time, form and manner as required by law, and that the series of bonds of which this bond is one, together with all other indebtedness of the District, is within every debt or other limit prescribed by law.

IN WITNESS WHEREOF, the Metropolitan Water Reclamation District of Greater Chicago has caused this bond to be executed in its name and on its behalf by the manual or facsimile signature of its President, to be countersigned by the manual or facsimile signature of its Treasurer, and its corporate seal, or a facsimile thereof, to be hereunto affixed or otherwise reproduced hereon and attested by the manual or facsimile signature of its Clerk.

Dated: \_\_\_\_\_

METROPOLITAN WATER RECLAMATION  
DISTRICT OF GREATER CHICAGO

\_\_\_\_\_  
President

Countersigned:

\_\_\_\_\_  
Treasurer

Attest:

#### CERTIFICATE OF AUTHENTICATION

This bond is one of the General Obligation Unlimited Tax Capital Improvement Bonds, Series \_\_\_\_\_, described in the within mentioned Ordinance.

\_\_\_\_\_  
Clerk

\_\_\_\_\_, as  
Bond Registrar

By \_\_\_\_\_  
Authorized Signer

ASSIGNMENT

For value received the undersigned sells, assigns and transfers unto \_\_\_\_\_

\_\_\_\_\_

the within bond and hereby irrevocably constitutes and appoints \_\_\_\_\_

\_\_\_\_\_

attorney to transfer the said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated \_\_\_\_\_

Signature Guarantee:

\_\_\_\_\_

\_\_\_\_\_



**Section 12. Levy and Extension of Taxes.** (A) For the purpose of providing the money required to pay the interest on the 2014 Bonds when and as the same falls due and to pay and discharge the principal (including mandatory sinking fund installments) thereof as the same shall mature, there is hereby levied upon all the taxable property in the District, in each year while any of the 2014 Bonds shall be outstanding, a direct annual tax sufficient for that purpose in addition to all other taxes, as follows:

<u>Tax Levy Year</u>	<u>A Tax Sufficient to Produce</u>
2014	\$ 7,000,000
2015	7,000,000
2016	7,000,000
2017	7,000,000
2018	7,000,000
2019	7,000,000
2020	7,000,000
2021	7,000,000
2022	7,000,000
2023	7,000,000
2024	7,000,000
2025	7,000,000
2026	7,000,000
2027	7,000,000
2028	7,000,000
2029	7,000,000
2030	7,000,000
2031	7,000,000
2032	7,000,000
2033	7,000,000
2034	7,000,000
2035	23,000,000
2036	23,000,000
2037	23,000,000
2038	23,000,000
2039	23,000,000
2040	23,000,000
2041	23,000,000
2042	23,000,000
2043	23,000,000

(B) Interest or principal coming due at any time when there shall be insufficient funds on hand to pay the same shall be paid promptly when due from current funds on hand in

advance of the collection of the taxes herein levied; and when said taxes shall have been collected, reimbursement shall be made to the said funds in the amounts thus advanced.

(C) After the sale of each series of the 2014 Bonds and the execution of the applicable Bond Order, an executed copy of the applicable Bond Order and a copy of this ordinance certified by the Clerk, which certificate shall recite that this ordinance has been duly adopted, shall be filed with the County Clerk of Cook County, Illinois, who is hereby directed to ascertain the rate per cent required to produce the aggregate tax hereinbefore provided to be levied in the years 2014 to 2043, inclusive, and subject to adjustment as provided in paragraph (D) of this Section to extend the same for collection on the tax books in connection with other taxes levied in said years, in and by the District for general corporate purposes of the District, and in said years such annual tax shall be levied and collected in like manner as taxes for general corporate purposes for said years are levied and collected and, when collected, the moneys received by the District from such taxes (the "Debt Service Tax Receipts") shall be used for the purpose of paying the principal of and interest on the 2014 Bonds as the same become due and payable.

(D) In the event that 2014 Bonds are to be issued in principal amounts and bearing interest such that for any tax levy year an amount less than that set forth in paragraph (A) of this Section is required to be produced to pay when due the principal of and interest on the 2014 Bonds, then the Treasurer is authorized and directed to file with the aforesaid County Clerk, a direction for abatement of taxes specifying the exact amount of taxes to be levied to produce the required amounts for each of the various tax levy years.

(E) After the issuance of the 2014 Bonds, the District shall not abate the debt service taxes levied pursuant to this Section or take any action to restrict the extension and collection of those taxes except that the District may abate any such debt service taxes for any tax levy year to the extent that, at the time of such abatement, moneys then held in the 2014 Unlimited Tax Debt Service Fund established by this ordinance, or otherwise held in trust for the payment of

debt service on the 2014 Bonds, together with the amount to be extended for collection taking into account the proposed abatement, will be sufficient to provide for the punctual payment of the principal of and interest on the 2014 Bonds otherwise payable from the debt service taxes levied for such tax levy year.

**Section 13. Application of Proceeds.** The proceeds of sale of each series of the 2014 Bonds shall be applied as follows:

1. To any Bond Insurer of such series of 2014 Bonds, the applicable premium for the municipal bond insurance policy.
2. To the Capitalized Interest Account of the 2014 Unlimited Tax Debt Service Fund established by this ordinance, the amount (if any) allocated to capitalize interest on such series of the 2014 Bonds as determined by the Treasurer.
3. To the 2014 Unlimited Tax Bond Proceeds Fund established by this ordinance, the amount of such proceeds of sale remaining after making the foregoing payment (if any) and deposit.

**Section 14. Debt Service Fund.** The Debt Service Tax Receipts, and all other moneys to be used for the payment of the principal of and interest on the 2014 Bonds, shall be deposited in the “2014 Unlimited Tax Debt Service Fund”, which is hereby established as a special fund of the District and shall be administered as a bona fide debt service fund under the Internal Revenue Code of 1986 (the “Code”). The District may establish within the 2014 Unlimited Tax Debt Service Fund, separate accounts for each series of the 2014 Bonds.

The moneys deposited or to be deposited into the 2014 Unlimited Tax Debt Service Fund, including the Debt Service Tax Receipts, are pledged as security for the payment of the principal of and interest on the 2014 Bonds to the extent and in the manner provided in this ordinance. This pledge is made pursuant to Section 13 of the Local Government Debt Reform Act and shall be valid and binding from the date of issuance of the 2014 Bonds. All such Debt

Service Tax Receipts and the moneys held in the 2014 Unlimited Tax Debt Service Fund shall immediately be subject to the lien of such pledge without any physical delivery or further act and the lien of such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the District irrespective of whether such parties have notice thereof.

The Capitalized Interest Account is hereby established as an account within the 2014 Unlimited Tax Debt Service Fund. Moneys in the Capitalized Interest Account are pledged as security for the payment of the 2014 Bonds. At the direction of the Treasurer of the District moneys in the Capitalized Interest Account shall be used for the payment of interest on the 2014 Bonds.

**Section 15. Bond Proceeds Fund.** The “2014 Unlimited Tax Bond Proceeds Fund,” is hereby established as a special fund of the District. Moneys in the 2014 Unlimited Tax Bond Proceeds Fund shall be used for the payment of the Project Costs, and costs of issuance of the 2014 Bonds, but may thereafter be reappropriated and used for other purposes if such reappropriation is permitted under Illinois law and will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the 2014 Bonds. The District may establish within the 2014 Unlimited Tax Bond Proceeds Fund separate accounts of each series of the 2014 Bonds.

**Section 16. Investment Regulations.** No investment shall be made of any moneys in the 2014 Unlimited Tax Debt Service Fund or the 2014 Unlimited Tax Bond Proceeds Fund except in accordance with the tax covenants set forth in Section 17 of this ordinance. All income derived from such investments in respect of moneys or securities in any Fund shall be credited in each case to the Fund in which such moneys or securities are held.

Any moneys in any Fund that are subject to investment yield restrictions may be invested in United States Treasury Securities, State and Local Government Series, pursuant to the regulations of the United States Treasury Department, Bureau of Public Debt, or in any

tax-exempt bond that is not an “investment property” within the meaning of Section 148(b)(2) of the Code. The Treasurer and agents designated by her are hereby authorized to submit, on behalf of the District, subscriptions for such United States Treasury Securities and to request redemption of such United States Treasury Securities.

**Section 17. Tax Covenants.** The District shall not take, or omit to take, any action lawful and within its power to take, which action or omission would cause interest on any 2014 Bond to become subject to federal income taxes in addition to federal income taxes to which interest on such 2014 Bond is subject on the date of original issuance thereof.

The District shall not permit any of the proceeds of the 2014 Bonds, or any facilities financed with such proceeds, to be used in any manner that would cause any 2014 Bond to constitute a “private activity bond” within the meaning of Section 141 of the Code.

The District shall not permit any of the proceeds of the 2014 Bonds or other moneys to be invested in any manner that would cause any 2014 Bond to constitute an “arbitrage bond” within the meaning of Section 148 of the Code or a “hedge bond” within the meaning of Section 149(g) of the Code.

The District shall comply with the provisions of Section 148(f) of the Code relating to the rebate of certain investment earnings at periodic intervals to the United States of America.

**Section 18. Bond Registrar.** The District covenants that it shall at all times retain a bond registrar with respect to the 2014 Bonds, that it will maintain at the designated office of such bond registrar a place where 2014 Bonds may be presented for payment and registration of transfer or exchange and that it shall require that the bond registrar maintain proper registration books and perform the other duties and obligations imposed upon the bond registrar by this ordinance in a manner consistent with the standards, customs and practices of the municipal securities business.

The bond registrar shall signify its acceptance of the duties and obligations imposed upon it by this ordinance by executing the certificate of authentication on any 2014 Bond, and by

such execution the bond registrar shall be deemed to have certified to the District that it has all requisite power to accept, and has accepted such duties and obligations not only with respect to the 2014 Bond so authenticated but with respect to all the 2014 Bonds. The bond registrar is the agent of the District and shall not be liable in connection with the performance of its duties except for its own negligence or default. The bond registrar shall, however, be responsible for any representation in its certificate of authentication on the 2014 Bonds.

The District may remove the bond registrar at any time. In the event that the bond registrar shall resign or shall be removed or shall become incapable of acting, or shall be adjudged a bankrupt or insolvent, or if a receiver, liquidator or conservator of the bond registrar, or of its property, shall be appointed, or if any public officer shall take charge or control of the bond registrar or of its property or affairs, the District covenants and agrees that it will thereupon appoint a successor bond registrar. The District shall mail notice of any such appointment made by it to each registered owner of 2014 Bonds within twenty days after such appointment.

**Section 19. Book-Entry System.** In order to provide for the initial issuance of the 2014 Bonds in a form that provides for a system of book-entry only transfers, the ownership of one fully registered 2014 Bond for each maturity of each series, in the aggregate principal amount of such maturity, shall be registered in the name of Cede & Co., as a nominee of The Depository Trust Company, as securities depository for the 2014 Bonds. The Treasurer is authorized to execute and deliver on behalf of the District such letters to, or agreements with, the securities depository as shall be necessary to effectuate such book-entry system.

In the event that the securities depository shall resign or shall become incapable of acting, then the District shall appoint a successor securities depository to provide a system of book-entry only transfers for the 2014 Bonds, by written notice to the predecessor securities depository directing it to notify its participants (those persons for whom the securities depository holds securities) of the appointment of a successor securities depository.

If the system of book-entry only transfers for the 2014 Bonds is discontinued, then the District shall issue and the bond registrar shall authenticate, register and deliver to the beneficial owners of the 2014 Bonds, bond certificates in replacement of such beneficial owners' beneficial interests in the 2014 Bonds, all as shown in the records maintained by the securities depository.

**Section 20. Defeasance and Payment of 2014 Bonds.** (A) If the District shall pay or cause to be paid to the registered owners of the 2014 Bonds, the principal, premium, if any, and interest due or to become due thereon, at the times and in the manner stipulated therein and in this ordinance, then the pledge of Debt Service Tax Receipts, securities and funds hereby pledged and the covenants, agreements and other obligations of the District to the registered owners and the beneficial owners of the 2014 Bonds shall be discharged and satisfied.

(B) Any 2014 Bonds or interest installments appertaining thereto, whether at or prior to the maturity or redemption date of such 2014 Bonds, shall be deemed to have been paid within the meaning of paragraph (A) of this Section if (1) in case any such 2014 Bonds are to be redeemed prior to the maturity thereof, there shall have been taken all action necessary to call such 2014 Bonds for redemption and notice of such redemption shall have been duly given or provision shall have been made for the giving of such notice, and (2) there shall have been deposited in trust with a bank, trust company or national banking association acting as fiduciary for such purpose either (i) moneys in an amount which shall be sufficient, or (ii) "Federal Obligations" as defined in paragraph (C) of this Section, the principal of and the interest on which when due will provide moneys which, together with any moneys on deposit with such fiduciary at the same time for such purpose, shall be sufficient, to pay when due the principal of, redemption premium, if any, and interest due and to become due on, said 2014 Bonds on and prior to the applicable maturity date or redemption date thereof.

(C) As used in this Section, the term "Federal Obligations" means (i) non-callable, direct obligations of the United States of America, (ii) non-callable and non-prepayable, direct

obligations of any agency of the United States of America, which are unconditionally guaranteed by the United States of America as to full and timely payment of principal and interest, (iii) non-callable, non-prepayable coupons or interest installments from the securities described in clause (i) or clause (ii) of this paragraph, which are stripped pursuant to programs of the Department of the Treasury of the United States of America, or (iv) coupons or interest installments stripped from bonds of the Resolution Funding Corporation.

**Section 21. Ordinance to Constitute a Contract.** The provisions of this ordinance shall constitute a contract between the District and the registered owners of the 2014 Bonds. Any pledge made in this ordinance and the provisions, covenants and agreements herein set forth to be performed by or on behalf of the District shall be for the equal benefit, protection and security of the owners of any and all of the 2014 Bonds. All of the 2014 Bonds, regardless of the time or times of their issuance, shall be of equal rank without preference, priority or distinction of any of the 2014 Bonds over any other thereof except as expressly provided in or pursuant to this ordinance. This ordinance shall constitute full authority for the issuance of the 2014 Bonds and to the extent that the provisions of this ordinance conflict with the provisions of any other ordinance or resolution of the District, the provisions of this ordinance shall control. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

**Section 22. Publication.** The Clerk is hereby authorized and directed to publish this ordinance in pamphlet form and to file copies thereof for public inspection in the office of the Clerk.



**Section 23. Effective Date.** This ordinance shall become effective upon its adoption.

ADOPTED this 6<sup>th</sup> day of November, 2014.

Approved: November 6, 2014.

ATTEST:

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Clerk, Metropolitan Water Reclamation  
District of Greater Chicago

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

[SEAL]

Approved as to Form and Legality:

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Head Assistant Attorney

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General Counsel

Dated: November 6, 2014

RECORDED in the District Records on November 6, 2014.

### CERTIFICATE

I, Jacqueline Torres, Clerk of the Metropolitan Water Reclamation District of Greater Chicago, hereby certify that the foregoing ordinance entitled: "An Ordinance Authorizing and Providing for the Issuance of Not to Exceed \$100,000,000 General Obligation Unlimited Tax Capital Improvement Bonds of the Metropolitan Water Reclamation District of Greater Chicago," is a true copy of an original ordinance that was duly adopted by the recorded affirmative votes of a majority of the members of the Board of Commissioners of the District at a meeting thereof that was duly called and held at 10:00 a.m. on November 6, 2014, in the Board Room at 100 East Erie Street, in the City of Chicago, Illinois, and at which a quorum was present and acting throughout, and that said copy has been compared by me with the original ordinance signed by the President of the Board of Commissioners on November 6, 2014, published in pamphlet form on November 6, 2014 and recorded in the records of the District and that it is a correct transcript thereof and of the whole of said ordinance, and that said ordinance has not been altered, amended, repealed or revoked, but is in full force and effect.

I further certify that the agenda for said meeting included the ordinance as a matter to be considered at the meeting and that said agenda was posted at least 48 hours in advance of the holding of the meeting in the manner required by the Open Meetings Act, 5 Illinois Compiled Statutes 120 and was continuously available for public review during the 48 hour period preceding the meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the District, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Clerk, Metropolitan Water Reclamation  
District of Greater Chicago

(SEAL)



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** O14-012, **Version:** 1

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### **ORDINANCE FOR BOARD MEETING OF NOVEMBER 6, 2014**

Adopt Ordinance O14-012 An Ordinance Providing For the Issuance of Not to Exceed \$50,000,000 General Obligation Unlimited Tax Bonds (Alternate Revenue Source) of the Metropolitan Water Reclamation District of Greater Chicago

## **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

### COMMITTEE ON FINANCE

Mr. David St. Pierre, Executive Director

..Title

Ordinance O14-012 An Ordinance Providing For the Issuance of Not to Exceed \$50,000,000 General Obligation Unlimited Tax Bonds(Alternate Revenue Source) of the Metropolitan Water Reclamation District of Greater Chicago

..Body

Dear Sir:

Attached is the third of four ordinances being presented to the Board today relating to the District's anticipated General Obligation Capital Improvement Bonds sale totaling \$300,000,000. This Ordinance O14-012 authorizes the sale of not to exceed \$50,000,000 General Obligation Unlimited Tax Bonds (Alternate Revenue Source). The sale of these bonds will fund stormwater management capital projects.

The District held a public hearing on October 2, 2014, pursuant to the Bond Issue Notification Act stating its intention to issue not to exceed \$200,000,000 of General Obligation Capital Improvement Bonds. All Ordinances presented for approval will be issued in accordance with the conditions stated at that hearing. Furthermore, on October 2, 2014, the Board of Commissioners adopted Ordinance O14-006, An Ordinance authorizing the issuance of not to exceed \$200,000,000 General Obligation Bonds (Alternate Revenue Source) of the Metropolitan Water Reclamation District of Greater Chicago, for the purpose of providing funds for stormwater management capital improvement projects. This authorizing ordinance, together with the statutory notice required by Section 15 of the Local Government Debt Reform Act, was published on October 3, 2014, in the "Chicago Sun-Times", a newspaper of general circulation in the District. No petition has been filed with the Clerk of the District requesting that the issuance of the bonds authorized by the authorizing ordinance be submitted to referendum. The adoption of Ordinance O14-012 will provide for \$50,000,000 of such issuance in connection with stormwater management capital improvement projects.

The Board anticipated that bond funding would be required to complete its countywide stormwater management plan, and the source for this funding would be the stormwater property tax levy. A policy was adopted by the Board on December 10, 2009 and amended on November 3, 2011 that establishes the maximum portion of the stormwater tax levy that may be allocated to fund direct cash outflows for capital and the interest and principal payments of general obligation bond issues for capital projects. The maximum property tax levy related to stormwater capital needs is defined as three of the five cents per \$100 of Equalized Assessed Valuation or 60% of the maximum stormwater management property tax levy.

The bonds shall be payable from the tax receipts derived from the tax levied by the District for stormwater management purposes. This tax constitutes a "revenue source" within the meaning of Section 15 of the Local Government Debt Reform Act. The District will be required to demonstrate that such revenue source is sufficient in each year to provide not less than 1.25 times the debt service on all outstanding alternate revenue source bonds payable from such revenue source including the alternate revenue source bonds proposed to be issued. As a result of the proposed issuance, the District will be required to include in its stormwater

management fund levy the estimated \$3,800,000 debt service payable each year due to the issuance of \$50,000,000 in bonds. In addition, the stormwater management fund tax receipts must exceed 1.25 times the debt service payable each year, or an estimated \$4,750,000 for the proposed bond issuance. The District's Annual Audit Report will be used to evidence the sufficiency of the revenue source.

On or before the last business day of February each year, the District shall deposit into the 2014 Alternate Bond Debt Service Fund, using an equity fund transfer from the Stormwater management property tax receipts, the amount required so that the sum held in the 2014 Alternate Bond Debt Service Fund after such deposit shall be sufficient to provide the punctual payment of the principal and interest on the 2014 bonds that will become due and payable on and prior to the first day of December next ensuing. The monies deposited into the 2014 Alternate Bond Debt Service Fund are pledged as security for the payment of the principal and interest on the 2014 bonds.

The Ordinance sets the legal parameters for issuance of the bonds and provides for various necessary details relative to the bonds, including the required authority to levy and collect the direct annual taxes for payment of bond principal and interest as due, and the Ordinance authorizes the Treasurer and any one elective officer of the District to sign a binding bond purchase agreement with the underwriters on behalf of the District, and also to sign a related "Bond Order," on the date of sale. Such authority permits the sale to be completed in a prompt and timely manner when conditions in the bond market are in a stable and acceptable state for issuance of the District's bonds. The Bonds may be sold in one or more bond sales over the next year dependent upon the capital financing needs of the District. The action of the Treasurer and the elective officer in signing the bond purchase agreement(s) and executing the Bond Order(s) will be reported to the Board at the next regular meeting following each sale date.

The authority to sell the Bonds shall expire on April 30, 2015. This expiration period has been proposed to allow for flexibility in issue size and the ability to adapt to changing conditions in the bond market. Authority is requested to access the market to sell up to \$225,000,000 in new money bonds to fund capital improvement projects and up to \$75,000,000 in refunding bonds dependent upon market conditions. The size and structure of the sale will be determined with the assistance of the Underwriters and Financial Advisors based upon the market interest rates, investor cash positions, supply of bonds for sale, liquidity of the market and other conditions.

The purchase price is set at not less than 97% of the original principal amount; compensation to the purchasers is not to exceed seventy-five cents (\$0.75) per \$1,000 principal amount of bonds sold (excluding syndicate expenses and underwriter counsel fees); the bonds may be subject to optional redemption at not more than 103%; interest may be capitalized for a period of not more than twenty-four months; and the bonds may mature not later than December 1, 2044.

It is recommended that "Ordinance O14-012 Providing For the Issuance of Not to Exceed \$50,000,000 General Obligation Unlimited Tax Bonds (Alternate Revenue Source) of the Metropolitan Water Reclamation District of Greater Chicago" be adopted by the Board of Commissioners.

Requested, Mary Ann Boyle, Treasurer, MAB:st  
Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Finance  
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

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ORDINANCE NUMBER O14-012

An Ordinance Providing For the Issuance of Not to Exceed  
\$50,000,000 General Obligation Unlimited Tax Bonds (Alternate  
Revenue Source) of the Metropolitan Water Reclamation District  
of Greater Chicago

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Adopted by the Board of Commissioners  
of the Metropolitan Water Reclamation  
District of Greater Chicago on the  
6<sup>th</sup> day of November, 2014.

## ORDINANCE NUMBER O14-012

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$50,000,000 GENERAL OBLIGATION UNLIMITED TAX BONDS (ALTERNATE REVENUE SOURCE) OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO, AS FOLLOWS:

**Section 1. Authority and Purpose.** This ordinance is adopted pursuant to the Metropolitan Water Reclamation District Act, 70 Illinois Compiled Statutes 2605, and the Local Government Debt Reform Act, 30 Illinois Compiled Statutes 350, for the purpose of financing stormwater management projects (herein called the “Projects”) to be undertaken by the Metropolitan Water Reclamation District of Greater Chicago (the “District”) or to be financed in whole or in part by the District and to be undertaken by other units of local government as authorized by Section 7h of the Metropolitan Water Reclamation Act, and including, without limitation, the development, design, planning and construction of regional and local stormwater facilities provided for in the countywide stormwater management plan and the acquisition of real property in furtherance of its regional and local stormwater management activities.

**Section 2. Findings and Determinations.** It is found and determined that:

(A) Pursuant to Ordinance Number O14-006 adopted by the Board of Commissioners of the District on October 2, 2014, and entitled: “An Ordinance Authorizing the Issuance of Not to Exceed \$200,000,000 General Obligation Bonds (Alternate Revenue Source) of the Metropolitan Water Reclamation District of Greater Chicago, for the Purpose of Providing Funds for Stormwater Management Projects” (the “Authorizing Ordinance”) the District is authorized to issue not to exceed \$200,000,000 principal amount of general obligation unlimited tax bonds of the District for the purpose of financing costs of the Projects. Said bonds are authorized to be issued as “alternate bonds” under Section 15 of the Local Government Debt Reform Act.

(B) The Authorizing Ordinance, together with the statutory notice required by Section 15 of the Local Government Debt Reform Act, was published on October 3, 2014, in the *“Chicago Sun-Times,”* a newspaper of general circulation in the District. No petition has been filed with the Clerk of the District (the “Clerk”) requesting that the issuance of the bonds authorized by the Authorizing Ordinance be submitted to referendum.

(C) No bonds have been issued pursuant to the Authorizing Ordinance. This ordinance supplements the Authorizing Ordinance in accordance with Section 5 of the Local Government Debt Reform Act.

(D) Pursuant to the Bond Issue Notification Act, 30 Illinois Compiled Statutes 352, a public hearing was held and completed before the Board of Commissioners on October 2, 2014 with respect to the sale of the general obligation alternate bonds authorized to be issued pursuant to this ordinance (the “2014 Bonds”). Notice of said public hearing (i) was published in the *“Chicago Sun-Times”* on September 25, 2014 and (ii) was posted at least 48 hours prior to the start of the public hearing at the office of the Board of Commissioners.

(E) The Projects constitute public purposes of the District and are in the public interest.

(F) The 2014 Bonds shall be payable from the tax receipts derived from the tax levied by the District for stormwater management purposes pursuant to Section 12 of the Metropolitan Water Reclamation District Act (the “Stormwater Management Tax”), which constitutes a “Revenue Source” within the meaning of Section 15 of the Local Government Debt Reform Act.

(G) The Board of Commissioners hereby determines that the Stormwater Management Tax will be sufficient to provide in each year to the final maturity of the 2014 Bonds, an amount not less than 1.25 times debt service on the 2014 Bonds when issued, and



all alternate bonds payable from the Stormwater Management Tax previously issued and outstanding.

(H) No other bonds, notes or obligations of the District are secured by a specific pledge of all, or any portion of, the Stormwater Management Tax or the tax receipts derived from the Stormwater Management Tax.

(I) The determination of the sufficiency of the Stormwater Management Tax is supported by the Independent Auditor's Report regarding the financial statements of the District for the fiscal year ended December 31, 2013, which Report dated May 7, 2014 was prepared by Baker Tilly Virchow Krause, LLP, certified public accountants. The Independent Auditor's Report is on file with the Clerk and are hereby accepted by the Board of Commissioners.

**Section 3. Approval of Financing Plan.** The District hereby determines to proceed with the financing of a portion of the costs of the Projects (the "Project Costs") by the issuance and sale of the 2014 Bonds. The 2014 Bonds constitute a portion of the bonds authorized by the Authorizing Ordinance. The 2014 Bonds shall be sold pursuant to a negotiated sale to the following underwriters (collectively, the "Underwriters"): Morgan Stanley & Co. LLC, as senior managing underwriter (and book runner); Loop Capital Markets, LLC, as co-senior managing underwriter and the following managing underwriters: Cabrera Capital Markets, LLC; Goldman, Sachs & Co.; Jefferies LLC; Rice Securities, LLC.

In order to accommodate current market practices and the provisions of federal income tax law and to provide the opportunity to sell the 2014 Bonds under the most favorable terms, the Board of Commissioners appoints (i) the President of the Board of Commissioners, the Vice-President of the Board of Commissioners and the Chairman of the Committee on Finance of the Board of Commissioners (the "Elected Officers") and (ii) the Executive Director of the District and the Treasurer of the District (the "Appointed Officers" and together with the Elected Officers, the "Designated Officers") and hereby delegates to the Elected Officers and the Appointed Officers the authority to sell the 2014 Bonds to the Underwriters, to sign a bond purchase

agreement with respect to the 2014 Bonds and to determine certain details of the 2014 Bonds. All determinations delegated to the Elected Officers and the Appointed Officers pursuant to this ordinance shall be made by the Elected Officers and the Appointed Officers by the execution of one or more written bond orders (each a "Bond Order") signed by one of the Elected Officers and one of the Appointed Officers. The delegated authority granted pursuant to this Section shall expire on April 30, 2015.

**Section 4. Authorization and Terms of 2014 Bonds.** The sum of \$50,000,000 is appropriated to meet part of the Project Costs, including capitalized interest on the 2014 Bonds for a period of not more than 24 months, the costs of issuance of the 2014 Bonds, and any municipal bond insurance premium with respect to the 2014 Bonds. For the purpose of financing said appropriation, the 2014 Bonds are authorized to be issued in one or more series and sold in an aggregate principal amount of not to exceed \$50,000,000. The 2014 Bonds are authorized, and shall be issued, as unlimited tax general obligation bonds of the District and as "alternate bonds" pursuant to the provisions of Section 15 of the Local Government Debt Reform Act and the Authorizing Ordinance.

The 2014 Bonds of each series shall be issued in such principal amount as shall be determined in the applicable Bond Order, and shall be designated "General Obligation Unlimited Tax Bonds (Alternate Revenue Source)" and shall include additional designations to distinguish each series of the 2014 Bonds.

The 2014 Bonds shall be issuable in the denominations of \$5,000 or any integral multiple thereof and may bear such identifying numbers or letters as shall be useful to facilitate the registration, transfer and exchange of the 2014 Bonds. Each 2014 Bond delivered upon the original issuance of the 2014 Bonds shall be dated as of the date specified in the applicable Bond Order. Each 2014 Bond thereafter issued upon any transfer, exchange or replacement of 2014 Bonds shall be dated so that no gain or loss of interest shall result from such transfer, exchange or replacement.

The 2014 Bonds shall mature, and 2014 Bonds of certain maturities may be subject to mandatory sinking fund redemption, on December 1 in such years and in such principal amounts as shall be specified in the applicable Bond Order, provided that no 2014 Bond shall mature later than December 1, 2044.

Each 2014 Bond shall bear interest from its date, computed on the basis of a 360 day year consisting of twelve 30 day months and payable in lawful money of the United States of America on an initial interest payment date of June 1, 2015, December 1, 2015 or June 1, 2016 (as determined in the applicable Bond Order) and semiannually thereafter on each June 1 and December 1 at the rates per annum as shall be specified in the applicable Bond Order, provided that no 2014 Bond shall bear interest at a rate exceeding 6% per annum.

Prior to the issuance of any of the 2014 Bonds, the Treasurer of the District shall appoint a bank, trust company or national banking association to act as bond registrar and paying agent for the 2014 Bonds. The principal of and premium, if any, on the 2014 Bonds shall be payable in lawful money of the United States of America upon presentation and surrender thereof at the designated corporate trust office of the bond registrar and paying agent. Interest on the 2014 Bonds shall be payable on each interest payment date to the registered owners of record thereof appearing on the registration books maintained by the District for such purpose at the corporate trust office of the bond registrar, as of the close of business on the 15<sup>th</sup> day of the calendar month next preceding the applicable interest payment date. Interest on the 2014 Bonds shall be paid by check or draft mailed to such registered owners at their addresses appearing on the registration books or by wire transfer pursuant to an agreement by and between the District and the registered owner.

The 2014 Bonds of each series may be subject to redemption prior to maturity at the option of the District, as determined in the applicable Bond Order, and upon notice as herein provided, in such principal amounts and from such maturities as the District shall determine as set forth in the applicable Bond Order. Any optional redemption shall be at redemption prices

that may include a redemption premium for each 2014 Bond to be redeemed expressed as a percentage, not exceeding 3% of the principal amount to be redeemed.

All 2014 Bonds subject to mandatory sinking fund redemption shall be redeemed at a redemption price equal to the principal amount thereof to be redeemed. The bond registrar is hereby authorized and directed to mail notice of the mandatory sinking fund redemption of the 2014 Bonds in the manner herein provided.

Whenever 2014 Bonds subject to mandatory sinking fund redemption are redeemed at the option of the District, the principal amount thereof so redeemed shall be credited against the unsatisfied balance of future sinking fund installments or final maturity amount established with respect to such 2014 Bonds, in such amounts and against such installments or final maturity amount as shall be determined by the District in the proceedings authorizing such optional redemption or, in the absence of such determination, shall be credited pro-rata against the unsatisfied balance of the applicable sinking fund installments and final maturity amount.

On or prior to the 60<sup>th</sup> day preceding any sinking fund installment date, the District may purchase 2014 Bonds, which are subject to mandatory redemption on such sinking fund installment date, at such prices (not exceeding par plus accrued interest) as the District shall determine. Any 2014 Bond so purchased shall be cancelled and the principal amount thereof so purchased shall be credited against the unsatisfied balance of the next ensuing sinking fund installment of the 2014 Bonds of the same series, maturity and interest rate as the 2014 Bond so purchased.

Unless otherwise determined in the Bond Order, in the event of the redemption of less than all the 2014 Bonds of like series, maturity and interest rate, the aggregate principal amount thereof to be redeemed shall be \$5,000 or an integral multiple thereof and the bond registrar shall assign to each 2014 Bond of such maturity a distinctive number for each \$5,000 principal amount of such 2014 Bond and shall select by lot from the numbers so assigned as many numbers as, at \$5,000 for each number, shall equal the principal amount of such 2014 Bonds to

be redeemed. The 2014 Bonds to be redeemed shall be the 2014 Bonds to which were assigned numbers so selected; provided that only so much of the principal amount of each 2014 Bond shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected.

Notice of the redemption of 2014 Bonds shall be mailed not less than 30 days nor more than 60 days prior to the date fixed for such redemption to the registered owners of 2014 Bonds to be redeemed at their last addresses appearing on said registration books. The 2014 Bonds or portions thereof specified in said notice shall become due and payable at the applicable redemption price on the redemption date therein designated, and if, on the redemption date, moneys for payment of the redemption price of all the 2014 Bonds or portions thereof to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, and if notice of redemption shall have been mailed as aforesaid (and notwithstanding any defect therein or the lack of actual receipt thereof by any registered owner) then from and after the redemption date interest on such 2014 Bonds or portions thereof shall cease to accrue and become payable. If there shall be drawn for redemption less than all of a 2014 Bond, the District shall execute and the bond registrar shall authenticate and deliver, upon surrender of such 2014 Bond, without charge to the owner thereof, in exchange for the unredeemed balance of the 2014 Bond so surrendered, 2014 Bonds of like series, maturity and interest rate and of the denomination of \$5,000 or any integral multiple thereof.

The bond registrar shall not be required to transfer or exchange any 2014 Bond after notice of the redemption of all or a portion thereof has been mailed. The bond registrar shall not be required to transfer or exchange any 2014 Bond during a period of 15 days next preceding the mailing of a notice of redemption that could designate for redemption all or a portion of such 2014 Bond.

**Section 5. Approval of Documents.** In connection with the sale of the 2014 Bonds, the Designated Officers are authorized and directed to execute and deliver one or more Bond Purchase Agreements by and between the District and the Underwriters in substantially the

form of prior Bond Purchase Agreements executed and delivered on behalf of the District in connection with prior sales of the District's bonds, with such changes and completions as may be approved by the Designated Officers, subject to the limitations of this ordinance. The execution and delivery of each Bond Purchase Agreement shall constitute conclusive evidence of the approval of such changes and completions.

The Treasurer is authorized to approve a Preliminary Official Statement of the District with respect to the 2014 Bonds, in substantially the form of the Preliminary Official Statements of the District distributed in connection with prior sales of the District's bonds, with such changes, omissions, insertions and revisions as the Treasurer shall deem advisable. The distribution of the Preliminary Official Statement to prospective purchasers and the use thereof by the Underwriters in connection with the offering of the 2014 Bonds is authorized and approved. Any of the Designated Officers may take such actions as may be required so that each Official Statement with respect to 2014 Bonds will be "deemed final" as of its date for purposes of Securities and Exchange Commission Rule 15c2-12 promulgated under the Securities Exchange Act of 1934. The Treasurer is authorized to permit the distribution of each final Official Statement with such changes, omissions, insertions and revisions as she shall deem advisable.

The District shall enter into a Continuing Disclosure Undertaking for the benefit of the beneficial owners of each series of the 2014 Bonds and in order to assist participating underwriters of the 2014 Bonds and brokers, dealers and municipal securities dealers in complying with Securities and Exchange Rule 15c2-12(b)(5) promulgated under the Securities Exchange Act of 1934. The form of Continuing Disclosure Undertaking with respect to the 2014 Bonds, shall be in substantially the same form as the Continuing Disclosure Undertakings entered into by the District with respect to previously issued bonds of the District. Any of the Designated Officers is authorized and directed to execute and deliver a Continuing Disclosure Undertaking with such changes and completions as may be approved by said officials. The

execution and delivery of any Continuing Disclosure Undertaking shall constitute conclusive evidence of the approval of such changes and completions.

Each of the documents approved by this Section may be executed in one or more counterparts. The corporate seal of the District, or a facsimile thereof may, if required, be affixed or otherwise reproduced upon each document and attested by the manual or authorized facsimile signature of the Clerk.

**Section 6. Bond Insurance.** Authority is hereby delegated to the Treasurer, at her option, to obtain from a municipal bond insurer (the “Bond Insurer”) a policy of municipal bond insurance insuring the payment of the principal of and interest on any of the 2014 Bonds.

**Section 7. Sale and Delivery of 2014 Bonds.** (A) Subject to the limitations contained in this ordinance, authority is delegated to the Designated Officers to sell one or more series of the 2014 Bonds to the Underwriters, provided that (a) the underwriting discount of the Underwriters for such series (exclusive of syndicate expenses and Underwriters’ counsel fees) shall not exceed an amount equal to \$0.75 per \$1,000 of the principal amount of the 2014 Bonds of such series; (b) the principal of and interest on the 2014 Bonds payable in each debt service year shall not be greater than the debt service taxes levied for the applicable tax levy year pursuant to Section 13 of this ordinance, provided that for this purpose interest shall not include any interest that is to be paid from moneys deposited, on the date of issuance of the 2014 Bonds, into the 2014 Alternate Bond Debt Service Fund established by Section 15 of this ordinance; (c) the purchase price of the 2014 Bonds of such series is not less than 97% of the principal amount of such series; and (d) the District obtains a letter, report or certificate signed by the District’s independent financial advisors, stating that the terms of the series of the 2014 Bonds to be sold are reasonable in light of current conditions in the market for tax-exempt obligations, such as the 2014 Bonds of such series.

(B) As used in paragraph (A) of this Section, the term “debt service year” means the year following the applicable tax levy year.

(C) The sale and award of each series of the 2014 Bonds shall be evidenced by a Bond Order. An executed counterpart of the Bond Order shall be filed in the office of the Clerk and entered in the records of the District.

(D) The Designated Officers, the Clerk and the other officials of the District are authorized and directed to do and perform, or cause to be done or performed for or on behalf of the District each and every thing necessary for the issuance of the 2014 Bonds, including the proper execution and delivery of the 2014 Bonds, the Bond Purchase Agreements, the Continuing Disclosure Undertakings and the Official Statements.

**Section 8. Execution and Authentication.** Each 2014 Bond shall be executed in the name of the District by the manual or authorized facsimile signature of its President and shall be countersigned by the manual or authorized facsimile signature of its Treasurer. The corporate seal of the District, or a facsimile thereof, shall be thereunto affixed or otherwise reproduced upon each 2014 Bond and attested by the manual or authorized facsimile signature of the Clerk.

In case any officer whose signature, or a facsimile of whose signature, shall appear on any 2014 Bond shall cease to hold such office before the issuance of the 2014 Bond, such 2014 Bond shall nevertheless be valid and sufficient for all purposes, the same as if the person whose signature, or a facsimile thereof, appears on such 2014 Bond had not ceased to hold such office. Any 2014 Bond may be signed, countersigned, sealed or attested on behalf of the District by any person who, on the date of such act, shall hold the proper office, notwithstanding that at the date of such 2014 Bond such person may not have held such office. No recourse shall be had for the payment of any 2014 Bonds against any officer who executes the 2014 Bonds.

Each 2014 Bond shall bear thereon a certificate of authentication executed manually by the bond registrar. No 2014 Bond shall be entitled to any right or benefit under the Authorizing



Ordinance or this ordinance or shall be valid or obligatory for any purpose until such certificate of authentication shall have been duly executed by the bond registrar.

**Section 9. Transfer, Exchange and Registry.** The 2014 Bonds shall be negotiable, subject to the provisions for registration of transfer contained herein. Each 2014 Bond shall be transferable only upon the registration books maintained by the District for that purpose at the corporate trust office of the bond registrar, by the registered owner thereof in person or by the registered owner's attorney duly authorized in writing, upon surrender thereof together with a written instrument of transfer satisfactory to the bond registrar and duly executed by the registered owner or the registered owner's duly authorized attorney. Upon the surrender for transfer of any such 2014 Bond, the District shall execute and the bond registrar shall authenticate and deliver a new 2014 Bond or 2014 Bonds registered in the name of the transferee, of the same aggregate principal amount, series, maturity and interest rate as the surrendered 2014 Bond. 2014 Bonds, upon surrender thereof at the corporate trust office of the bond registrar, with a written instrument satisfactory to the bond registrar, duly executed by the registered owner or his attorney duly authorized in writing, may be exchanged for an equal aggregate principal amount of 2014 Bonds of the same series, maturity and interest rate and of the denominations of \$5,000 or any integral multiple thereof.

For every such exchange or registration of transfer of 2014 Bonds, the District or the bond registrar may make a charge sufficient for the reimbursement of any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. No other charge shall be made for the privilege of making such transfer or exchange. The provisions of the Illinois Bond Replacement Act shall govern the replacement of lost, destroyed or defaced 2014 Bonds.

The District and the bond registrar may deem and treat the person in whose name any 2014 Bond shall be registered upon the registration books as the absolute owner of such 2014 Bond, whether such 2014 Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of, redemption premium, if any, or interest thereon and for all other purposes whatsoever, and all such payments so made to any such registered owner or upon the order of such registered owner shall be valid and effectual to satisfy and discharge the liability upon such 2014 Bond to the extent of the sum or sums so paid, and neither the District nor the bond registrar shall be affected by any notice to the contrary.

**Section 10. General Obligations.** The full faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal of and interest on the 2014 Bonds. The 2014 Bonds shall be direct and general obligations of the District, and the District shall be obligated to levy ad valorem taxes upon all the taxable property in the District for the payment of the 2014 Bonds and the interest thereon, without limitation as to rate or amount.

**Section 11. Pledge of Revenue Source.** The 2014 Bonds are also payable from the Stormwater Management Tax. The moneys to be received by the District from the levy and collection of the Stormwater Management Tax (the "Stormwater Management Tax Receipts") are hereby pledged as security for the payment of the principal of and interest on the 2014 Bonds.

The Board of Commissioners determines that the Stormwater Management Tax Receipts will be sufficient to provide for or pay in each year to final maturity of the 2014 Bonds, an amount not less than 1.25 times the annual debt service on the 2014 Bonds.

The Board of Commissioners covenants to provide for, collect and apply such Stormwater Management Tax Receipts to the payment of the 2014 Bonds and the provision of not less than an additional .25 times the annual debt service on the 2014 Bonds.

The District reserves the right to issue additional alternate bonds pursuant to Section 15 of the Local Government Debt Reform Act, which alternate bonds may be secured by a pledge of the Stormwater Management Tax Receipts on a parity with the 2014 Bonds.

**Section 12. Form of 2014 Bonds.** The 2014 Bonds shall be issued as fully registered bonds and shall be in substantially the following form, the blanks to be appropriately completed when the 2014 Bonds are printed:

No. \_\_\_\_\_

United States of America  
State of Illinois  
County of Cook  
METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO  
GENERAL OBLIGATION UNLIMITED TAX BOND,  
(ALTERNATE REVENUE SOURCE)  
SERIES 2014\_

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
. %	December 1, 20__	_____, 2014	_____

REGISTERED OWNER: Cede & Co.

PRINCIPAL AMOUNT:

The METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO, a sanitary district and a body politic and corporate of the State of Illinois organized and existing under the Metropolitan Water Reclamation District Act, acknowledges itself indebted and for value received hereby promises to pay to the registered owner of this bond, or registered assigns, the principal amount specified above on the maturity date specified above, and to pay interest on such principal amount from the date hereof at the interest rate per annum specified above, computed on the basis of a 360 day year consisting of twelve 30 day months and payable in lawful money of the United States of America on \_\_\_\_\_ 1, 201\_\_ and semiannually thereafter on June 1 and December 1 in each year until the principal amount shall have been paid, to the registered owner of record hereof as of the 15<sup>th</sup> day of the calendar month next preceding such interest payment date, by wire transfer pursuant to an agreement by

and between the District and the registered owner, or otherwise by check or draft mailed to the registered owner at the address of such owner appearing on the registration books maintained by the District for such purpose at the corporate trust office of \_\_\_\_\_, in the City of Chicago, Illinois, as bond registrar or its successor (the "Bond Registrar"). This bond, as to principal and premium, if any, when due, will be payable in lawful money of the United States of America upon presentation and surrender of this bond at the corporate trust office of the Bond Registrar. The full faith and credit of the District are irrevocably pledged for the punctual payment of the principal of and interest on this bond according to its terms.

This bond is one of the series of bonds issued in the aggregate principal amount of \$\_\_\_\_\_, which are authorized and issued under and pursuant to the Metropolitan Water Reclamation District Act, 70 Illinois Compiled Statutes 2605, and the Local Government Debt Reform Act, 30 Illinois Compiled Statutes 350, and under and in accordance with an ordinance adopted by the Board of Commissioners of the District on October 2, 2014, and entitled: "An Ordinance Authorizing the Issuance of Not to Exceed \$200,000,000 General Obligation Bonds (Alternate Revenue Source) of the Metropolitan Water Reclamation District of Greater Chicago, for the Purpose of Providing Funds for Stormwater Management Projects" and an ordinance adopted by said Board of Commissioners on November 6, 2014, and entitled: "An Ordinance Providing For the Issuance of Not to Exceed \$50,000,000 General Obligation Unlimited Tax Bonds (Alternate Revenue Source) of the Metropolitan Water Reclamation District of Greater Chicago" (collectively, the "Ordinance").

This bond is an "alternate bond" issued pursuant to Section 15 of the Local Government Debt Reform Act. To the extent provided in the Ordinance, this bond is also secured by property taxes levied and received by the District for stormwater management purposes.

The bonds of such series maturing on or after December 1, 20\_\_ are subject to redemption prior to maturity at the option of the District and upon notice as herein provided, in

such principal amounts and from such maturities as the District shall determine and by lot within a single maturity, on \_\_\_\_\_, 20\_\_ and on any date thereafter, at a redemption price equal to the principal amount thereof to be redeemed plus, if such bond is to be redeemed during any period (both dates inclusive) shown in the following table, the applicable redemption premium, expressed as a percentage of such principal amount, set forth opposite such period:

<u>Redemption Period</u>	<u>Redemption Premium</u>
	%

The bonds of such series maturing in the years 20\_\_\_\_, 20\_\_ and 20\_\_ (the "Term Bonds") are subject to mandatory redemption, in part and by lot, on December 1 of the years and in the respective principal amounts set forth in the following tables, by the application of sinking fund installments, at a redemption price equal to the principal amount thereof to be redeemed:

<u>20__ Term Bonds</u>		<u>20__ Term Bonds</u>		<u>20__ Term Bonds</u>	
<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
20__	\$ ,000	20__	\$ ,000	20__	\$ ,000
20__	,000	20__	,000	20__	,000
20__	,000	20__	,000	20__	,000

Notice of the redemption of bonds will be mailed not less than 30 days nor more than 60 days prior to the date fixed for such redemption to the registered owners of bonds to be redeemed at their last addresses appearing on such registration books. The bonds or portions thereof specified in said notice shall become due and payable at the applicable redemption price on the redemption date therein designated, and if, on the redemption date, moneys for payment of the redemption price of all the bonds or portions thereof to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, and if notice of redemption shall have been mailed as aforesaid (and notwithstanding any defect

therein or the lack of actual receipt thereof by any registered owner) then from and after the redemption date interest on such bonds or portions thereof shall cease to accrue and become payable.

This bond is transferable only upon such registration books by the registered owner hereof in person, or by the registered owner's attorney duly authorized in writing, upon surrender hereof at the corporate trust office of the Bond Registrar together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the registered owner or by the registered owner's duly authorized attorney, and thereupon a new registered bond or bonds, in the authorized denominations of \$5,000 or any integral multiple thereof and of the same aggregate principal amount, maturity and interest rate as this bond shall be issued to the transferee in exchange therefor. In like manner, this bond may be exchanged for an equal aggregate principal amount of bonds of the same maturity and interest rate and of any of such authorized denominations. The District or the Bond Registrar may make a charge sufficient for the reimbursement of any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange of this bond. No other charge shall be made for the privilege of making such transfer or exchange. The District and the Bond Registrar may treat and consider the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes whatsoever.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been duly executed by the Bond Registrar.

It is hereby certified, recited and declared that this bond is issued in part pursuant to the Local Government Debt Reform Act, that all acts, conditions and things required to be done, exist and be performed precedent to and in the issuance of this bond in order to make it a legal, valid and binding obligation of the District have been done, exist and have been performed in regular and due time, form and manner as required by law, and that the series of bonds of

which this bond is one, together with all other indebtedness of the District, is within every debt or other limit prescribed by law.

IN WITNESS WHEREOF, the Metropolitan Water Reclamation District of Greater Chicago has caused this bond to be executed in its name and on its behalf by the manual or facsimile signature of its President, to be countersigned by the manual or facsimile signature of its Treasurer, and its corporate seal, or a facsimile thereof, to be hereunto affixed or otherwise reproduced hereon and attested by the manual or facsimile signature of its Clerk.

Dated: \_\_\_\_\_

METROPOLITAN WATER RECLAMATION  
DISTRICT OF GREATER CHICAGO

\_\_\_\_\_  
President

Countersigned:

\_\_\_\_\_  
Treasurer

Attest:

#### CERTIFICATE OF AUTHENTICATION

This bond is one of the General Obligation Unlimited Tax Bonds (Alternate Revenue Source) Series \_\_\_\_, described in the within mentioned Ordinance.

\_\_\_\_\_  
Clerk

\_\_\_\_\_, as  
Bond Registrar

By \_\_\_\_\_  
Authorized Signer

# ASSIGNMENT

For value received the undersigned sells, assigns and transfers unto \_\_\_\_\_

\_\_\_\_\_

the within bond and hereby irrevocably constitutes and appoints \_\_\_\_\_

\_\_\_\_\_

attorney to transfer the said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated \_\_\_\_\_

Signature Guarantee:

\_\_\_\_\_

\_\_\_\_\_



**Section 13. Levy and Extension of Taxes.** (A) For the purpose of providing the money required to pay the interest on the 2014 Bonds when and as the same falls due and to pay and discharge the principal (including mandatory sinking fund installments) thereof as the same shall mature, there is hereby levied upon all the taxable property in the District, in each year while any of the 2014 Bonds shall be outstanding, a direct annual tax sufficient for that purpose in addition to all other taxes, as follows:

<u>Tax Levy Year</u>	<u>A Tax Sufficient to Produce</u>
2014	\$4,100,000
2015	4,100,000
2016	4,100,000
2017	4,100,000
2018	4,100,000
2019	4,100,000
2020	4,100,000
2021	4,100,000
2022	4,100,000
2023	4,100,000
2024	4,100,000
2025	4,100,000
2026	4,100,000
2027	4,100,000
2028	4,100,000
2029	4,100,000
2030	4,100,000
2031	4,100,000
2032	4,100,000
2033	4,100,000
2034	4,100,000
2035	4,100,000
2036	4,100,000
2037	4,100,000
2038	4,100,000
2039	4,100,000
2040	4,100,000
2041	4,100,000
2042	4,100,000
2043	4,100,000

(B) Interest or principal coming due at any time when there shall be insufficient funds on hand to pay the same shall be paid promptly when due from current funds on hand in

advance of the collection of the taxes herein levied; and when said taxes shall have been collected, reimbursement shall be made to the said funds in the amounts thus advanced.

(C) After the sale of each series of the 2014 Bonds and the execution of the applicable Bond Order, an executed copy of the applicable Bond Order and a copy of this ordinance certified by the Clerk, which certificate shall recite that this ordinance has been duly adopted, shall be filed with the County Clerk of Cook County, Illinois, who is hereby directed to ascertain the rate per cent required to produce the aggregate tax hereinbefore provided to be levied in the years 2014 to 2043, inclusive, and subject to adjustment as provided in paragraph (D) of this Section to extend the same for collection on the tax books in connection with other taxes levied in said years, in and by the District for general corporate purposes of the District, and in said years such annual tax shall be levied and collected in like manner as taxes for general corporate purposes for said years are levied and collected and, when collected, the moneys received by the District from such taxes (the "Debt Service Tax Receipts") shall be used for the purpose of paying the principal of and interest on the 2014 Bonds as the same become due and payable.

(D) In the event that 2014 Bonds are to be issued in principal amounts and bearing interest such that for any tax levy year an amount less than that set forth in paragraph (A) of this Section is required to be produced to pay when due the principal of and interest on the 2014 Bonds, then the Treasurer is authorized and directed to file with the aforesaid County Clerk, a direction for abatement of taxes specifying the exact amount of taxes to be levied to produce the required amounts for each of the various tax levy years.

(E) After the issuance of the 2014 Bonds, the District shall not abate the debt service taxes levied pursuant to this Section or take any action to restrict the extension and collection of those taxes except that the District may abate any such debt service taxes for any tax levy year to the extent that, at the time of such abatement, moneys then held in the 2014 Alternate Bond Debt Service Fund established by this ordinance, or otherwise held in trust for the payment of

debt service on the 2014 Bonds, together with the amount to be extended for collection taking into account the proposed abatement, will be sufficient to provide for the punctual payment of the principal of and interest on the 2014 Bonds otherwise payable from the debt service taxes levied for such tax levy year.

**Section 14. Application of Proceeds.** The proceeds of sale of each series of the 2014 Bonds shall be applied as follows:

1. To any Bond Insurer of such series of 2014 Bonds, the applicable premium for the municipal bond insurance policy.
2. To the Capitalized Interest Account of the 2014 Alternate Bond Debt Service Fund established by this ordinance, the amount (if any) allocated to capitalize interest on such series of the 2014 Bonds as determined by the Treasurer.
3. To the 2014 Alternate Bond Proceeds Fund established by this ordinance, the amount of such proceeds of sale remaining after making the foregoing payment (if any) and deposit.

**Section 15. Debt Service Fund.** The Debt Service Tax Receipts, and all other moneys to be used for the payment of the principal of and interest on the 2014 Bonds, shall be deposited in the “2014 Alternate Bond Debt Service Fund”, which is hereby established as a special fund of the District and shall be administered as a bona fide debt service fund under the Internal Revenue Code of 1986 (the “Code”). The District may establish within the 2014 Alternate Bond Debt Service Fund, separate accounts for each series of the 2014 Bonds.

On or before the last business day of February of each year, the Treasurer of the District is hereby authorized to, and shall deposit into the 2014 Alternate Bond Debt Service Fund, from the Stormwater Management Tax Receipts, the amount required so that the sum held in the 2014 Alternate Bond Debt Service Fund after such deposit shall be sufficient to provide for the punctual payment of the principal of and interest on the 2014 Bonds that will become due and

payable on and prior to the first day of December next ensuing. The Stormwater Management Tax Receipts are hereby appropriated to the amount required to fund such annual deposits to the 2014 Alternate Bond Debt Service Fund.

The moneys deposited or to be deposited into the 2014 Alternate Bond Debt Service Fund, including the Stormwater Management Tax Receipts and the Debt Service Tax Receipts, are pledged as security for the payment of the principal of and interest on the 2014 Bonds to the extent and in the manner provided in this ordinance. This pledge is made pursuant to Section 13 of the Local Government Debt Reform Act and shall be valid and binding from the date of issuance of the 2014 Bonds. All such Stormwater Management Tax Receipts, to the extent and in the manner provided in this ordinance, all such Debt Service Tax Receipts and the moneys held in the 2014 Alternate Bond Debt Service Fund shall immediately be subject to the lien of such pledge without any physical delivery or further act and the lien of such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the District irrespective of whether such parties have notice thereof.

The Capitalized Interest Account is hereby established as an account within the 2014 Alternate Bond Debt Service Fund. Moneys in the Capitalized Interest Account are pledged as security for the payment of the 2014 Bonds. At the direction of the Treasurer of the District moneys in the Capitalized Interest Account shall be used for the payment of interest on the 2014 Bonds.

**Section 16. Bond Proceeds Fund.** The “2014 Alternate Bond Proceeds Fund,” is hereby established as a special fund of the District. Moneys in the 2014 Alternate Bond Proceeds Fund shall be used for the payment of costs of the Projects, and costs of issuance of the 2014 Bonds, but may thereafter be reappropriated and used for other purposes if such reappropriation is permitted under Illinois law and will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the 2014 Bonds. The District may

establish within the 2014 Alternate Bond Proceeds Fund separate accounts of each series of the 2014 Bonds.

**Section 17. Investment Regulations.** No investment shall be made of any moneys in the 2014 Alternate Bond Debt Service Fund or the 2014 Alternate Bond Proceeds Fund except in accordance with the tax covenants set forth in Section 18 of this ordinance. All income derived from such investments in respect of moneys or securities in any Fund shall be credited in each case to the Fund in which such moneys or securities are held.

Any moneys in any Fund that are subject to investment yield restrictions may be invested in United States Treasury Securities, State and Local Government Series, pursuant to the regulations of the United States Treasury Department, Bureau of Public Debt, or in any tax-exempt bond that is not an “investment property” within the meaning of Section 148(b)(2) of the Code. The Treasurer and agents designated by her are hereby authorized to submit, on behalf of the District, subscriptions for such United States Treasury Securities and to request redemption of such United States Treasury Securities.

**Section 18. Tax Covenants.** The District shall not take, or omit to take, any action lawful and within its power to take, which action or omission would cause interest on any 2014 Bond to become subject to federal income taxes in addition to federal income taxes to which interest on such 2014 Bond is subject on the date of original issuance thereof.

The District shall not permit any of the proceeds of the 2014 Bonds, or any facilities financed with such proceeds, to be used in any manner that would cause any 2014 Bond to constitute a “private activity bond” within the meaning of Section 141 of the Code.

The District shall not permit any of the proceeds of the 2014 Bonds or other moneys to be invested in any manner that would cause any 2014 Bond to constitute an “arbitrage bond” within the meaning of Section 148 of the Code or a “hedge bond” within the meaning of Section 149(g) of the Code.

The District shall comply with the provisions of Section 148(f) of the Code relating to the rebate of certain investment earnings at periodic intervals to the United States of America.

**Section 19. Bond Registrar.** The District covenants that it shall at all times retain a bond registrar with respect to the 2014 Bonds, that it will maintain at the designated office of such bond registrar a place where 2014 Bonds may be presented for payment and registration of transfer or exchange and that it shall require that the bond registrar maintain proper registration books and perform the other duties and obligations imposed upon the bond registrar by this ordinance in a manner consistent with the standards, customs and practices of the municipal securities business.

The bond registrar shall signify its acceptance of the duties and obligations imposed upon it by this ordinance by executing the certificate of authentication on any 2014 Bond, and by such execution the bond registrar shall be deemed to have certified to the District that it has all requisite power to accept, and has accepted such duties and obligations not only with respect to the 2014 Bond so authenticated but with respect to all the 2014 Bonds. The bond registrar is the agent of the District and shall not be liable in connection with the performance of its duties except for its own negligence or default. The bond registrar shall, however, be responsible for any representation in its certificate of authentication on the 2014 Bonds.

The District may remove the bond registrar at any time. In the event that the bond registrar shall resign or shall be removed or shall become incapable of acting, or shall be adjudged a bankrupt or insolvent, or if a receiver, liquidator or conservator of the bond registrar, or of its property, shall be appointed, or if any public officer shall take charge or control of the bond registrar or of its property or affairs, the District covenants and agrees that it will thereupon appoint a successor bond registrar. The District shall mail notice of any such appointment made by it to each registered owner of 2014 Bonds within twenty days after such appointment.

**Section 20. Book-Entry System.** In order to provide for the initial issuance of the 2014 Bonds in a form that provides for a system of book-entry only transfers, the ownership of

one fully registered 2014 Bond for each maturity of each series, in the aggregate principal amount of such maturity, shall be registered in the name of Cede & Co., as a nominee of The Depository Trust Company, as securities depository for the 2014 Bonds. The Treasurer is authorized to execute and deliver on behalf of the District such letters to, or agreements with, the securities depository as shall be necessary to effectuate such book-entry system.

In the event that the securities depository shall resign or shall become incapable of acting, then the District shall appoint a successor securities depository to provide a system of book-entry only transfers for the 2014 Bonds, by written notice to the predecessor securities depository directing it to notify its participants (those persons for whom the securities depository holds securities) of the appointment of a successor securities depository.

If the system of book-entry only transfers for the 2014 Bonds is discontinued, then the District shall issue and the bond registrar shall authenticate, register and deliver to the beneficial owners of the 2014 Bonds, bond certificates in replacement of such beneficial owners' beneficial interests in the 2014 Bonds, all as shown in the records maintained by the securities depository.

**Section 21. Defeasance and Payment of 2014 Bonds.** (A) If the District shall pay or cause to be paid to the registered owners of the 2014 Bonds, the principal, premium, if any, and interest due or to become due thereon, at the times and in the manner stipulated therein and in this ordinance, then the pledge of Debt Service Tax Receipts, Stormwater Management Tax Receipts, securities and funds hereby pledged and the covenants, agreements and other obligations of the District to the registered owners and the beneficial owners of the 2014 Bonds shall be discharged and satisfied.

(B) Any 2014 Bonds or interest installments appertaining thereto, whether at or prior to the maturity or redemption date of such 2014 Bonds, shall be deemed to have been paid within the meaning of paragraph (A) of this Section if (1) in case any such 2014 Bonds are to be redeemed prior to the maturity thereof, there shall have been taken all action necessary to call such 2014 Bonds for redemption and notice of such redemption shall have been duly given or

provision shall have been made for the giving of such notice, and (2) there shall have been deposited in trust with a bank, trust company or national banking association acting as fiduciary for such purpose either (i) moneys in an amount which shall be sufficient, or (ii) "Federal Obligations" as defined in paragraph (C) of this Section, the principal of and the interest on which when due will provide moneys which, together with any moneys on deposit with such fiduciary at the same time for such purpose, shall be sufficient, to pay when due the principal of, redemption premium, if any, and interest due and to become due on, said 2014 Bonds on and prior to the applicable maturity date or redemption date thereof.

(C) As used in this Section, the term "Federal Obligations" means (i) non-callable, direct obligations of the United States of America, (ii) non-callable and non-prepayable, direct obligations of any agency of the United States of America, which are unconditionally guaranteed by the United States of America as to full and timely payment of principal and interest, (iii) non-callable, non-prepayable coupons or interest installments from the securities described in clause (i) or clause (ii) of this paragraph, which are stripped pursuant to programs of the Department of the Treasury of the United States of America, or (iv) coupons or interest installments stripped from bonds of the Resolution Funding Corporation.

**Section 22. Ordinance to Constitute a Contract.** The provisions of this ordinance shall constitute a contract between the District and the registered owners of the 2014 Bonds. Any pledge made in this ordinance and the provisions, covenants and agreements herein set forth to be performed by or on behalf of the District shall be for the equal benefit, protection and security of the owners of any and all of the 2014 Bonds. All of the 2014 Bonds, regardless of the time or times of their issuance, shall be of equal rank without preference, priority or distinction of any of the 2014 Bonds over any other thereof except as expressly provided in or pursuant to this ordinance. The Authorizing Ordinance and this ordinance shall constitute full authority for the issuance of the 2014 Bonds and to the extent that the provisions of the Authorizing Ordinance, as supplemented by this ordinance, conflict with the provisions of any



other ordinance or resolution of the District, the provisions of the Authorizing Ordinance, as so supplemented, shall control. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

**Section 23. Publication.** The Clerk is hereby authorized and directed to publish this ordinance in pamphlet form and to file copies thereof for public inspection in the office of the Clerk.

**Section 24. Effective Date.** This ordinance shall become effective upon its adoption.

ADOPTED this 6<sup>th</sup> day of November, 2014.

Approved: November 6, 2014.

ATTEST:

\_\_\_\_\_  
Clerk, Metropolitan Water Reclamation  
District of Greater Chicago

\_\_\_\_\_  
President, Board of Commissioners  
Metropolitan Water Reclamation District of  
Greater Chicago

[SEAL]

Approved as to Form and Legality:

\_\_\_\_\_  
Head Assistant Attorney

\_\_\_\_\_  
General Counsel

Dated: November 6, 2014

RECORDED in the District Records on November 6, 2014.

### CERTIFICATE

I, Jacqueline Torres, Clerk of the Metropolitan Water Reclamation District of Greater Chicago, hereby certify that the foregoing ordinance entitled: "An Ordinance Providing for the Issuance of Not to Exceed \$50,000,000 General Obligation Unlimited Tax Bonds (Alternate Revenue Source) of the Metropolitan Water Reclamation District of Greater Chicago," is a true copy of an original ordinance that was duly adopted by the recorded affirmative votes of a majority of the members of the Board of Commissioners of the District at a meeting thereof that was duly called and held at 10:00 a.m. on November 6, 2014, in the Board Room at 100 East Erie Street, in the City of Chicago, Illinois, and at which a quorum was present and acting throughout, and that said copy has been compared by me with the original ordinance signed by the President of the Board of Commissioners on November 6, 2014, published in pamphlet form on November 6, 2014 and recorded in the records of the District and that it is a correct transcript thereof and of the whole of said ordinance, and that said ordinance has not been altered, amended, repealed or revoked, but is in full force and effect.

I further certify that the agenda for said meeting included the ordinance as a matter to be considered at the meeting and that said agenda was posted at least 48 hours in advance of the holding of the meeting in the manner required by the Open Meetings Act, 5 Illinois Compiled Statutes 120 and was continuously available for public review during the 48 hour period preceding the meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the District, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Clerk, Metropolitan Water Reclamation  
District of Greater Chicago

(SEAL)



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** O14-013, **Version:** 1

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### **ORDINANCE FOR BOARD MEETING OF NOVEMBER 6, 2014**

Adopt Ordinance O14-013 An Ordinance Authorizing and Providing For the Issuance of Not to Exceed \$75,000,000 General Obligation Limited Tax Refunding Bonds of the Metropolitan Water Reclamation District of Greater Chicago

## **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014**

### COMMITTEE ON FINANCE

Mr. David St. Pierre, Executive Director

..Title

Ordinance O14-013 An Ordinance Authorizing and Providing For the Issuance of Not to Exceed \$75,000,000 General Obligation Limited Tax Refunding Bonds of the Metropolitan Water Reclamation District of Greater Chicago

..Body

Dear Sir:

Attached is the fourth of four ordinances being presented to the Board today relating to the District's anticipated General Obligation Capital Improvement Bonds sale totaling \$300,000,000. This Ordinance O14-013 authorizes the sale of not to exceed \$75,000,000 General Obligation Limited Tax Refunding Bonds. The bonds eligible for advance refunding are the General Obligation Capital Improvement Bonds, Limited Tax Series of July, 2006 in the amount of \$76,050,000. The purpose of the refunding is to provide a reduction in the debt service levy due to the decrease in market interest rates. The sale of refunding bonds is estimated to provide present value debt service savings of \$5,000,000 or 7% based upon current market interest rates.

The Ordinance sets the legal parameters for issuance of the bonds and provides for various necessary details relative to the bonds, including the required authority to levy and collect the direct annual taxes for payment of bond principal and interest as due, and the Ordinance authorizes the Treasurer and any one elective officer of the District to sign a binding bond purchase agreement with the underwriters on behalf of the District, and also to sign a related "Bond Order," on the date of sale. Such authority permits the sale to be completed in a prompt and timely manner when conditions in the bond market are in a stable and acceptable state for issuance of the District's bonds. The Bonds may be sold in one or more bond sales over the next year dependent upon the capital financing needs of the District. The action of the Treasurer and the elective officer in signing the bond purchase agreement(s) and executing the Bond Order(s) will be reported to the Board at the next regular meeting following each sale date.

The authority to sell the Bonds shall expire on April 30, 2015. This expiration period has been proposed to allow for flexibility in issue size and the ability to adapt to changing conditions in the bond market. Authority is requested to access the market to sell up to \$225,000,000 in new money bonds to fund capital improvement projects and up to \$75,000,000 in refunding bonds dependent upon market conditions. The size and structure of the sale will be determined with the assistance of the Underwriters and Financial Advisors based upon the market interest rates, investor cash positions, supply of bonds for sale, liquidity of the market and other conditions. .

The purchase price is set at not less than 97% of the original principal amount; compensation to the purchasers is not to exceed seventy-five cents(\$0.75) per \$1,000 principal amount of bonds sold (excluding syndicate expenses and underwriter counsel fees); the bonds may be subject to optional redemption at not more than 103%; the bonds may mature not later than December 1, 2022; and the present value debt service savings obtained by the District as a result of refunding the prior bonds shall not be less than three percent(3.0%) of the principal amount of the prior bonds to be refunded.

It is recommended that "Ordinance O14-013 Authorizing and Providing For the Issuance of Not to Exceed \$75,000,000 General Obligation Limited Tax Refunding Bonds of the Metropolitan Water Reclamation District of Greater Chicago" be adopted by the Board of Commissioners.

Requested, Mary Ann Boyle, Treasurer, MAB:st

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Finance

Disposition of this agenda item will be documented in the official Regular Board Meeting

Minutes of the Board of Commissioners for November 6, 2014

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ORDINANCE NUMBER O14-013

An Ordinance Authorizing and Providing For the Issuance of Not to Exceed \$75,000,000 General Obligation Limited Tax Refunding Bonds of the Metropolitan Water Reclamation District of Greater Chicago

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Adopted by the Board of Commissioners  
of the Metropolitan Water Reclamation  
District of Greater Chicago on the  
6<sup>th</sup> day of November, 2014.

## ORDINANCE NUMBER O14-013

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$75,000,000 GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO, AS FOLLOWS:

**Section 1. Authority and Purpose.** This ordinance is adopted pursuant to the Metropolitan Water Reclamation District Act, 70 Illinois Compiled Statutes 2605, and the Local Government Debt Reform Act, 30 Illinois Compiled Statutes 350, for the purpose of refunding certain outstanding limited tax general obligation bonds of the Metropolitan Water Reclamation District of Greater Chicago (the "District").

**Section 2. Findings and Determinations.** It is found and determined that:

(A) Pursuant to Section 9.6a of the Metropolitan Water Reclamation District Act, the District is authorized to issue its general obligation bonds in an amount necessary to refund outstanding obligations issued pursuant to said Section 9.6a including interest accrued or to accrue thereon. Said Section 9.6a authorizes the issuance of bonds, including refunding bonds, on or before December 31, 2024, without submitting the question of such issuance to the legal voters of the District, in an aggregate amount at any one time outstanding not to exceed 3.35% of the equalized assessed valuation of all taxable property within the District; provided that the amount of such bonds issued during any one budget year shall not exceed \$150,000,000, plus the amount of any bonds authorized by said Section 9.6a to be issued during the three budget years next preceding the year of issuance but which were not issued. This annual bond issuance debt limitation does not apply to refunding obligations and to obligations issued to provide for the repayment of money received from the Water Pollution Control Revolving Fund of the State of Illinois for the construction or repair of wastewater treatment works. The Board of Commissioners hereby determines that each series of bonds issued pursuant to this ordinance

will be issued within the foregoing limitations of Section 9.6a of the Metropolitan Water Reclamation District Act.

(B) The District is subject to the provisions of the Property Tax Extension Limitation Law, 35 Illinois Compiled Statutes 200/18-185 through 18-245 and the current “Debt Service Extension Base” (as defined in the Property Tax Extension Limitation Law) of the District is \$156,942,465.

(C) On July 22, 2006, the District issued, and there are currently outstanding \$76,050,000 aggregate principal amount of General Obligation Capital Improvement Bonds, Limited Tax Series of July, 2006 of the District maturing in the years 2017 to 2022, both inclusive (the “July 2006 Limited Tax Bonds”). The July 2006 Limited Tax Bonds were issued pursuant to Section 9.6a of the Metropolitan Water Reclamation District Act and the proceeds of sale of the July 2006 Limited Tax Bonds have been expended for lawful public purposes of the District.

**Section 3. Approval of Financing Plan.** The District hereby determines to authorize the refunding of all or a portion of the July 2006 Limited Tax Bonds by the issuance of the limited tax general obligation bonds authorized by this ordinance (the “2014 Bonds”). The 2014 Bonds shall be sold pursuant to a negotiated sale to the following underwriters (collectively, the “Underwriters”): Morgan Stanley & Co. LLC, as senior managing underwriter (and book runner); Loop Capital Markets, LLC, as co-senior managing underwriter and the following managing underwriters: Cabrera Capital Markets, LLC; Goldman, Sachs & Co.; Jefferies LLC; Rice Securities, LLC.

In order to accommodate current market practices and the provisions of federal income tax law and to provide the opportunity to sell the 2014 Bonds under the most favorable terms, the Board of Commissioners appoints (i) the President of the Board of Commissioners, the Vice-President of the Board of Commissioners and the Chairman of the Committee on Finance of the Board of Commissioners (the “Elected Officers”) and (ii) the Executive Director of the District



and the Treasurer of the District (the “Appointed Officers” and together with the Elected Officers, the “Designated Officers”) and hereby delegates to the Elected Officers and the Appointed Officers the authority to select the particular July 2006 Limited Tax Bonds to be refunded (and any July 2006 Limited Tax Bonds selected to be refunded is herein called a “Prior Bond”) to sell the 2014 Bonds to the Underwriters, to sign a bond purchase agreement with respect to the 2014 Bonds and to determine certain details of the 2014 Bonds. All determinations delegated to the Elected Officers and the Appointed Officers pursuant to this ordinance shall be made by the Elected Officers and the Appointed Officers by the execution of one or more written bond orders (each a “Bond Order”) signed by one of the Elected Officers and one of the Appointed Officers. The delegated authority granted pursuant to this Section shall expire on April 30, 2015.

The District hereby elects to redeem each Prior Bond on December 1, 2016 (the “Redemption Date”) and to provide for the payment of the redemption price of each Prior Bond on the Redemption Date and the interest on each Prior Bond as the same shall become due and payable to and including the Redemption Date.

The Designated Officers, the Clerk and the other officials of the District are authorized and directed to do, or cause to be done, all things necessary to accomplish the refunding and redemption of the Prior Bonds.

**Section 4. Authorization and Terms of 2014 Bonds.** The sum of \$75,000,000 is appropriated to meet part of the costs of refunding the Prior Bonds, including the costs of issuance of the 2014 Bonds, and any municipal bond insurance premium with respect to the 2014 Bonds. For the purpose of financing said appropriation, the 2014 Bonds are authorized to be issued in one or more series and sold in an aggregate principal amount of not to exceed \$75,000,000. The 2014 Bonds are authorized, and shall be issued, as general obligation bonds of the District pursuant to the provisions of Section 9.6a of the Metropolitan Water Reclamation District Act and as “limited bonds” pursuant to Section 15.01 of the Local Government Debt Reform Act.

The 2014 Bonds of each series shall be issued in such principal amount as shall be determined in the applicable Bond Order and shall be designated "General Obligation Limited Tax Refunding Bonds" and shall include additional designations to distinguish each series of the 2014 Bonds.

The 2014 Bonds shall be issuable in the denominations of \$5,000 or any integral multiple thereof and may bear such identifying numbers or letters as shall be useful to facilitate the registration, transfer and exchange of the 2014 Bonds. Each 2014 Bond delivered upon the original issuance of the 2014 Bonds shall be dated as of the date specified in the applicable Bond Order. Each 2014 Bond thereafter issued upon any transfer, exchange or replacement of 2014 Bonds shall be dated so that no gain or loss of interest shall result from such transfer, exchange or replacement.

The 2014 Bonds shall mature, and 2014 Bonds of certain maturities may be subject to mandatory sinking fund redemption, on December 1 in such years and in such principal amounts as shall be specified in the applicable Bond Order, provided that no 2014 Bond shall mature later than December 1, 2022.

Each 2014 Bond shall bear interest from its date, computed on the basis of a 360 day year consisting of twelve 30 day months and payable in lawful money of the United States of America on an initial interest payment date of June 1, 2015, December 1, 2015 or June 1, 2016 (as determined in the applicable Bond Order) and semiannually thereafter on each June 1 and December 1 at the rates per annum as shall be specified in the applicable Bond Order, provided that no 2014 Bond shall bear interest at a rate exceeding 6.00% per annum.

Prior to the issuance of any of the 2014 Bonds, the Treasurer of the District shall appoint a bank, trust company or national banking association to act as bond registrar and paying agent for the 2014 Bonds. The principal of and premium, if any, on the 2014 Bonds shall be payable in lawful money of the United States of America upon presentation and surrender thereof at the designated corporate trust office of the bond registrar and paying agent. Interest on the 2014

Bonds shall be payable on each interest payment date to the registered owners of record thereof appearing on the registration books maintained by the District for such purpose at the corporate trust office of the bond registrar, as of the close of business on the 15<sup>th</sup> day of the calendar month next preceding the applicable interest payment date. Interest on the 2014 Bonds shall be paid by check or draft mailed to such registered owners at their addresses appearing on the registration books or by wire transfer pursuant to an agreement by and between the District and the registered owner.

The 2014 Bonds of each series may be subject to redemption prior to maturity at the option of the District, as determined in the applicable Bond Order, and upon notice as herein provided, in such principal amounts and from such maturities as the District shall determine as set forth in the applicable Bond Order. Any optional redemption shall be at redemption prices that may include a redemption premium for each 2014 Bond to be redeemed expressed as a percentage, not exceeding 3% of the principal amount to be redeemed.

All 2014 Bonds subject to mandatory sinking fund redemption shall be redeemed at a redemption price equal to the principal amount thereof to be redeemed. The bond registrar is hereby authorized and directed to mail notice of the mandatory sinking fund redemption of the 2014 Bonds in the manner herein provided.

Whenever 2014 Bonds subject to mandatory sinking fund redemption are redeemed at the option of the District, the principal amount thereof so redeemed shall be credited against the unsatisfied balance of future sinking fund installments or final maturity amount established with respect to such 2014 Bonds, in such amounts and against such installments or final maturity amount as shall be determined by the District in the proceedings authorizing such optional redemption or, in the absence of such determination, shall be credited pro-rata against the unsatisfied balance of the applicable sinking fund installments and final maturity amount.

On or prior to the 60<sup>th</sup> day preceding any sinking fund installment date, the District may purchase 2014 Bonds, which are subject to mandatory redemption on such sinking fund

installment date, at such prices (not exceeding par plus accrued interest) as the District shall determine. Any 2014 Bond so purchased shall be cancelled and the principal amount thereof so purchased shall be credited against the unsatisfied balance of the next ensuing sinking fund installment of the 2014 Bonds of the same series, maturity and interest rate as the 2014 Bond so purchased.

Unless otherwise determined in the Bond Order, in the event of the redemption of less than all the 2014 Bonds of like series, maturity and interest rate, the aggregate principal amount thereof to be redeemed shall be \$5,000 or an integral multiple thereof and the bond registrar shall assign to each 2014 Bond of such maturity a distinctive number for each \$5,000 principal amount of such 2014 Bond and shall select by lot from the numbers so assigned as many numbers as, at \$5,000 for each number, shall equal the principal amount of such 2014 Bonds to be redeemed. The 2014 Bonds to be redeemed shall be the 2014 Bonds to which were assigned numbers so selected; provided that only so much of the principal amount of each 2014 Bond shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected.

Notice of the redemption of 2014 Bonds shall be mailed not less than 30 days nor more than 60 days prior to the date fixed for such redemption to the registered owners of 2014 Bonds to be redeemed at their last addresses appearing on said registration books. The 2014 Bonds or portions thereof specified in said notice shall become due and payable at the applicable redemption price on the redemption date therein designated, and if, on the redemption date, moneys for payment of the redemption price of all the 2014 Bonds or portions thereof to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, and if notice of redemption shall have been mailed as aforesaid (and notwithstanding any defect therein or the lack of actual receipt thereof by any registered owner) then from and after the redemption date interest on such 2014 Bonds or portions thereof shall cease to accrue and become payable. If there shall be drawn for redemption less than all of a 2014 Bond, the District shall execute and the bond registrar shall authenticate and deliver, upon surrender of

such 2014 Bond, without charge to the owner thereof, in exchange for the unredeemed balance of the 2014 Bond so surrendered, 2014 Bonds of like series, maturity and interest rate and of the denomination of \$5,000 or any integral multiple thereof.

The bond registrar shall not be required to transfer or exchange any 2014 Bond after notice of the redemption of all or a portion thereof has been mailed. The bond registrar shall not be required to transfer or exchange any 2014 Bond during a period of 15 days next preceding the mailing of a notice of redemption that could designate for redemption all or a portion of such 2014 Bond.

**Section 5. Approval of Documents.** In connection with the sale of the 2014 Bonds, the Designated Officers are authorized and directed to execute and deliver one or more Bond Purchase Agreements by and between the District and the Underwriters in substantially the form of prior Bond Purchase Agreements executed and delivered on behalf of the District in connection with prior sales of the District's bonds, with such changes and completions as may be approved by the Designated Officers, subject to the limitations of this ordinance. The execution and delivery of each Bond Purchase Agreement shall constitute conclusive evidence of the approval of such changes and completions.

The Treasurer is authorized to approve a Preliminary Official Statement of the District with respect to the 2014 Bonds, in substantially the form of the Preliminary Official Statements of the District distributed in connection with prior sales of the District's bonds, with such changes, omissions, insertions and revisions as the Treasurer shall deem advisable. The distribution of the Preliminary Official Statement to prospective purchasers and the use thereof by the Underwriters in connection with the offering of the 2014 Bonds is authorized and approved. Any of the Designated Officers may take such actions as may be required so that each Official Statement with respect to 2014 Bonds will be "deemed final" as of its date for purposes of Securities and Exchange Commission Rule 15c2-12 promulgated under the Securities Exchange Act of 1934. The Treasurer is authorized to permit the distribution of each

final Official Statement with such changes, omissions, insertions and revisions as she shall deem advisable.

The District shall enter into a Continuing Disclosure Undertaking for the benefit of the beneficial owners of each series of the 2014 Bonds and in order to assist participating underwriters of the 2014 Bonds and brokers, dealers and municipal securities dealers in complying with Securities and Exchange Rule 15c2-12(b)(5) promulgated under the Securities Exchange Act of 1934. The form of Continuing Disclosure Undertaking with respect to the 2014 Bonds, shall be in substantially the same form as the Continuing Disclosure Undertakings entered into by the District with respect to previously issued bonds of the District. Any of the Designated Officers is authorized and directed to execute and deliver a Continuing Disclosure Undertaking with such changes and completions as may be approved by said officials. The execution and delivery of any Continuing Disclosure Undertaking shall constitute conclusive evidence of the approval of such changes and completions.

In connection with the refunding of the Prior Bonds, the Designated Officers are authorized to execute and deliver one or more Escrow Deposit Agreements by and between the District and a bank, trust company or national bank association to be selected by the Treasurer in substantially the form of prior Escrow Deposit Agreements executed and delivered on behalf of the District in connection with the refunding of the District's bonds, with such changes and completions as may be approved by the Designated Officers. The execution and delivery of each such Escrow Deposit Agreement shall constitute conclusive evidence of the approval of such changes and completions.

Each of the documents approved by this Section may be executed in one or more counterparts. The corporate seal of the District, or a facsimile thereof may, if required, be affixed or otherwise reproduced upon each document and attested by the manual or authorized facsimile signature of the Clerk.

**Section 6. Bond Insurance.** Authority is hereby delegated to the Treasurer, at her option, to obtain from a municipal bond insurer (the “Bond Insurer”) a policy of municipal bond insurance insuring the payment of the principal of and interest on any of the 2014 Bonds.

**Section 7. Sale and Delivery of 2014 Bonds.** (A) Subject to the limitations contained in this ordinance, authority is delegated to the Designated Officers to sell one or more series of the 2014 Bonds to the Underwriters, provided that (a) the underwriting discount of the Underwriters for such series (exclusive of syndicate expenses and Underwriters’ counsel fees) shall not exceed an amount equal to \$0.75 per \$1,000 of the principal amount of the 2014 Bonds of such series; (b) the principal of and interest on the 2014 Bonds payable in each debt service year shall not be greater than the debt service taxes levied for the applicable tax levy year pursuant to Section 12 of this ordinance, provided that for this purpose interest shall not include any interest that is to be paid from moneys deposited, on the date of issuance of the 2014 Bonds, into the 2014 Limited Tax Refunding Debt Service Fund established by Section 14 of this ordinance; (c) the present value debt service savings obtained by the District as a result of refunding the Prior Bonds refunded by such series of 2014 Bonds shall not be less than 3.00 percent of the principal amount of the Prior Bonds to be refunded by such series; (d) the purchase price of the 2014 Bonds of such series is not less than 97% of the principal amount of such series; and (e) the District obtains a letter, report or certificate signed by the District’s independent financial advisors, stating that the terms of the series of the 2014 Bonds to be sold are reasonable in light of current conditions in the market for tax-exempt obligations, such as the 2014 Bonds of such series.

(B) As used in paragraph (A) of this Section, the term “debt service year” means the year following the applicable tax levy year.

(C) The sale and award of each series of the 2014 Bonds shall be evidenced by a Bond Order. An executed counterpart of the Bond Order shall be filed in the office of the Clerk and entered in the records of the District.

(D) The Designated Officers, the Clerk and the other officials of the District are authorized and directed to do and perform, or cause to be done or performed for or on behalf of the District each and every thing necessary for the issuance of the 2014 Bonds, including the proper execution and delivery of the 2014 Bonds, the Bond Purchase Agreements, the Escrow Deposit Agreements, the Continuing Disclosure Undertakings and the Official Statements.

**Section 8. Execution and Authentication.** Each 2014 Bond shall be executed in the name of the District by the manual or authorized facsimile signature of its President and shall be countersigned by the manual or authorized facsimile signature of its Treasurer. The corporate seal of the District, or a facsimile thereof, shall be thereunto affixed or otherwise reproduced upon each 2014 Bond and attested by the manual or authorized facsimile signature of the Clerk.

In case any officer whose signature, or a facsimile of whose signature, shall appear on any 2014 Bond shall cease to hold such office before the issuance of the 2014 Bond, such 2014 Bond shall nevertheless be valid and sufficient for all purposes, the same as if the person whose signature, or a facsimile thereof, appears on such 2014 Bond had not ceased to hold such office. Any 2014 Bond may be signed, countersigned, sealed or attested on behalf of the District by any person who, on the date of such act, shall hold the proper office, notwithstanding that at the date of such 2014 Bond such person may not have held such office. No recourse shall be had for the payment of any 2014 Bonds against any officer who executes the 2014 Bonds.

Each 2014 Bond shall bear thereon a certificate of authentication executed manually by the bond registrar. No 2014 Bond shall be entitled to any right or benefit under the Authorizing



Ordinance or this ordinance or shall be valid or obligatory for any purpose until such certificate of authentication shall have been duly executed by the bond registrar.

**Section 9. Transfer, Exchange and Registry.** The 2014 Bonds shall be negotiable, subject to the provisions for registration of transfer contained herein. Each 2014 Bond shall be transferable only upon the registration books maintained by the District for that purpose at the corporate trust office of the bond registrar, by the registered owner thereof in person or by the registered owner's attorney duly authorized in writing, upon surrender thereof together with a written instrument of transfer satisfactory to the bond registrar and duly executed by the registered owner or the registered owner's duly authorized attorney. Upon the surrender for transfer of any such 2014 Bond, the District shall execute and the bond registrar shall authenticate and deliver a new 2014 Bond or 2014 Bonds registered in the name of the transferee, of the same aggregate principal amount, series, maturity and interest rate as the surrendered 2014 Bond. 2014 Bonds, upon surrender thereof at the corporate trust office of the bond registrar, with a written instrument satisfactory to the bond registrar, duly executed by the registered owner or his attorney duly authorized in writing, may be exchanged for an equal aggregate principal amount of 2014 Bonds of the same series, maturity and interest rate and of the denominations of \$5,000 or any integral multiple thereof.

For every such exchange or registration of transfer of 2014 Bonds, the District or the bond registrar may make a charge sufficient for the reimbursement of any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer, which sum or sums shall be paid by the person requesting such exchange or transfer as a condition precedent to the exercise of the privilege of making such exchange or transfer. No other charge shall be made for the privilege of making such transfer or exchange. The provisions of the Illinois Bond Replacement Act shall govern the replacement of lost, destroyed or defaced 2014 Bonds.

The District and the bond registrar may deem and treat the person in whose name any 2014 Bond shall be registered upon the registration books as the absolute owner of such 2014 Bond, whether such 2014 Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of, redemption premium, if any, or interest thereon and for all other purposes whatsoever, and all such payments so made to any such registered owner or upon the order of such registered owner shall be valid and effectual to satisfy and discharge the liability upon such 2014 Bond to the extent of the sum or sums so paid, and neither the District nor the bond registrar shall be affected by any notice to the contrary.

**Section 10. Security for Limited Bonds.** The 2014 Bonds are issued as “limited bonds” as defined in Section 3 of the Local Government Debt Reform Act. The 2014 Bonds are payable from the District's “Debt Service Extension Base,” as defined in the Property Tax Extension Limitation Law. The District covenants that it will not issue any bonds, notes or other obligations if the issuance thereof would cause the anticipated tax extension for any tax levy year for limited bonds of the District to exceed the then current Debt Service Extension Base of the District less the amount in items (b), (c) and (e) of the applicable definition of “aggregate extension” contained in the Property Tax Extension Limitation Law, for non-referendum obligations, except obligations initially issued pursuant to referendum and bonds issued by the District under the Metropolitan Water Reclamation District Act to finance construction projects initiated before October 1, 1991.

The full faith and credit of the District are hereby irrevocably pledged to the punctual payment of the principal of and interest on the 2014 Bonds. The 2014 Bonds shall be direct and general obligations of the District, and the District shall be obligated to levy ad valorem taxes upon all the taxable property in the District for the payment of the 2014 Bonds and the interest thereon, without limitation as to rate, but limited in amount by provisions of the Property Tax Extension Limitation Law.

**Section 11. Form of 2014 Bonds.** The 2014 Bonds shall be issued as fully registered bonds and shall be in substantially the following form, the blanks to be appropriately completed when the 2014 Bonds are printed:

No. \_\_\_\_\_

United States of America  
State of Illinois  
County of Cook  
METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO  
GENERAL OBLIGATION LIMITED TAX REFUNDING BOND,  
SERIES 2014\_

INTEREST RATE	MATURITY DATE	DATED DATE	CUSIP
. %	December 1, 20__	_____, 2014	_____

REGISTERED OWNER: Cede & Co.

PRINCIPAL AMOUNT:

The METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO, a sanitary district and a body politic and corporate of the State of Illinois organized and existing under the Metropolitan Water Reclamation District Act, acknowledges itself indebted and for value received hereby promises to pay to the registered owner of this bond, or registered assigns, the principal amount specified above on the maturity date specified above, and to pay interest on such principal amount from the date hereof at the interest rate per annum specified above, computed on the basis of a 360 day year consisting of twelve 30 day months and payable in lawful money of the United States of America on \_\_\_\_\_ 1, 201\_\_ and semiannually thereafter on June 1 and December 1 in each year until the principal amount shall have been paid, to the registered owner of record hereof as of the 15<sup>th</sup> day of the calendar month next preceding such interest payment date, by wire transfer pursuant to an agreement by and between the District and the registered owner, or otherwise by check or draft mailed to the registered owner at the address of such owner appearing on the registration books maintained by the District for such purpose at the corporate trust office of

\_\_\_\_\_, in the City of Chicago, Illinois, as bond registrar or its successor (the "Bond Registrar"). This bond, as to principal and premium, if any, when due, will be payable in lawful money of the United States of America upon presentation and surrender of this bond at the corporate trust office of the Bond Registrar. The full faith and credit of the District are irrevocably pledged for the punctual payment of the principal of and interest on this bond according to its terms.

This bond is one of the series of bonds issued in the aggregate principal amount of \$\_\_\_\_\_, which are authorized and issued under and pursuant to the Metropolitan Water Reclamation District Act, 70 Illinois Compiled Statutes 2605, and the Local Government Debt Reform Act, 30 Illinois Compiled Statutes 350, and under and in accordance with an ordinance adopted by the Board of Commissioners of the District on November 6, 2014, and entitled: "An Ordinance Authorizing and Providing For the Issuance of Not to Exceed \$75,000,000 General Obligation Limited Tax Refunding Bonds of the Metropolitan Water Reclamation District of Greater Chicago" (the "Ordinance").

This bond is a "limited bond" as defined in the Local Government Debt Reform Act and is payable from the debt service extension base of the District as defined in the Property Tax Extension Limitation Law, 35 Illinois Compiled Statutes 200/18-185 through 18-245.

The bonds of such series maturing on or after December 1, 20\_\_ are subject to redemption prior to maturity at the option of the District and upon notice as herein provided, in such principal amounts and from such maturities as the District shall determine and by lot within a single maturity, on \_\_\_\_\_, 20\_\_ and on any date thereafter, at a redemption price equal to the principal amount thereof to be redeemed plus, if such bond is to be redeemed during any period (both dates inclusive) shown in the following table, the applicable redemption premium, expressed as a percentage of such principal amount, set forth opposite such period:

<u>Redemption Period</u>	<u>Redemption Premium</u>
	%

The bonds of such series maturing in the years 20\_\_\_\_, 20\_\_ and 20\_\_ (the “Term Bonds”) are subject to mandatory redemption, in part and by lot, on December 1 of the years and in the respective principal amounts set forth in the following tables, by the application of sinking fund installments, at a redemption price equal to the principal amount thereof to be redeemed:

<u>20____ Term Bonds</u>		<u>20____ Term Bonds</u>		<u>20____ Term Bonds</u>	
<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
20__	\$ ,000	20__	\$ ,000	20__	\$ ,000
20__	,000	20__	,000	20__	,000
20__	,000	20__	,000	20__	,000

Notice of the redemption of bonds will be mailed not less than 30 days nor more than 60 days prior to the date fixed for such redemption to the registered owners of bonds to be redeemed at their last addresses appearing on such registration books. The bonds or portions thereof specified in said notice shall become due and payable at the applicable redemption price on the redemption date therein designated, and if, on the redemption date, moneys for payment of the redemption price of all the bonds or portions thereof to be redeemed, together with interest to the redemption date, shall be available for such payment on said date, and if notice of redemption shall have been mailed as aforesaid (and notwithstanding any defect therein or the lack of actual receipt thereof by any registered owner) then from and after the redemption date interest on such bonds or portions thereof shall cease to accrue and become payable.

This bond is transferable only upon such registration books by the registered owner hereof in person, or by the registered owner’s attorney duly authorized in writing, upon

surrender hereof at the corporate trust office of the Bond Registrar together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the registered owner or by the registered owner's duly authorized attorney, and thereupon a new registered bond or bonds, in the authorized denominations of \$5,000 or any integral multiple thereof and of the same aggregate principal amount, maturity and interest rate as this bond shall be issued to the transferee in exchange therefor. In like manner, this bond may be exchanged for an equal aggregate principal amount of bonds of the same maturity and interest rate and of any of such authorized denominations. The District or the Bond Registrar may make a charge sufficient for the reimbursement of any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange of this bond. No other charge shall be made for the privilege of making such transfer or exchange. The District and the Bond Registrar may treat and consider the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal and interest due hereon and for all other purposes whatsoever.

This bond shall not be valid or become obligatory for any purpose until the certificate of authentication hereon shall have been duly executed by the Bond Registrar.

It is hereby certified, recited and declared that this bond is issued in part pursuant to the Local Government Debt Reform Act, that all acts, conditions and things required to be done, exist and be performed precedent to and in the issuance of this bond in order to make it a legal, valid and binding obligation of the District have been done, exist and have been performed in regular and due time, form and manner as required by law, and that the series of bonds of which this bond is one, together with all other indebtedness of the District, is within every debt or other limit prescribed by law.

IN WITNESS WHEREOF, the Metropolitan Water Reclamation District of Greater Chicago has caused this bond to be executed in its name and on its behalf by the manual or facsimile signature of its President, to be countersigned by the manual or facsimile signature of its Treasurer, and its corporate seal, or a facsimile thereof, to be hereunto affixed or otherwise reproduced hereon and attested by the manual or facsimile signature of its Clerk.

Dated: \_\_\_\_\_

METROPOLITAN WATER RECLAMATION  
DISTRICT OF GREATER CHICAGO

\_\_\_\_\_  
President

Countersigned:

\_\_\_\_\_  
Treasurer

Attest:

#### CERTIFICATE OF AUTHENTICATION

This bond is one of the General Obligation Limited Tax Refunding Bonds, Series \_\_\_\_\_, described in the within mentioned Ordinance.

\_\_\_\_\_  
Clerk

\_\_\_\_\_, as  
Bond Registrar

By \_\_\_\_\_  
Authorized Signer

## ASSIGNMENT

For value received the undersigned sells, assigns and transfers unto \_\_\_\_\_

\_\_\_\_\_

the within bond and hereby irrevocably constitutes and appoints \_\_\_\_\_

\_\_\_\_\_

attorney to transfer the said bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated \_\_\_\_\_

Signature Guarantee:

\_\_\_\_\_

\_\_\_\_\_



**Section 12. Levy and Extension of Taxes.** (A) For the purpose of providing the money required to pay the interest on the 2014 Bonds when and as the same falls due and to pay and discharge the principal (including mandatory sinking fund installments) thereof as the same shall mature, there is hereby levied upon all the taxable property in the District, in each year while any of the 2014 Bonds shall be outstanding, a direct annual tax sufficient for that purpose in addition to all other taxes, as follows:

<u>Tax Levy Year</u>	<u>A Tax Sufficient to Produce</u>
2014	\$ 4,000,000
2015	4,000,000
2016	15,000,000
2017	15,000,000
2018	15,000,000
2019	16,000,000
2020	14,000,000
2021	17,000,000

(B) Interest or principal coming due at any time when there shall be insufficient funds on hand to pay the same shall be paid promptly when due from current funds on hand in advance of the collection of the taxes herein levied; and when said taxes shall have been collected, reimbursement shall be made to the said funds in the amounts thus advanced.

(C) After the sale of each series of the 2014 Bonds and the execution of the applicable Bond Order, an executed copy of the applicable Bond Order and a copy of this ordinance certified by the Clerk, which certificate shall recite that this ordinance has been duly adopted, shall be filed with the County Clerk of Cook County, Illinois, who is hereby directed to ascertain the rate per cent required to produce the aggregate tax hereinbefore provided to be levied in the years 2014 to 2021, inclusive, and subject to adjustment as provided in paragraph (D) of this Section to extend the same for collection on the tax books in connection with other taxes levied in said years, in and by the District for general corporate purposes of the District, and in said years such annual tax shall be levied and collected in like manner as taxes for general corporate purposes for said years are levied and collected, without limit as to rate, but

limited as to amount by the provisions of the Property Tax Extension Limitation Law, and, when collected, the moneys received by the District from such taxes (the "Debt Service Tax Receipts") shall be used for the purpose of paying the principal of and interest on the 2014 Bonds as the same become due and payable.

(D) In the event that 2014 Bonds are to be issued in principal amounts and bearing interest such that for any tax levy year an amount less than that set forth in paragraph (A) of this Section is required to be produced to pay when due the principal of and interest on the 2014 Bonds, then the Treasurer is authorized and directed to file with the aforesaid County Clerk, a direction for abatement of taxes specifying the exact amount of taxes to be levied to produce the required amounts for each of the various tax levy years.

(E) After the issuance of the 2014 Bonds, the District shall not abate the debt service taxes levied pursuant to this Section or take any action to restrict the extension and collection of those taxes except that the District may abate any such debt service taxes for any tax levy year to the extent that, at the time of such abatement, moneys then held in the 2014 Limited Tax Refunding Debt Service Fund established by this ordinance, or otherwise held in trust for the payment of debt service on the 2014 Bonds, together with the amount to be extended for collection taking into account the proposed abatement, will be sufficient to provide for the punctual payment of the principal of and interest on the 2014 Bonds otherwise payable from the debt service taxes levied for such tax levy year.

**Section 13. Application of Proceeds.** The proceeds of sale of each series of the 2014 Bonds shall be applied as follows:

1. To any Bond Insurer of such series of 2014 Bonds, the applicable premium for the municipal bond insurance policy.

2. To the Escrow Fund maintained under the applicable Escrow Deposit Agreement, the amount, together with other moneys (if any) of the District deposited therein, necessary to provide for the refunding of the Prior Bonds to be refunded.

3. To the 2014 Limited Tax Refunding Bond Expense Fund established by this ordinance, the amount of such proceeds of sale remaining after making the foregoing payment (if any) and deposit.

**Section 14. Debt Service Fund.** The Debt Service Tax Receipts, and all other moneys to be used for the payment of the principal of and interest on the 2014 Bonds, shall be deposited in the “2014 Limited Tax Refunding Debt Service Fund”, which is hereby established as a special fund of the District and shall be administered as a bona fide debt service fund under the Internal Revenue Code of 1986 (the “Code”). The District may establish within the 2014 Limited Tax Refunding Debt Service Fund, separate accounts for each series of the 2014 Bonds.

The moneys deposited or to be deposited into the 2014 Limited Tax Refunding Debt Service Fund, including the Debt Service Tax Receipts, are pledged as security for the payment of the principal of and interest on the 2014 Bonds to the extent and in the manner provided in this ordinance. This pledge is made pursuant to Section 13 of the Local Government Debt Reform Act and shall be valid and binding from the date of issuance of the 2014 Bonds. All such Debt Service Tax Receipts and the moneys held in the 2014 Limited Tax Refunding Debt Service Fund shall immediately be subject to the lien of such pledge without any physical delivery or further act and the lien of such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the District irrespective of whether such parties have notice thereof.

**Section 15. Expense Fund.** The “2014 Limited Tax Refunding Expense Fund,” is hereby established as a special fund of the District. Moneys in the 2014 Limited Tax Refunding

Expense Fund shall be used for the payment of the costs of issuance of the 2014 Bonds and administrative costs of refunding the Prior Bonds, but may thereafter be reappropriated and used for other purposes if such reappropriation is permitted under Illinois law and will not adversely affect the exclusion from gross income for federal income tax purposes of interest on the 2014 Bonds. The District may establish within the 2014 Limited Tax Refunding Expense Fund separate accounts of each series of the 2014 Bonds.

**Section 16. Investment Regulations.** No investment shall be made of any moneys in the 2014 Limited Tax Refunding Debt Service Fund, any Escrow Fund or the 2014 Limited Tax Refunding Expense Fund except in accordance with the tax covenants set forth in Section 17 of this ordinance. All income derived from such investments in respect of moneys or securities in any Fund shall be credited in each case to the Fund in which such moneys or securities are held.

Any moneys in any Fund that are subject to investment yield restrictions may be invested in United States Treasury Securities, State and Local Government Series, pursuant to the regulations of the United States Treasury Department, Bureau of Public Debt, or in any tax-exempt bond that is not an “investment property” within the meaning of Section 148(b)(2) of the Code. The Treasurer and agents designated by her are hereby authorized to submit, on behalf of the District, subscriptions for such United States Treasury Securities and to request redemption of such United States Treasury Securities.

**Section 17. Tax Covenants.** The District shall not take, or omit to take, any action lawful and within its power to take, which action or omission would cause interest on any 2014 Bond to become subject to federal income taxes in addition to federal income taxes to which interest on such 2014 Bond is subject on the date of original issuance thereof.

The District shall not permit any of the proceeds of the 2014 Bonds, or any facilities financed with such proceeds, to be used in any manner that would cause any 2014 Bond to constitute a “private activity bond” within the meaning of Section 141 of the Code.

The District shall not permit any of the proceeds of the 2014 Bonds or other moneys to be invested in any manner that would cause any 2014 Bond to constitute an “arbitrage bond” within the meaning of Section 148 of the Code or a “hedge bond” within the meaning of Section 149(g) of the Code.

The District shall comply with the provisions of Section 148(f) of the Code relating to the rebate of certain investment earnings at periodic intervals to the United States of America.

**Section 18. Taxes Levied For Payment of Prior Bonds.** After the issuance of each series of the 2014 Bonds, the Treasurer shall file with the County Clerk of Cook County, a certificate listing the Prior Bonds refunded and the taxes theretofore levied for the payment of the principal of and interest on such Prior Bonds and not then in the process of collection, and said certificates shall direct the abatement of such taxes.

**Section 19. Bond Registrar.** The District covenants that it shall at all times retain a bond registrar with respect to the 2014 Bonds, that it will maintain at the designated office of such bond registrar a place where 2014 Bonds may be presented for payment and registration of transfer or exchange and that it shall require that the bond registrar maintain proper registration books and perform the other duties and obligations imposed upon the bond registrar by this ordinance in a manner consistent with the standards, customs and practices of the municipal securities business.

The bond registrar shall signify its acceptance of the duties and obligations imposed upon it by this ordinance by executing the certificate of authentication on any 2014 Bond, and by such execution the bond registrar shall be deemed to have certified to the District that it has all requisite power to accept, and has accepted such duties and obligations not only with respect to the 2014 Bond so authenticated but with respect to all the 2014 Bonds. The bond registrar is the agent of the District and shall not be liable in connection with the performance of its duties except for its own negligence or default. The bond registrar shall, however, be responsible for any representation in its certificate of authentication on the 2014 Bonds.

The District may remove the bond registrar at any time. In the event that the bond registrar shall resign or shall be removed or shall become incapable of acting, or shall be adjudged a bankrupt or insolvent, or if a receiver, liquidator or conservator of the bond registrar, or of its property, shall be appointed, or if any public officer shall take charge or control of the bond registrar or of its property or affairs, the District covenants and agrees that it will thereupon appoint a successor bond registrar. The District shall mail notice of any such appointment made by it to each registered owner of 2014 Bonds within twenty days after such appointment.

**Section 20. Book-Entry System.** In order to provide for the initial issuance of the 2014 Bonds in a form that provides for a system of book-entry only transfers, the ownership of one fully registered 2014 Bond for each maturity of each series, in the aggregate principal amount of such maturity, shall be registered in the name of Cede & Co., as a nominee of The Depository Trust Company, as securities depository for the 2014 Bonds. The Treasurer is authorized to execute and deliver on behalf of the District such letters to, or agreements with, the securities depository as shall be necessary to effectuate such book-entry system.

In the event that the securities depository shall resign or shall become incapable of acting, then the District shall appoint a successor securities depository to provide a system of book-entry only transfers for the 2014 Bonds, by written notice to the predecessor securities depository directing it to notify its participants (those persons for whom the securities depository holds securities) of the appointment of a successor securities depository.

If the system of book-entry only transfers for the 2014 Bonds is discontinued, then the District shall issue and the bond registrar shall authenticate, register and deliver to the beneficial owners of the 2014 Bonds, bond certificates in replacement of such beneficial owners' beneficial interests in the 2014 Bonds, all as shown in the records maintained by the securities depository.

**Section 21. Defeasance and Payment of 2014 Bonds.** (A) If the District shall pay or cause to be paid to the registered owners of the 2014 Bonds, the principal, premium, if any, and interest due or to become due thereon, at the times and in the manner stipulated therein

and in this ordinance, then the pledge of Debt Service Tax Receipts, securities and funds hereby pledged and the covenants, agreements and other obligations of the District to the registered owners and the beneficial owners of the 2014 Bonds shall be discharged and satisfied.

(B) Any 2014 Bonds or interest installments appertaining thereto, whether at or prior to the maturity or redemption date of such 2014 Bonds, shall be deemed to have been paid within the meaning of paragraph (A) of this Section if (1) in case any such 2014 Bonds are to be redeemed prior to the maturity thereof, there shall have been taken all action necessary to call such 2014 Bonds for redemption and notice of such redemption shall have been duly given or provision shall have been made for the giving of such notice, and (2) there shall have been deposited in trust with a bank, trust company or national banking association acting as fiduciary for such purpose either (i) moneys in an amount which shall be sufficient, or (ii) "Federal Obligations" as defined in paragraph (C) of this Section, the principal of and the interest on which when due will provide moneys which, together with any moneys on deposit with such fiduciary at the same time for such purpose, shall be sufficient, to pay when due the principal of, redemption premium, if any, and interest due and to become due on, said 2014 Bonds on and prior to the applicable maturity date or redemption date thereof.

(C) As used in this Section, the term "Federal Obligations" means (i) non-callable, direct obligations of the United States of America, (ii) non-callable and non-prepayable, direct obligations of any agency of the United States of America, which are unconditionally guaranteed by the United States of America as to full and timely payment of principal and interest, (iii) non-callable, non-prepayable coupons or interest installments from the securities described in clause (i) or clause (ii) of this paragraph, which are stripped pursuant to programs of the Department of the Treasury of the United States of America, or (iv) coupons or interest installments stripped from bonds of the Resolution Funding Corporation.

**Section 22. Ordinance to Constitute a Contract.** The provisions of this ordinance shall constitute a contract between the District and the registered owners of the 2014 Bonds. Any pledge made in this ordinance and the provisions, covenants and agreements herein set forth to be performed by or on behalf of the District shall be for the equal benefit, protection and security of the owners of any and all of the 2014 Bonds. All of the 2014 Bonds, regardless of the time or times of their issuance, shall be of equal rank without preference, priority or distinction of any of the 2014 Bonds over any other thereof except as expressly provided in or pursuant to this ordinance. This ordinance shall constitute full authority for the issuance of the 2014 Bonds and to the extent that the provisions of this ordinance conflict with the provisions of any other ordinance or resolution of the District, the provisions of this ordinance shall control. If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

**Section 23. Publication.** The Clerk is hereby authorized and directed to publish this ordinance in pamphlet form and to file copies thereof for public inspection in the office of the Clerk.



**Section 24. Effective Date.** This ordinance shall become effective upon its adoption.

ADOPTED this 6<sup>th</sup> day of November, 2014.

Approved: November 6, 2014.

ATTEST:

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Clerk, Metropolitan Water Reclamation  
District of Greater Chicago

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

[SEAL]

Approved as to Form and Legality:

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Head Assistant Attorney

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General Counsel

Dated: November 6, 2014

RECORDED in the District Records on November 6, 2014.

### CERTIFICATE

I, Jacqueline Torres, Clerk of the Metropolitan Water Reclamation District of Greater Chicago, hereby certify that the foregoing ordinance entitled: "An Ordinance Authorizing and Providing for the Issuance of Not to Exceed \$75,000,000 General Obligation Limited Tax Refunding Bonds of the Metropolitan Water Reclamation District of Greater Chicago," is a true copy of an original ordinance that was duly adopted by the recorded affirmative votes of a majority of the members of the Board of Commissioners of the District at a meeting thereof that was duly called and held at 10:00 a.m. on November 6, 2014, in the Board Room at 100 East Erie Street, in the City of Chicago, Illinois, and at which a quorum was present and acting throughout, and that said copy has been compared by me with the original ordinance signed by the President of the Board of Commissioners on November 6, 2014, published in pamphlet form on November 6, 2014 and recorded in the records of the District and that it is a correct transcript thereof and of the whole of said ordinance, and that said ordinance has not been altered, amended, repealed or revoked, but is in full force and effect.

I further certify that the agenda for said meeting included the ordinance as a matter to be considered at the meeting and that said agenda was posted at least 48 hours in advance of the holding of the meeting in the manner required by the Open Meetings Act, 5 Illinois Compiled Statutes 120 and was continuously available for public review during the 48 hour period preceding the meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the District, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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Clerk, Metropolitan Water Reclamation  
District of Greater Chicago

(SEAL)



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** R14-004, **Version:** 1

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### **ORDINANCE FOR BOARD MEETING OF NOVEMBER 6, 2014**

Adopt Ordinance No. R14-004 Amending Ordinance R14-002 Establishing the Right-of-Way for the Construction, Operation and Maintenance of Streambank Stabilization Projects on Tinley Creek, Midlothian Creek, and the Calumet Union Drainage Ditch, (Contracts 10-882-5F and 10-882-AF) in parts of Sections 14 and 23, Township 36 North, Range 12, East of the Third Principal Meridian; and Sections 23 and 30, Township 36 North, Range 13, East of the Third Principal Meridian in Cook County, Illinois

ORDINANCE R14-004

ORDINANCE AMENDING ORDINANCE ESTABLISHING THE RIGHT-OF-WAY FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF STREAMBANK STABILIZATION PROJECTS ON TINLEY CREEK, MIDLOTHIAN CREEK, AND THE CALUMET UNION DRAINAGE DITCH, (CONTRACTS 10-882-5F AND 10-882-AF) IN PARTS OF SECTIONS 14 AND 23, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN; AND SECTIONS 23 AND 30, TOWNSHIP 36 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS

WHEREAS, the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, on June 7, 2012, adopted Ordinance R12-002 entitled "Ordinance Establishing Right-of-Way for the Construction, Operation and Maintenance of Streambank Stabilization Projects on Tinley Creek, Midlothian Creek and the Calumet Union Drainage Ditch, Contracts 10-882-5F and 10-882-AF, in parts of Sections 14 and 23, Township 36 North, Range 12, East of the Third Principal Meridian: and Sections 23 and 30, Township 36 North, Range 13, East of the Third Principal Meridian in Cook County, Illinois" pursuant to the statute in such case made and provided, has from time to time acquired by purchase, condemnation, or otherwise, lands necessary and desirable for use in the upgrading of the quality of the waters in the Chicago Metropolitan communities; and

WHEREAS, the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, on July 10, 2014 adopted Ordinance R14-002 entitled "Ordinance Amending Ordinance Establishing the Right-of-Way for the Construction, Operation and Maintenance of Streambank Stabilization Projects on Tinly Creek, Midlothian Creek, and the Calumet Union Drainage Ditch, (Contracts 10-882-5f and 10-882-af) in parts of Sections 14 and 23, Township 36 North, Range 12, East of the Third Principal Meridian; and Sections 23 and 30, Township 36 North, Range 13, East of the Third Principal Meridian in Cook County, Illinois;"

WHEREAS, it is necessary to acquire additional tracts of real estate not previously identified in said Ordinance R14-002, amending Ordinance R12-002 as right-of-way for the construction, operation and maintenance of the streambank stabilization projects on Tinley Creek, Midlothian Creek, and the Calumet Union Drainage Ditch, (Contracts 10-882-5F and 10-882-AF) in parts of Sections 14 and 23, Township 36 North, Range 12, East of the Third Principal Meridian; and Sections 23 and 30, Township 36 North, Range 13, East of the Third Principal Meridian in Cook County, Illinois;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago:

Section 1. That Ordinance R14-002, amending Ordinance R12-002 entitled "Ordinance Establishing Right-of-Way for the Construction, Operation and Maintenance of Streambank Stabilization Projects on Tinley Creek, Midlothian Creek and the Calumet Union Drainage Ditch, Contracts 10-882-5F and 10-882-AF, in parts of Sections 14 and 23, Township 36 North, Range 12, East of the Third Principal Meridian: and Sections 23 and 30, Township 36 North, Range 13, East of the Third Principal Meridian in Cook County, Illinois" be Incorporated by reference herein and is made a part hereof as if set forth in full.

Section 2. That the legal descriptions set forth in Exhibit A to said Ordinance R14-002, amending Ordinance R12-002, be and the same is hereby amended by adding thereto the real estate legally described in Exhibit AAA, which is attached hereto and made a part hereof.

Section 3. That henceforth, said Ordinance R14-002 shall be known as "Ordinance Establishing Right-of-Way for the Construction, Operation and Maintenance of Streambank Stabilization Projects on Tinley Creek, Midlothian Creek and the Calumet Union Drainage Ditch, Contracts 10-882-5F and 10-882-AF, in parts of Sections 14 and 23, Township 36 North, Range 12, East of the third Principal Meridian: and Sections 23 and 30, Township 36 North, Range 13, East of the Third Principal Meridian in Cook County, Illinois, as amended";

Section 4. That except as amended hereby, said Ordinance R14-002 amending Ordinance R12-002 shall remain in full force and effect as heretofore enacted.

Section 5. This Ordinance shall be in full force and effect from and after its passage.

DATED: this 6th day of November 2014

Approved as to Engineering:

APPROVED:

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Catherine A. O'Connor  
Director of Engineering

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HON. KATHLEEN T. MEANY  
President  
Board of Commissioners of the  
Metropolitan Water Reclamation  
District of Greater Chicago

Approved as to Form and Legality:

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Susan Morakalis  
Head Assistant Attorney

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Ronald M. Hill  
General Counsel

Midlothian Creek, Legal Descriptions

October 7, 2014

PIN 28-30-402-001-0000

LOT 25 IN BREITBARTHS SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED FEBRUARY 19, 1920 AS DOCUMENT NUMBER 6740774 (LOCATED IN BREMEN TOWNSHIP).

Midlothian Creek, Legal Descriptions

October 7, 2014

PIN 28-30-402-005-0000

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF SECTION 30 AFORESAID; 997.60 FEET EAST OF THE NORTHWEST CORNER OF SAID SOUTHEAST 1/4 OF SECTION 30; THENCE SOUTH ON A LINE WHICH IF EAST WOULD INTERSECT THE NORTH LINE OF GROVE STREET AT A POINT 449.40 FEET WEST OF THE EAST LINE OF THE WEST 10 ACRES OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 30, OF 417.40 FEET FOR A POINT OF BEGINNING CONTINUING SOUTH OF THE LAST DESCRIBED LINE A DISTANCE OF 90.00 FEET TO THE NORTH LINE OF GROVE STREET; THENCE EAST ALONG SAID NORTH GROVE STREET A DISTANCE OF 175.00 FEET; THENCE NORTH 90.00 FEET ON A LINE PARALLEL TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 30; THENCE WEST ON A LINE PARALLEL TO LINE OF GROVE STREET A DISTANCE OF 175.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Exhibit AAA

## Midlothian Creek, Legal Descriptions

October 7, 2014

*PIN 28-30-406-004-0000, Community Consolidated School District ("District") No. 146, Cook County, Illinois*

THAT PART OF 172ND STREET IN THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 25 IN BREITBARTH'S SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 19, 1920 AS DOCUMENT 6748774; THENCE SOUTH ALONG THE WEST LINE OF VACATED GROVE STREET RECORDED AUGUST 24TH, 1951 AS DOCUMENT 15155219, A DISTANCE OF 24.00 FEET; THENCE NORTHWESTERLY, A DISTANCE OF 40.90 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 172ND STREET, A DISTANCE OF 33.00 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 25; THENCE EAST ALONG THE NORTH RIGHT-OF-WAY LINE OF 172ND STREET, ALSO BEING THE SOUTH LINE OF SAID LOT 25, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

*The District is the owner of property adjacent to the eastern side of the Nieman Property. Said District is identified as PIN 28-30-402-004-0000, further described as follows:*

THE NORTH 377.65 FEET OF THE WEST 78 FEET OF BLOCK 1 OF ORIGINAL TOWN OF BREMEN, BEING A SUBDIVISION OF A PART OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN,

ALSO,

THAT PART OF VACATED GROVE STREET, AS VACATED BY ORDINANCE RECORDED AUGUST 24, 1951 AS DOCUMENT 15155219, LYING NORTH OF AND ADJOINING THE WEST 78 FEET OF BLOCK 1 IN SAID ORIGINAL TOWN OF BREMEN IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.

*The District is the owner of property adjacent to the eastern side of the Nieman Property. Said District property is identified as PIN 28-30-402-004-0000, further described as follows:*

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SECTION 30, 997.60 FEET EAST OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER; THENCE EAST 500.90 FEET ON THE NORTH LINE; THENCE SOUTH 508.00 FEET ON THE EAST LINE OF THE WEST 10 ACRES OF THE EAST HALF OF SAID SOUTHEAST QUARTER OF SECTION 30 TO A POINT ON THE NORTH LINE OF GROVE STREET; THENCE WEST ALONG THE NORTH LINE OF GROVE STREET 324.40 FEET; THENCE NORTH 90 FEET ON A LINE PARALLEL TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE WEST 175 FEET ON A LINE PARALLEL TO THE NORTH LINE OF GROVE STREET; THENCE NORTH 417.40 FEET TO THE PLACE OF BEGINNING;

ALSO,

THE NORTH 377.65 FEET OF THE WEST 499.10 FEET OF BLOCK ONE OF ORIGINAL TOWN OF BREMEN, (EXCEPT THE WEST 78 FEET THEREOF), BEING A SUBDIVISION OF A PART OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



ALSO,

THAT PART OF VACATED GROVE STREET IN THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF BLOCK 1 IN ORIGINAL TOWN OF BREMEN, BEING A SUBDIVISION OF PART OF SAID SOUTHEAST QUARTER OF SECTION 30; THENCE EAST ALONG THE NORTH LINE OF SAID BLOCK 1, ALSO BEING THE SOUTH LINE OF SAID VACATED GROVE STREET, 78 FEET TO THE POINT OF BEGINNING; THENCE NORTH ALONG A LINE 78 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID BLOCK 1, 100 FEET TO THE NORTH LINE OF SAID VACATED GROVE STREET; THENCE EAST ALONG THE NORTH LINE OF SAID VACATED GROVE STREET, 421.10 FEET, MORE OR LESS, TO A LINE 499.10 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID BLOCK 1; THENCE SOUTH ALONG SAID PARALLEL LINE, 100 FEET TO THE SOUTH LINE OF SAID VACATED GROVE STREET; THENCE WEST ALONG SAID SOUTH LINE, 421.10 FEET TO THE POINT OF BEGINNING.

## TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 6, 2014

### COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

..Title

Adopt Ordinance No. R14-004 Amending Ordinance R14-002 Establishing the Right-of-Way for the Construction, Operation and Maintenance of Streambank Stabilization Projects on Tinley Creek, Midlothian Creek, and the Calumet Union Drainage Ditch, (Contracts 10-882-5F and 10-882-AF) in parts of Sections 14 and 23, Township 36 North, Range 12, East of the Third Principal Meridian; and Sections 23 and 30, Township 36 North, Range 13, East of the Third Principal Meridian in Cook County, Illinois

..Body

Dear Sir:

At its June 7, 2012 meeting, the Board of Commissioners adopted Ordinance R12-002 establishing the right-of-way for the construction, operation, and maintenance of streambank stabilization projects on Tinley Creek, Midlothian Creek and the Calumet and Union Drainage Ditch. The locations of the proposed work are at four separate locations: T1CR-7, T1CR-8, MTCR-G2, and CUDD-G3. Project T1CR-7 will stabilize both banks of Tinley Creek between 151<sup>st</sup> Street and Oriole Court in the Village of Orland Park; Project T1CR-8 will stabilize both banks of Tinley Creek between 86<sup>th</sup> Avenue and Crystal Creek Drive in the Village of Orland Park; Project MTCR-G2 will stabilize the south bank of Midlothian Creek between 66<sup>th</sup> Court and Hickory Street in the Village of Tinley Park; and Project CUDD-G3 will stabilize both banks of the Calumet Union Drainage Ditch between Sunset and Central Park Avenues in the City of Markham.

At its July 10, 2014 meeting, the Board of Commissioners adopted Ordinance R14-002 amending Ordinance R12-002 by adding additional tracts of right-of-way due to the necessity of acquiring temporary and permanent easements for Projects T1CR-7 and T1CR-8.

It has now been determined that additional tracts of right-of-ways must be acquired due to the necessity of permanent and temporary easements for Project MTCR-G2. The contract for these additional parcels is designated as 10-882-5F. Due to the timing of the execution of the projects, it is imperative that this right-of-way be acquired immediately. The tracts of land to be acquired for the projects are legally described in Exhibit AAA, which is attached hereto.

It is requested that the Executive Director recommend to the Board of Commissioners that it adopt Ordinance R14-004 Amending Ordinance R14-002 establishing and authorizing the acquisition of the right-of-way for the construction, operation and maintenance of Streambank Stabilization Projects on Tinley Creek, Midlothian Creek, and the Calumet Union Drainage Ditch, (Contracts 10-882-5F and 10-882-AF) in parts of Sections 14 and 23, Township 36 North, Range 12, East of the Third Principal Meridian; and Sections 23 and 30, Township 36 North, Range 13, East of the Third Principal Meridian in Cook County, Illinois.

It is further requested that the Executive Director recommend to the Board of Commissioners that the President be authorized and directed to execute said Ordinance after same is approved by the General Counsel as to form and legality.

Requested, Ronald M. Hill, General Counsel, Catherine A. O'Connor, Director of Engineering,  
RMH:CAO:STM:MLD:vp

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Real Estate Development

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 6, 2014

Attachment