

Metropolitan Water Reclamation District of Greater Chicago

*100 East Erie Street
Chicago, IL 60611*



Regular Board Meeting Consent Agenda - Draft

Thursday, April 9, 2015

10:00 AM

Board Room

Board of Commissioners

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

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

2015 REGULAR BOARD MEETING SCHEDULE

January	8	22
February	5	19
March	5	19
April	9	23
May	7	21
June	4	18
July	9	
August	6	
September	3	17
October	1	15
November	5	19
December	1 (Annual Meeting)	
December	3	17

2015

January

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

- 1 [15-0396](#) Report to the Board of Commissioners on The Boeing Company's Request for Reimbursement in the amount of \$109,442.47 pursuant to the terms of a Tax Reimbursement Agreement approved by the Board on September 6, 2001

Authorization

- 2 [15-0392](#) Authority to add Non Core Capital Projects to the Construction Fund, estimated cost of the projects is \$2,956,843.72

Procurement Committee**Report**

- 3 [15-0341](#) Report on advertisement of Request for Proposal 15-RFP-10, Procurement of Natural Gas Services, estimated cost \$7,200,000.00, Accounts 101-66000, 67000, 68000, 69000-612160
- 4 [15-0344](#) Report of bid opening of Tuesday, March 17, 2015
- 5 [15-0345](#) Report on advertisement of Request for Proposal 15-RFP-14 eLearning Courses for Return-to-Work Program for a One-Year Period, with an option to extend for an additional year, in an amount not to exceed \$20,000.00, Account 101-25000-612820, Requisition 1396181
- 6 [15-0384](#) Report on rejection of bids for Contract 15-988-11, Inspection, Testing and Repair of Railroad Crossing Signal Systems, estimated cost \$69,000.00
- 7 [15-0399](#) Report of bid opening of Tuesday, March 31, 2015

Authorization

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- 8 [15-0347](#) Authorization to enter into an agreement for Contract 14-RFP-35 with EnergyConnect, Inc., a Johnson Controls Company to provide energy curtailment services
- 9 [15-0348](#) Authorization to enter into an agreement with a successful Proposer(s) for the Request for Proposal (RFP) 15-RFP-10, Procurement of Natural Gas, Accounts 101-66000, 67000, 68000, 69000-612160
- 10 [15-0349](#) Authorization to amend Board Order of March 19, 2015, regarding Issue a purchase order and enter into an agreement with David Mason & Associates of Illinois, LTD for professional engineering services for Contract 14-110-5C Preliminary Engineering for a Flood Control Project at 61st Avenue and 36th Street in Cicero, Illinois, in amount not to exceed \$175,334.00, Account 401-50000-601410, Requisition 1387540, Agenda Item No. 8, File No. 15-0300
- 11 [15-0355](#) Authorization to enter into a Contract of Commitment with Illinois-American Water Company for the development of a project for beneficial reuse of effluent water at the Calumet Water Reclamation Plant, in relation to 14-EOI-11 (Re-Advertised), Request for Expression of Interest for A Development Project for Beneficial Reuse of Effluent Water at the Calumet Water Reclamation Plant
- 12 [15-0383](#) Authorization to forfeit Contract 14-030-11, Furnish and Deliver Miscellaneous Lubricants to Various Locations, for a One (1) Year Period, Items 1 and 2 to Intek Technology Inc., in an amount not to exceed \$4,971.75, Account 101-20000-623860

Authority to Advertise

- 13 [15-0334](#) Authority to advertise Contract 15-318-11, Furnishing and Delivering Washing Machines and Dryers, To Various District Locations, estimated cost \$40,000.00, Account 201-25000-634990, Requisition 1393446
- 14 [15-0340](#) Authority to advertise Contract 15-753-11 Contract Farming at the Hanover Park Water Reclamation Plant, estimated cost \$374,000.00, Accounts 101-67000-612520/612530, Requisition 1392683
- 15 [15-0358](#) Authority to advertise Contract 15-632-11 Furnishing and Delivering Sodium Hypochlorite, estimated cost \$8,271,630.50, Accounts 101-67000/68000/69000-623560, Requisitions 1394416, 1393461, 1396208, 1393431, 1388449 and 1393031
- 16 [15-0360](#) Authority to advertise Contract 15-813-21 Rehabilitation of Buildings at the Prairie Plan site in Fulton County, Illinois, estimated cost \$250,000.00, Account 201-50000-645680, Requisition 1389635
- 17 [15-0361](#) Authority to advertise Contract 15-620-11 Radio Communication Equipment Repairs, estimated cost \$82,200.00, Account 101-69000-612840, Requisition 1380480

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- 18 [15-0362](#) Authority to advertise Contract 15-636-11 Furnishing and Delivering Hydrogen Peroxide, estimated cost \$225,000.00, Accounts 101-69000-623560, Requisition 1394928
- 19 [15-0365](#) Authority to advertise Contract 15-416-11 Providing Operating Engineering Services to the Main Office Building Complex for a Thirty-Six (36) Month Period, estimated cost \$3,065,400.00, Accounts 101-15000-612370, 612390, Requisition 1395251
- 20 [15-0368](#) Authority to advertise Contract 15-340-11 Services to Furnish, Deliver and Install Exterior Electronic Signs at Various District Locations for a Two Year Period, estimated cost \$200,000.00, Account 201-25000-634990, Requisition 1388441
- 21 [15-0372](#) Authority to advertise Contract 15-715-11 Furnish, Deliver, Install and Modify Handrailing at the Kirie Water Reclamation Plant, estimated cost \$50,000.00, Account 101-67000-634600, Requisition 1394963
- 22 [15-0379](#) Authority to advertise Contract 15-683-11 Furnishing and Delivering Crushed Stone, Sand and Gravel to Various Locations, estimated cost \$295,300.00, Accounts 101-66000/67000/68000/69000-623130, Requisitions 1376697, 1394962, 1376964, 1394646, 1392170, 1376718 and 1393017
- 23 [15-0382](#) Authority to advertise Contract 15-004-11 Furnish and Deliver Structural and Stainless Steel to Various Locations for a One (1) Year Period, estimated cost \$117,000.00, Account 101-20000-623030
- 24 [15-0388](#) Authority to advertise Contract 15-090-11 Furnish and Deliver One New Fork Lift at the O'Brien Water Reclamation Plant, estimated cost \$80,000.00, Account 101-20000-634990 Requisition 1393438
- 25 [15-0389](#) Authority to advertise Contract 15-017-11 Furnish and Deliver Electrical Supplies and Wire to Various Locations for a One (1) Year Period, estimated cost \$124,000.00, Account 101-20000-623070

Issue Purchase Order

- 26 [15-0336](#) Issue purchase order to InterSeeder Technologies, LLC, to Furnish and Deliver a crop interseeder, in an amount not to exceed \$42,750.00, Account 101-16000-612490, Requisition 1394929
- 27 [15-0386](#) Issue purchase orders to Serpentix Conveyor Corporation, to Furnish and Deliver Repair Parts for Serpentix Conveyors, to Various Locations, in a total amount not to exceed \$102,900.00, Accounts 101-67000, 68000, 69000-623270

- 28 [15-0391](#) Issue purchase orders and enter into an agreement with Nu-Recycling Technology, Inc., to Provide for a Full-Service Lease and Maintenance Agreement for Two Nu-ReTec8800 Automatic Misting and Odor Control Systems at the Stickney Water Reclamation Plant, for a total amount not to exceed \$136,500.00, Accounts 101-69000-612490, 623560, Requisition 1387577

Award Contract

- 29 [15-0387](#) Authority to award Contract 15-618-11, Specialized Repairs for Large Motors, to Midwest Service Center, LLC, in an amount not to exceed \$149,178.00, Accounts 101-67000, 68000, 69000-612600, 623070, 612650, Requisitions 1376685, 1385814, 1387213

Increase Purchase Order/Change Order

- 30 [15-0335](#) Authority to increase purchase order and amend the agreement with Veolia Water Solutions & Technologies North America, Incorporated, to design, furnish and deliver an ANITA Mox Moving Bed Biofilm Reactor System and to provide start-up services for Contract 13-409-3P, Nitrogen Removal in Centrate, Egan Water Reclamation Plant, in an amount of \$8,000.00, from an amount of \$4,420,115.00, to an amount not to exceed \$4,428,115.00, Accounts 401-50000-601420 and 645650, Purchase Order 3079128
Attachments: [CO Log 13-409-3P.pdf](#)
- 31 [15-0350](#) Authority to decrease purchase order and amend the agreement with Christopher B. Burke Engineering, Ltd. (CBBEL), for Contract 13-809-5C Implementation of the Watershed Management Ordinance - Phase B, in an amount of \$200,000.00, from an amount of \$1,248,097.04, to an amount not to exceed \$1,048,097.04, Account 501-50000-601410, Purchase Order 3079008
- 32 [15-0352](#) Authority to increase Contract 04-131-2D Rehabilitation of the A/B and C/D Service Tunnels - Phase One, Stickney Water Reclamation Plant, to F.H. Paschen/S.N. Nielsen, in an amount of \$43,759.67, from an amount of \$13,720,290.69, to an amount not to exceed \$13,764,050.36, Account 401-50000-645750, Purchase Order 5001396
Attachments: [CO Log 04-131-2D BM 4.9.15.pdf](#)
- 33 [15-0353](#) Authority to increase purchase order and amend the agreement with Hey and Associates, Inc., for professional engineering services for Contract 11-187-5C, Preliminary Engineering for Addison Creek Channel Improvements, in an amount of \$39,801.00, from an amount of \$1,182,333.72, to an amount not to exceed \$1,222,134.72, Account 501-50000-601410, Purchase Order 3069386
Attachments: [CO Log 11-187-5C BM 4.9.15.pdf](#)

- 34 [15-0357](#) Authority to increase Contract 11-054-3P Disinfection Facilities, Terrence J. O'Brien Water Reclamation Plant, to Walsh Construction Company II, LLC, in an amount not to exceed \$566,776.55, from an amount of \$60,093,131.29 to an amount not to exceed \$60,659,897.84, Account 401-50000-645650, Purchase Order 4000005
Attachments: [11-054-3P CO Log Contingency Extra.xlsx](#)
 [Adjusted Bid Value Report.pdf](#)
- 35 [15-0373](#) Authority to decrease purchase order to LAI, LTD., to Furnish and Deliver Process Equipment Parts to Various Locations, in an amount of \$15,830.77, from an amount of \$615,277.89, to an amount not to exceed \$599,447.12, Accounts 101-67000-623070, 623270, 623090, Purchase Order 3076288
Attachments: [ZSS LAI 3076288, 3076289, 3076290, 3076291.pdf](#)
- 36 [15-0374](#) Authority to increase purchase order to Xylem Dewatering Solutions, Inc., for the rental of two submersible pumps at the Kirie Water Reclamation Plant, in an amount of \$16,870.00, from an amount of \$3,374.00, to an amount not to exceed \$20,244.00, Account 101-67000-612330, Purchase Order 3084361
- 37 [15-0376](#) Authority to increase purchase order and amend the agreement with AT&T Corporation for Co-Location Services in an amount of \$54,000.00 from an amount of \$1,191,244.98, to an amount not to exceed \$1,245,244.98, Account 101-27000-612210, Purchase Order 3067251
Attachments: [po 3067251 co log.pdf](#)
- 38 [15-0377](#) Authority to increase purchase order for the WSCAJ/NASPO PC Contracts 2009-2014 with Oracle America, Inc. for the maintenance, support and acquisition of miscellaneous parts for the District's SAP Enterprise Servers, GIS Systems, the Laboratory Information Management System (LIMS), and the disaster recovery servers for a period of seventeen (17) months with option to extend for (4) additional one-year terms, in an amount of \$73,806.94, from an amount of \$357,475.39, to an amount not to exceed \$431,282.33, Accounts 101-27000-601170, 612810, 612820, 634810, Purchase Order 3077612
Attachments: [po 3077612 co log.pdf](#)

Budget & Employment Committee

Authorization

- 39 [15-0381](#) Authority to transfer 2015 departmental appropriations in the amount of \$9,600.00 in the Corporate Fund
Attachments: [04.09.15 Board Transfer BF5.pdf](#)

Judiciary Committee

Authorization

- 40 [15-0375](#) Authority to settle the Workers' Compensation Claim of Fatouma Ali vs. MWRDGC, Case 14 WC 9645, Illinois Workers' Compensation Commission (IWCC), in the sum of \$375,000.00, Account 901-30000-601090
- 41 [15-0394](#) Authority to settle Presence Saints Mary and Elizabeth Medical Center d/b/a Presence Saint Elizabeth Hospital's 2006, 2009, and 2012 User Charge penalties for a payment in the amount of \$5,000.00 and to waive \$24,661.08 in User Charge penalties for 2006, 2009, and 2012.

Real Estate Development Committee**Authorization**

- 42 [15-0337](#) Authority to issue a 1-day permit to Friends of the Chicago River to access District land at 14 locations along the North Branch of the Chicago River, North Shore Channel, Main Channel, and Cal-Sag Channel, in Cook County, Illinois for its Annual Chicago River Day Clean-Up Event on May 9, 2015. Consideration shall be a nominal fee of \$10.00
Attachments: [Maps.Friends of Chicago River Cleanup 4.9.15.pdf](#)
- 43 [15-0363](#) Authorization to commence statutory procedures to lease approximately 23 acres of unimproved District real estate located west of Lemont Road and north of the Main Channel in Lemont, Illinois; Main Channel Parcel 23.01
Attachments: [Map.Parcel 23.01.pdf](#)
- 44 [15-0393](#) Authority to commence negotiations with the Village of Wheeling for the sale of an approximately two acre segment of the William Rodgers Memorial Diversionary Channel on District real estate located southwest of the intersection of Milwaukee Avenue and Lake Cook Road in Wheeling, Illinois
Attachments: [Map.Parcels A&B.pdf](#)
- 45 [15-0395](#) Authority to issue a 12-month permit extension to Wm. Wrigley Jr. Company on District property located at 3548 South Ashland Avenue to continue to conduct confirmatory sampling and additional environmental remediation. Consideration shall be \$2,500.00
Attachments: [Map.3548 S Ashland Avenue.pdf](#)
- 46 [15-0397](#) Authority to grant to the City of Chicago a permanent subterranean easement on 3.398 acres on District North Shore Channel Parcels 9.02, 9.06 and 9.13 and a five (5) year construction easement on 4.444 acres on District North Shore Channel Parcel 9.02 in connection with the Albany Park Flood Control Project. Consideration shall be a nominal fee of \$10.00
Attachments: [Map.Parcels 9.02, 9.06 & 9.13.pdf](#)

Miscellaneous and New Business**Memorial Resolution**

- 47 [15-0378](#) MEMORIAL RESOLUTION sponsored by the Board of Commissioners honoring Reverend Willie Taplin Barrow

Resolution

- 48 [15-0265](#) RESOLUTION sponsored by the Board of Commissioners recognizing the 48th Annual Chicago Business Opportunity Fair
- 49 [15-0338](#) RESOLUTION sponsored by the Board of Commissioners celebrating the 100th anniversary of the Belgian American Club of Chicago
- 50 [15-0380](#) RESOLUTION sponsored by the Board of Commissioners recognizing the 10th Anniversary of the Loyola University Museum of Art

Ordinance - Industrial Waste

- 51 [IW15-001](#) Request Authority to Amend the Sewage and Waste Control Ordinance of the Metropolitan Water Reclamation District of Greater Chicago
- Attachments:** [04-09-15 att. SWCO.pdf](#)
 [04-09-15 Att. BMPs FOG.pdf](#)
 [04-09-15 Att. Authority to Amend SWCO.pdf](#)

Ordinance - Right of Way

- 52 [R15-003](#) Adopt Ordinance No. R15-003 Establishing the Right-of-Way for the Construction, Operation and Maintenance of the Des Plaines Inflow Tunnel (Contract 13-106-4F) connecting the existing Des Plaines tunnel system from 53rd Street and Joliet Road to the McCook Reservoir, in McCook, Illinois, in parts of Sections 11 and 14, Township 38 North, Range 12, East of the Third Principal Meridian in Cook County, Illinois
- Attachments:** [4.9.15 ROW Ordinance R15-003](#)
 [4.9.15 ROW Ordinance BTL R15-003](#)

Adjournment



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0396, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON FINANCE

Mr. David St. Pierre, Executive Director

Report to the Board of Commissioners on The Boeing Company's Request for Reimbursement in the amount of \$109,442.47 pursuant to the terms of a Tax Reimbursement Agreement approved by the Board on September 6, 2001

Dear Sir:

On September 6, 2001, the Board of Commissioners authorized the District to enter into a Tax Reimbursement Agreement (Agreement) with The Boeing Company (Boeing). The Agreement requires the District to reimburse Boeing for property taxes paid to the District for a period not to exceed 20 years as an incentive for Boeing relocating its corporate headquarters to Illinois. The Agreement was pursuant to amendments to the Corporate Headquarters Relocation Act and the Property Tax Code that offered incentives to large, multi-national corporations to relocate their corporate headquarters to Illinois.

On January 12, 2015, Boeing submitted its yearly request for reimbursement in the amount of \$109,442.47 for the 2014 calendar year. The request for reimbursement was accompanied by copies of paid tax bills and other supporting documentation evidencing the amount of reimbursement that Boeing is entitled to under the Agreement.

The Agreement provides that reimbursement is contingent upon Boeing complying with certain conditions precedent set forth in the Agreement that must be verified by the City of Chicago (City). On February 5, 2015, the District received a report from the City confirming Boeing's compliance with such conditions. The City's verification of Boeing's compliance renders Boeing eligible for reimbursement. Payment will be made in accordance with the applicable sections of the Agreement.

Respectfully Submitted, Ronald M. Hill, General Counsel, RMH:bh



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0392, Version: 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON FINANCE

Mr. David St. Pierre, Executive Director

Authority to add Non Core Capital Projects to the Construction Fund, estimated cost of the projects is \$2,956,843.72

Dear Sir:

Authority is requested to add Non Core Capital Projects as listed below to the Construction Fund Capital Projects list for 2015.

	Project Name	Project Number	Est. Cost	2015 Appropriation
1	Performance Management Dashboards	PO 3081837	\$500,000.00	\$376,329.00
2	MS Office 365	PO 3083419	277,300.00	184,855.00
3	GIS Real Estate Tracking	PO 3083330	840,000.00	719,497.00
4	ITD Infrastructure Project - Cisco	PO 3083790	290,839.44	290,840.00
5	ITD Infrastructure Project - SANs	PO 3084457	564,704.28	564,705.00
6	Citrix Consulting Services		32,000.00	32,000.00
7	VM Software		40,000.00	40,000.00
8	Electronic Signs	PR 1388441	100,000.00	100,000.00
9	FD& I Washer & Dryer at Various Locations		40,000.00	40,000.00
10	FD&I Racks & Shelving at OWRP Storeroom		242,000.00	242,000.00
11	Building Automation System for MOB Complex		30,000.00	30,000.00
	Total		\$2,956,843.72	\$2,620,226.00

The purpose of these non core capital projects is for the support departments to acquire infrastructure assets or rehabilitate infrastructure assets.

The estimated cost of these projects for 2015 is \$2,620,226.00. Projects that extend into 2016 will be contingent on the Board of Commissioner's approval of the District's budget in that year.

Requested, Eileen M. McElligott, Administrative Services Manager

Respectfully Submitted, Frank Avila, 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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0341, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Report on advertisement of Request for Proposal 15-RFP-10, Procurement of Natural Gas Services, estimated cost \$7,200,000.00, Accounts 101-66000, 67000, 68000, 69000-612160

Dear Sir:

Request for Proposal (RFP) documents have been prepared for Procurement of Natural Gas Services, at the request of the Maintenance and Operations Department.

The purpose of this contract is to procure natural gas for the Metropolitan Water Reclamation District of Greater Chicago facilities for a period of up to three years.

The estimated cost for this RFP is \$7,200,000.00. The estimated expenditures are \$1,200,000.00 for 2015, \$2,400,000.00 for 2016, \$2,400,000.00 for 2017, and \$1,200,000.00 for 2018.

A bid deposit is not required for this RFP.

Appendix A will not be included due to the scope of work performed under this RFP.

The tentative schedule for this contract is as follows:

Advertise May 6, 2015

Proposals Received June 5, 2015

Award July 9, 2015

Completion June 30, 2018

Funds are available in Accounts 101-66000, 67000, 68000, 69000-612160 for 2015. Funds for subsequent years, 2016, 2017 and 2018, are contingent on the Board of Commissioners' approval of the District's budget for those years.

Requested, Manju P. Sharma, MPS:AQ:SAF:SO'C

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 #: 15-0344, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Report of bid opening of Tuesday, March 17, 2015

Dear Sir:

Bids were received and opened on 3/17/2015 for the following contracts:

CONTRACT 15-033-11 FURNISH AND DELIVER MISCELLANEOUS AIR FILTERS TO VARIOUS
LOCATIONS FOR A ONE (1) YEAR PERIOD

LOCATION: VARIOUS

ESTIMATE: \$56,000.00

GROUP: A PLEATED AIR FILTERS

BRUCKER COMPANY \$27,398.74

BROOKAIRE COMPANY LLC \$33,287.94

ANCHOR MECHANICAL, INC. \$43,552.43

GROUP: B AIR CONDITIONING FILTERS, BAG TYPE

BRUCKER COMPANY \$10,438.62

BROOKAIRE COMPANY LLC \$12,026.76

ANCHOR MECHANICAL, INC. \$21,578.88

GROUP: C FIBERGLASS AIR FILTERS

ANCHOR MECHANICAL, INC. \$3,052.50

BRUCKER COMPANY \$3,150.00

BROOKAIRE COMPANY LLC \$3,195.00

GROUP: D AIR CONDITIONING FILTERS, PAD TYPE

BROOKAIRE COMPANY LLC \$11,011.84

ANCHOR MECHANICAL, INC. \$14,233.56

BIDDERS NOTIFIED: 614 PLANHOLDERS: 21

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 #: 15-0345, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Report on advertisement of Request for Proposal 15-RFP-14 eLearning Courses for Return-to-Work Program for a One-Year Period, with an option to extend for an additional year, in an amount not to exceed \$20,000.00, Account 101-25000-612820, Requisition 1396181

Dear Sir:

Request for Proposal documents have been prepared for eLearning Courses for Return-to-Work Program at the request of the Human Resources Department. The anticipated start date for this contract is July 9, 2015 and expiring on July 8, 2016, with an option for a one-year extension to expire on July 8, 2017.

The purpose of this contract is to select a qualified vendor who can provide eLearning courses in the area of industrial operations and maintenance. The courses will be integrated into the District's Return-to-Work Program and will provide the trades and labor workforce with relevant eLearning. Currently, only business-related courses are offered through Skillsoft, the District's eLearning provider.

The estimated cost for this request for proposal is \$20,000.00.

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

There is no bid deposit for this request for proposal.

The tentative schedule for this contract is as follows:

Advertise April 15, 2015

Proposal due May 15, 2015

Award July 9, 2015

Completion July 8, 2016

Funds for 2015 are available in Account 101-25000-612820.

Requested, Denice E. Korcal, Director of Human Resources, DEK:SOM

Recommended, 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 #: 15-0384, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Report on rejection of bids for Contract 15-988-11, Inspection, Testing and Repair of Railroad Crossing Signal Systems, estimated cost \$69,000.00

Dear Sir:

On November 20, 2015, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise for bids, Contract 15-988-11, Inspection, Testing and Repair of Railroad Crossing Signal Systems.

In response to a public advertisement of February 18, 2015, a bid opening was held on March 10, 2015. The bid tabulation for this contract is:

RAILROAD SIGNAL INTERNATIONAL LLC
\$227,700.00

Two hundred sixty eight (268) companies were notified of this contract being advertised and five (5) companies requested specifications.

The sole bid, submitted by Railroad Signal International LLC, is approximately 230 percent above the estimate and is considered too high for an award. Therefore, the bid is rejected in the best interest of the public. The Director of Procurement and Materials Management has informed Railroad Signal International LLC of this action.

The Maintenance and Operations Department has indicated that they will re-advertise the contract or explore other means to obtain the services needed through an Intergovernmental Agency agreement.

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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0399, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Report of bid opening of Tuesday, March 31, 2015

Dear Sir:

Bids were received and opened on 3/31/2015 for the following contracts:

CONTRACT 13-409-3P NITROGEN REMOVAL IN CENTRATE, EGAN WRP

LOCATION: EGAN

ESTIMATE: \$3,200,000.00

GROUP: TOTAL

IHC CONSTRUCTION COMPANY.LLC	\$2,675,000.00
PATH CONSTRUCTION COMPANY, INC.	\$2,786,300.00
JOSEPH J. HENDERSON & SON, INC.	\$2,947,000.00
INDEPENDENT MECHANICAL INDUSTRIES, INC.	\$3,055,250.00

BIDDERS NOTIFIED: 602

PLANHOLDERS: 30

CONTRACT 15-801-21 REPLACE A CRANE MAINTENANCE PLATFORM AT THE CALUMET WATER RECLAMATION PLANT

LOCATION: CALUMET

ESTIMATE: \$50,000.00

GROUP: TOTAL

SIEVERT ELECTRIC SERVICE AND SALES COMPANY	\$49,150.00
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BIDDERS NOTIFIED: 418

PLANHOLDERS: 9

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 #: 15-0347, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization to enter into an agreement for Contract 14-RFP-35 with EnergyConnect, Inc., a Johnson Controls Company to provide energy curtailment services

Dear Sir:

Authorization is requested to enter into an agreement for Contract 14-RFP-35 EnergyConnect, Inc., a Johnson Controls Company to provide energy curtailment services for the District for a three (3) year period. These services had been provided by ComEd, a unit of Exelon, since 1997 through the District's participation in the Energy Cooperative Programs, Rider CLR - Curtailable Load Cooperative and Rider VRS - Voluntary Resource Sharing, until 2011. At that time, the District had secured curtailment services through the procurement process. Through voluntary curtailments by the District and other participants, the curtailment providers have been able to defer the need for additional generating capacity necessary to meet the very short-lived peak demands expected during the summer months. The District has been compensated a cumulative savings of \$6.5 million since it first started participation in these programs.

A Request for Proposals, 14-RFP-35 Energy Curtailment Services, was advertised on December 17, 2014. Two-Hundred Twenty-Nine (229) firms were notified and twenty-one (21) firms requested proposal documents. Two (2) proposals were received on January 9, 2015 from EnerNOC, Inc. and EnergyConnect, Inc., a Johnson Controls Company.

A review committee composed of members from the Maintenance and Operations Department, and the Procurement and Materials Management staff reviewed and evaluated the proposals from both proposers based on criteria established in the proposal documents. Both proposers were interviewed on March 11, 2015. Based on their proposals and interviews, the firms were ranked from highest to lowest as follows: EnerNOC, Inc., and EnergyConnect, Inc., a Johnson Controls Company.

Both firms were invited to submit their Best and Final Offers (BAFOs) by Friday, March 20, 2015. Both firms submitted BAFOs. The BAFOs were evaluated based on maximum revenue to the District. EnergyConnect, Inc., a Johnson Controls Company ranked the highest with a return to the District of 90.1% of the curtailment revenue realized and a return of 9.9% to EnergyConnect, Inc., a Johnson Controls Company, for the three year term of the agreement.

Based on the evaluations described above, and in as much as the firm of EnergyConnect, Inc., a Johnson Controls Company, offers the greatest return of curtailment revenue to the District, it is recommended that the Director of Procurement and Materials Management be authorized to enter into an agreement per Section 11.4 of the Purchasing Act.

Requested, Manju Prakash Sharma, Director of Maintenance and Operations, AQ:SO'C

File #: 15-0347, **Version:** 1

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

Barbara 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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0348, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization to enter into an agreement with a successful Proposer(s) for the Request for Proposal (RFP) 15-RFP-10, Procurement of Natural Gas, Accounts 101-66000, 67000, 68000, 69000-612160

Dear Sir:

At the February 17, 2011 Board Meeting, the Board of Commissioners was notified via a report on the use of a reverse auction provider for energy procurement and management services.

At the April 7, 2011 Board Meeting, authorization was approved to enter into an agreement for Contract 10-RFP-20, Energy Procurement and Management Services to Perform Real Time Reverse Energy Auctions, with World Energy Solutions, Inc. (WES) for the District for a period of five years.

Approval is requested to authorize the Director of Procurement and Materials Management to accept price offers from Proposers who participate in the real time reverse energy auction using the WES auction platform.

The estimated cost for this RFP is \$7,200,000.00. The estimated expenditures are \$1,200,000.00 for 2015, \$2,400,000.00 for 2016, \$2,400,000.00 for 2017, and \$1,200,000.00 for 2018. Over the past five years, 2010 through 2014, the District has spent an average of \$2,079,944.40 annually; the lowest annual cost has been \$1,381,851.00 (2012) while the highest annual cost has been \$3,668,069.00 (2014).

The District intends to award a contract(s) for the procurement of natural gas for the years 2015, 2016, 2017, and 2018 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. Technically acceptable proposals will be those proposals that meet the qualifications and requirements contained in 15-RFP-10, Procurement of Natural Gas. These Proposers will be invited to participate in the online reverse auction for natural gas, and Proposers will be allowed to offer and re-offer pricing until the close of the auction time for each pricing group and accompanying contract term period.

The District will be requesting pricing for two different models, a firm fixed price and an index-based price. If the District accepts a price under the fixed price model, the District will pay the same rate for all natural gas purchased under the agreement throughout the duration of the term of the agreement. The pricing for this model will include the natural gas commodity as well as other ancillary costs such as storage and management, transportation, pipeline losses, pipeline capacity, all applicable royalties and taxes, any additional contractor's costs, and supplier margin. If the District accepts a price under the index-based model, the natural gas commodity price will rise and fall with the market while the ancillary costs will remain fixed. Under both pricing models, certain ancillary costs that are fixed on the day of award may change as a result of regulatory action in the future.

The pricing requested during the auction will only represent a portion of the costs incurred by the District to

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purchase natural gas, which represent the costs to deliver the natural gas to the citygate. The District will also be responsible for costs to be paid directly to the Local Distribution Company (LDC), which delivers the natural gas from the citygate to the District's facilities.

The Proposer(s) will agree to hold their prices in the auction for a certain period of time (i.e., two or three hours) after the online auction is closed. During this period of time, the District needs to select the best value price offer(s) submitted in the auction which meets the needs of the District.

District staff and WES will review the groups' pricing received, and the District will select the Proposer(s) who provided the best value price submitted to lock in prices and execute an agreement with the successful Proposer(s).

The Affirmative Action Interim Ordinance Appendix D and the Multi-Project Labor Agreement will not be included in 15-RFP-10 because it is primarily a furnish and deliver contract.

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, at a maximum price of \$5.00 per dtherm under the fixed price option or for an indexed price providing the best value price offer submitted which meets the District's needs on the date of the auction. If an indexed price is chosen, the price of the natural gas will fluctuate with the market while the delivery charge for the District will remain fixed for the term of the agreement, up to a maximum term of three years. In either case, certain ancillary costs may increase or decrease as a result of regulatory action throughout the term of the agreement.

A report will be submitted to the Board of Commissioners on the results of the reverse auction for natural gas.

Requested, Manju Prakash Sharma, Director of Maintenance and Operations, AQ:SO'C

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

Respectfully Submitted, Barbara 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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0349, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization to amend Board Order of March 19, 2015, regarding Issue a purchase order and enter into an agreement with David Mason & Associates of Illinois, LTD for professional engineering services for Contract 14-110-5C Preliminary Engineering for a Flood Control Project at 61st Avenue and 36th Street in Cicero, Illinois, in amount not to exceed \$175,334.00, Account 401-50000-601410, Requisition 1387540, Agenda Item No. 8, File No. 15-0300

Dear Sir:

At the Board meeting of March 19, 2015, the Board of Commissioners duly ordered the above stated action, Agenda Item No. 8, File No. 15-0300.

A textual error in the title/transmittal letter and resulting order indicated requisition 1387540.

Same should have read 1395258.

A textual error in the title/transmittal letter and resulting order indicated, "Professional Associated Survey, Inc.". Same should have read "Professionals Associated Construction Layout & Survey Co. Ltd, the Women-Owned Business Enterprise/Small Business Enterprise."

All other information provided in the transmittal letter is correct.

Therefore, it is requested that the aforesaid Board order of March 19, 2015 be amended to effect the changes set forth above, otherwise to remain in force and effect as heretofore enacted.

Requested, Catherine A. O'Connor, Director of Engineering, CW:JB
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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0355, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization to enter into a Contract of Commitment with Illinois-American Water Company for the development of a project for beneficial reuse of effluent water at the Calumet Water Reclamation Plant, in relation to 14-EOI-11 (Re-Advertised), Request for Expression of Interest for A Development Project for Beneficial Reuse of Effluent Water at the Calumet Water Reclamation Plant

Dear Sir:

Authorization is requested to enter into a Contract of Commitment with Illinois-American Water Company for the development of a project for beneficial reuse of effluent water at the Calumet Water Reclamation Plant, in relation to 14-EOI-11 (Re-Advertised), Request for Expression of Interest for A Development Project for Beneficial Reuse of Effluent Water at the Calumet Water Reclamation Plant.

On December 18, 2014, the Board of Commissioners authorized negotiations with Illinois-American Water Company (IAWC) for the further development of the reuse opportunity at the Calumet Water Reclamation Plant (CWRP). IAWC was the sole responder to the Request for Expression of Interest (REOI) and, upon review, the response was determined to have met the criteria set forth in the REOI, showing sufficient merit to further develop the plan and evaluate its feasibility.

The Contract of Commitment with IAWC seeks to memorialize the District's desire to move forward with the development of a beneficial reuse of effluent water at the CWRP should IAWC prove the concept to be feasible. The Contract of Commitment also sets forth the efforts to be expended by IAWC for which the District is requested to participate in discussions with, and provide feedback and guidance to, IAWC throughout the process, as appropriate. These topics include, but are not necessarily limited to, the following:

- The general operational configuration of the reuse model, including the location of IAWC's connection to existing infrastructure, water quality expectations, additional treatment required by IAWC, locations for IAWC infrastructure, and the responsibilities of the Parties relating to such
- Potential pipeline corridors for the distribution system
- Identification of, and strategies associated with, scheduling meetings with potential customers, right-of-way grantors, and other parties who may have an interest in or be affected by an effluent distribution system
- Financial considerations, including IAWC's expected capital investment, operation and maintenance costs, District water costs, customer rates, and other potential financial matters.

Though no deliverables are expected under this Contract of Commitment, IAWC has set forth the following proposed milestones for the development of the plan:

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- Initial collaboration and meetings with all stakeholder groups, including potential customers and municipal stakeholders to be complete by May 31, 2015
- Economic analysis and financial model updates to be complete by June 30, 2015
- Determination of viability by July 18, 2015
- Establish a regulatory structure with the Illinois Commerce Commission by October 31, 2015
- Negotiation of a potential long term effluent reuse contract with the District by October 31, 2015

The work under this Contract of Commitment is a further refinement of the concepts provided by IAWC in its response to the REOI and is an intermediate step in the ultimate determination of feasibility and the negotiation of the terms for a potential long term agreement for effluent distribution. The required investigative, real estate, sales, and regulatory efforts are to be completed entirely by IAWC, with the District providing feedback and guidance to IAWC as appropriate. As stipulated in the REOI, the Contract of Commitment requires no capital expenditures by the District.

Based on the foregoing, it is requested that the Board of Commissioners grant authorization to enter into a Contract of Commitment with Illinois-American Water Company for the development of a project for beneficial reuse of effluent water at the CWRP. Upon determination of feasibility and successful negotiation of the terms of a potential long term effluent reuse agreement, the Board of Commissioners will later be requested to authorize execution of said Agreement.

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

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0383, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authorization to forfeit Contract 14-030-11, Furnish and Deliver Miscellaneous Lubricants to Various Locations, for a One (1) Year Period, Items 1 and 2 to Intek Technology Inc., in an amount not to exceed \$4,971.75, Account 101-20000-623860

Dear Sir:

On August 7, 2014, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise for bids, Contract 14-030-11 Furnish and Deliver Miscellaneous Lubricants 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 20, 2014, a bid opening was held on September 9, 2014. On October 16, 2014, the Board of Commissioners authorized the Director of Procurement and Materials Management to award Contract 14-030-11, Items 1 and 2 to Intek Technology Inc., in an amount not to exceed \$4,971.75.

Intek Technology Inc., the lowest bidder for Contract 14-030-11, for item 1 (synthetic oil - 55 gallon drum) and item 2 (special lubricant - 55 gallon drum), was awarded a contract at the October 16, 2014 Board Meeting.

On March 17, 2015, Intek Technology Inc., notified the District that they cannot supply the lubricants listed in the contract specifications. The Director of Procurement and Materials Management has therefore advised Intek Technology Inc., that their contract will be forfeited in accordance with Section 70 ILCS 2605/11.11 of the Purchasing Act. This firm will not be considered a responsible bidder for a one year period.

In view of the foregoing, the Director of Procurement and Materials Management recommends the award of Contract 14-030-11, Items 1 and 2, to Intek Technology Inc., in an amount of \$4,971.75, be forfeited. There is no bid deposit for this contract.

Items 1 and 2 will be procured immediately on the open market on an as needed basis.

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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0334, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-318-11, Furnishing and Delivering Washing Machines and Dryers, To Various District Locations, estimated cost \$40,000.00, Account 201-25000-634990, Requisition 1393446

Dear Sir:

Contract documents and specifications are being prepared for Contract 15-318-11, Furnishing and Delivering Washing Machines and Dryers to Various District Locations. This contract would begin upon award and end December 31, 2015.

The units would be distributed to six plants to provide employees that have had their clothes exposed to wastewater the means to launder their clothes at work, on their own time and with supervisory approval. The availability of laundry equipment would provide a public safety measure by not having clothes that have been contaminated with wastewater transported or washed at home. It is also consistent with the recommendations of the Centers for Disease Control and the National Institute of Occupational Safety and Health.

The estimated cost for this contract is \$40,000.00.

The bid deposit for this contract is \$2,000.00.

The Multi-Project Labor Agreement (MPLA) is not applicable to this contract because it is primarily a furnish and deliver contract. The equipment would be installed and maintained by the Maintenance and Operations Department.

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

The tentative schedule for this contract is as follows:

Advertise May 13, 2015

Bid Opening June 9, 2015

Award July 9, 2015

Completion December 31, 2015

Funds for 2015 are available in Account 201-25000-634990.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to advertise Contract 15-318-11.

Requested, Denice E. Korcal, Director of Human Resources, DEK:RJB

File #: 15-0334, **Version:** 1

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 April 9, 2015.



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0340, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-753-11 Contract Farming at the Hanover Park Water Reclamation Plant, estimated cost \$374,000.00, Accounts 101-67000-612520/612530, Requisition 1392683

Dear Sir:

Contract documents and specifications have been prepared for contract farming at the Hanover Park Water Reclamation Plant, at the request of the Maintenance and Operations Department.

The purpose of this contract is to procure farming operations and sub-surface injection of biosolids for the fields at the Hanover Park Water Reclamation Plant.

The estimated cost for this contract is \$374,000.00. The estimated 2015 and 2016 expenditures are \$187,000.00 and \$187,000.00 respectively.

The bid deposit for this contract is \$18,700.00.

The contract specifications require that all work commence after approval of the Contractor's Bond and terminate two years thereafter.

The Multi-Project Labor Agreement (MPLA) will not be 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 will not be included because of the low availability of farm management subcontractors to perform the scope of work. It is estimated that this contract will employ two to five personnel.

The tentative schedule for this contract is as follows:

Advertise	April 15, 2015
Bid Opening	May 5, 2015
Award	May 21, 2015
Completion	December 31, 2016

Funds for the current year are available in Accounts 101-67000-612520/612530. Funds for 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 15-753-11.

File #: 15-0340, **Version:** 1

Requested, Manju Prakash Sharma, Director of Maintenance and Operations, AQ:SO'C:MAG:SAF:JK

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 April 9, 2015.



Metropolitan Water Reclamation District of Greater Chicago

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Legislation Text

File #: 15-0358, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-632-11 Furnishing and Delivering Sodium Hypochlorite, estimated cost \$8,271,630.50, Accounts 101-67000/68000/69000-623560, Requisitions 1394416, 1393461, 1396208, 1393431, 1388449 and 1393031

Dear Sir:

Contract documents and specifications have been prepared for furnishing and delivering sodium hypochlorite, at the request of the Maintenance and Operations Department.

The purpose of this contract is to procure sodium hypochlorite for a three-year period. Sodium hypochlorite is used for disinfection.

The estimated cost for this contract is \$8,271,630.50. The estimated 2015, 2016, 2017 and 2018 expenditures are \$843,570.50, \$2,807,220.00, \$2,807,220.00 and \$1,813,620.00 respectively.

The bid deposit for this contract is \$165,000.00.

The contract specifications require that deliveries commence within five days after the purchase order is mailed and terminate three years thereafter.

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 will not be included because it is primarily a furnish and deliver contract.

The tentative schedule for this contract is as follows:

Advertise	May 13, 2015
Bid Opening	June 2, 2015
Award	June 18, 2015
Completion	June 29, 2018

Funds for the current year are available in Accounts 101-67000/68000/69000-623560. Funds for subsequent years 2016, 2017 and 2018, are contingent on the Board of Commissioners' 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

File #: 15-0358, **Version:** 1

authorized to advertise Contract 15-632-11.

Requested, Manju Prakash Sharma, Director of Maintenance and Operations, AQ:SO'C:MAG:SAF:JK
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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0360, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-813-21 Rehabilitation of Buildings at the Prairie Plan site in Fulton County, Illinois, estimated cost \$250,000.00, Account 201-50000-645680, Requisition 1389635

Dear Sir:

Contract documents and specifications have been prepared for Contract 15-813-21 Rehabilitation of Buildings at the Prairie Plan site in Fulton County, Illinois at the request of the Maintenance and Operations Department.

The purpose of this contract is to replace asphalt and metal roof sections, lumber purlins, gutters, downspouts, multiple windows and frames, flashing, siding, exterior doors, miscellaneous exterior items, as well as performing plumbing and electrical upgrades and minor repairs, at the main office building, "B" building, oil shed and the Wier farmhouse in Fulton County, Illinois. This will protect these structures' integrity and soundness, prevent unsafe conditions related to rafter failure, create a more energy efficient building envelope, make the buildings easier to maintain and avoid expensive repairs in the future.

The estimated cost for this contract is \$250,000.00.

The bid deposit for this contract is \$12,500.00.

The Contractor shall complete all of the required work by December 31, 2015.

The Multi-Project Labor Agreement (MPLA) will not be included in this contract because the work takes place in Fulton County, Illinois.

The Affirmative Action Interim Ordinance Appendix D will be included in this contract. The type of work to be performed under the contract is within the "Miscellaneous Building Construction" category for establishing Minority-owned Business Enterprises (MBE), Women-owned Business Enterprises (WBE) and Small Business Enterprises (SBE) utilization goals. The WBE, MBE and SBE utilization goals for this contract are: 10% Minority Business Enterprises (MBE) and/or 10% Women's Business Enterprises (WBE) and 10% Small Business Enterprises (SBE).

It is estimated that this contract will employ up to ten personnel.

The tentative schedule for this contract is as follows:

Advertise April 29, 2015

Bid Opening May 26, 2015

Award June 18, 2015

File #: 15-0360, **Version:** 1

Completion December 31, 2015

Funds are available in Account 201-50000-645680.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to advertise Contract 15-813-21.

Requested, Manju Prakash Sharma, Director of Maintenance & Operations, AQ:SO'C:MAG:SAF
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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0361, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-620-11 Radio Communication Equipment Repairs, estimated cost \$82,200.00, Account 101-69000-612840, Requisition 1380480

Dear Sir:

Contract documents and specifications have been prepared for Radio Communication Equipment Repairs, at the request of the Maintenance and Operations Department.

The purpose of this contract is to repair, replace, inspect, and test various radio equipment located throughout the District and at the Willis Tower for communication between and within the plants, base stations, vehicles, boats, and plant personnel.

The estimated cost for this contract is \$82,200.00. The estimated 2015, 2016, 2017 and 2018 expenditures are \$20,550.00, \$27,400.00, \$27,400.00 and \$6,850.00 respectively.

The bid deposit for this contract is \$4,100.00.

The Multi-Project Labor Agreement is not included in this contract because the work will be performed by personnel trained in radio communication equipment.

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 Ordinance.

It is estimated that this contract will employ three to four personnel.

The tentative schedule for this contract is as follows:

Advertise	May 13, 2015
Bid Opening	June 2, 2015
Award	June 18, 2015
Completion	March 31, 2018

Funds for 2015 are available in Account 101-69000-612840. Funds for 2016, 2017 and 2018 are contingent on the Board of Commissioners' 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 15-620-11.

File #: 15-0361, **Version:** 1

Requested, Manju Prakash Sharma, Director of Maintenance and Operations, AQ:SO'C:MAG:SAF:sj

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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0362, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-636-11 Furnishing and Delivering Hydrogen Peroxide, estimated cost \$225,000.00, Accounts 101-69000-623560, Requisition 1394928

Dear Sir:

Contract documents and specifications have been prepared for furnishing and delivering hydrogen peroxide, at the request of the Maintenance and Operations Department.

The purpose of this contract is to procure hydrogen peroxide and incidental inspection, adjustment and repair of the hydrogen peroxide injection system for a three-year period. Hydrogen peroxide is used for odor control during TARP pump-back operations.

The estimated cost for this contract is \$225,000.00. The estimated 2015, 2016, 2017 and 2018 expenditures are \$31,250.00, \$75,000.00, \$75,000.00 and \$43,750.00 respectively.

The bid deposit for this contract is \$11,250.00.

The contract specifications require that all work commence within five days after the purchase order is mailed and terminate three years thereafter.

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 will not be included because it is primarily a furnish and deliver contract.

The tentative schedule for this contract is as follows:

Advertise	May 13, 2015
Bid Opening	June 2, 2015
Award	June 18, 2015
Completion	June 29, 2018

Funds for the current year are available in Accounts 101-69000-623560. Funds for subsequent years 2016, 2017 and 2018, are contingent on the Board of Commissioners' 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

File #: 15-0362, **Version:** 1

authorized to advertise Contract 15-636-11.

Requested, Manju Prakash Sharma, Director of Maintenance and Operations, AQ:SO'C:MAG:SAF:JK
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 April 9, 2015.



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0365, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON Procurement

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-416-11 Providing Operating Engineering Services to the Main Office Building Complex for a Thirty-Six (36) Month Period, estimated cost \$3,065,400.00, Accounts 101-15000-612370, 612390, Requisition 1395251

Dear Sir:

Contract documents and specifications have been prepared for providing operating engineering services to the Main Office Building Complex for a thirty-six (36) month period.

The purpose of this contract is to provide operating engineers, mechanical support, repairs, preventive maintenance, and inspection services, for a thirty-six (36) month period, starting October 1, 2015 and ending September 30, 2018.

The estimated cost for this contract is \$3,065,400.00. The estimated 2015, 2016, 2017, and 2018 expenditures are \$255,450.00, \$1,021,800.00, \$1,021,800.00, and \$766,350.00 respectively.

The bid deposit for this contract is \$153,300.00.

The contract specifications require that all work shall commence on October 1, 2015 or upon approval of the Contractor's Bond, whichever occurs later, and terminate thirty-six (36) months thereafter or upon expenditure of available funds, whichever occurs sooner.

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 it does not provide practical or cost-effective opportunities for direct nor indirect sub-contracting.

The tentative schedule for this contract is as follows:

Advertise	April 22, 2015
Bid Opening	May 19, 2015
Award	June 18, 2015
Completion	September 30, 2018

Funds for the current year are available in Accounts 101-15000-612370, 612390. Funds for the subsequent years, 2016, 2017, and 2018, are contingent on the Board of Commissioners' approval of the District's budget for those years.

File #: 15-0365, **Version:** 1

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to advertise Contract 15-416-11.

Requested, Eileen M. McElligott, Administrative Services Manger, JPN:SKL:MW:WG:SL
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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0368, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-340-11 Services to Furnish, Deliver and Install Exterior Electronic Signs at Various District Locations for a Two Year Period, estimated cost \$200,000.00, Account 201-25000-634990, Requisition 1388441

Dear Sir:

Contract documents and specifications have been prepared for Contract 15-340-11 Services to Furnish, Deliver and Install Exterior Electronic Signs at Various District Locations for a Two Year Period, at the request of the Human Resources Department.

The purpose of this contract is to provide exterior light emitting diode signs for four treatment plants: Stickney, Calumet, O'Brien and Egan Water Reclamation Plants. The signs will provide an effective and engaging method of communicating messages to District personnel and visitors.

The estimated cost for this contract is \$200,000.00. The estimated 2015 and 2016 expenditures are \$100,000.00 per year.

The bid deposit for this contract is \$10,000.00.

The contract specifications require that work commence upon approval of the contractor's bond and be completed by June 30, 2016. Liquidated damages are \$200.00 for each calendar day that the contractor is in default of completing all required work in the time specified.

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 it is primarily a furnish and deliver contract.

The tentative schedule for this contract is as follows:

Advertise	May 13, 2015
Bid Opening	June 9, 2015
Award	July 9, 2015
Completion	June 30, 2016

Funds for the current year are available Account 201-25000-634990. 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

File #: 15-0368, **Version:** 1

authorized to advertise Contract 15-430-11.

Requested, Denice E. Korcal, Director of Human Resources, DEK:TK:EK

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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0372, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-715-11 Furnish, Deliver, Install and Modify Handrailing at the Kirie Water Reclamation Plant, estimated cost \$50,000.00, Account 101-67000-634600, Requisition 1394963

Dear Sir:

Contract documents and specifications have been prepared to furnish, deliver, install and modify handrailing at the Kirie Water Reclamation Plant, at the request of the Maintenance and Operations Department.

The purpose of this contract is to procure approximately 90 linear feet of stainless steel pipe handrail and guardrail at the north and south influent pumping stations, and to modify the existing handrail to allow for chain secured access points at various locations at the final settling tanks and aeration tanks, at the Kirie Water Reclamation Plant. Installation and modifications shall include all accessories and appurtenances, including but not limited to support posts, kick plates fittings, hardware and latching snap hooks, for a complete and fully functioning handrail system.

The contract specifications require that all work commence upon the approval of the Contractor's Bond, and terminate 90 calendar days thereafter.

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 six to eight personnel.

The tentative schedule for this contract is as follows:

Advertise	May 13, 2015
Bid Opening	June 2, 2015
Award	June 18, 2015
Completion	October 15, 2015

Funds are available in Account 101-67000-634600.

File #: 15-0372, **Version:** 1

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to advertise Contract 15-715-11.

Requested, ManjuPrakash Sharma, Director of Maintenance and Operations, AQ:SO'C:MAG:SAF: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 April 9, 2015.



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0379, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-683-11 Furnishing and Delivering Crushed Stone, Sand and Gravel to Various Locations, estimated cost \$295,300.00, Accounts 101-66000/67000/68000/69000-623130, Requisitions 1376697, 1394962, 1376964, 1394646, 1392170, 1376718 and 1393017

Dear Sir:

Contract documents and specifications have been prepared for furnishing and delivering crushed stone, sand and gravel to various locations, at the request of the Maintenance and Operations Department.

The purpose of this contract is to procure crushed stone, sand and gravel to maintain the roads in the various plant areas over a three-year period.

The estimated cost for this contract is \$295,300.00. The estimated 2015, 2016, 2017 and 2018 expenditures are \$61,300.00, \$90,600.00, \$90,600.00 and \$52,800.00 respectively.

The bid deposit for this contract is \$14,800.00.

The contract period shall begin five days after the mailing date of a purchase order, and shall terminate on December 31, 2018, or upon expenditure of available funds, whichever occurs sooner.

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

It is estimated that this contract will employ five to six personnel.

The tentative schedule for this contract is as follows:

Advertise	May 13, 2015
Bid Opening	June 2, 2015
Award	June 18, 2015
Completion	December 31, 2018

Funds for the current year are available in Accounts 101-66000/67000/68000/69000-623130. Funds for the subsequent years 2016, 2017 and 2018, are contingent on the Board of Commissioners' 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 15-683-11.

File #: 15-0379, **Version:** 1

Requested, ManjuPrakash Sharma, Director of Maintenance and Operations, AQ:SO'C:MAG:SAF: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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0382, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-004-11 Furnish and Deliver Structural and Stainless Steel to Various Locations for a One (1) Year Period, estimated cost \$117,000.00, Account 101-20000-623030

Dear Sir:

Contract documents and specifications have been prepared to furnish and deliver structural and stainless steel to various locations for a one (1) year period, beginning approximately July 1, 2015 and ending June 30, 2016.

The purpose of this contract is to furnish and deliver structural and stainless steel to the District's storerooms, to maintain sufficient inventory levels that are required for the day to day maintenance needs of the District.

The estimated cost for this contract is \$117,000.00.

No bid deposit is required for this contract.

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.

The tentative schedule for this contract is as follows:

Advertise	April 22, 2015
Bid Opening	May 12, 2015
Award	June 4, 2015
Completion	June 30, 2016

Funds are available in Account 101-20000-623030.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to advertise Contract 15-004-11.

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:MB:dp
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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0388, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-090-11 Furnish and Deliver One New Fork Lift at the O'Brien Water Reclamation Plant, estimated cost \$80,000.00, Account 101-20000-634990 Requisition 1393438

Dear Sir:

Contract documents and specifications have been prepared to furnish and deliver one new fork lift at the O'Brien Water Reclamation Plant. The new fork lift is for the storeroom at the O'Brien Water Reclamation Plant.

The estimated cost for this contract is \$80,000.00.

The bid deposit required for this contract is \$4,000.00

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.

The tentative schedule for this contract is as follows:

Advertise	April 15, 2015
Bid Opening	April 28, 2015
Award	May 7, 2015
Completion	June 18, 2015

Funds are available in Account 101-20000-634990.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to advertise Contract 15-090-11.

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:cd/bk
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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0389, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to advertise Contract 15-017-11 Furnish and Deliver Electrical Supplies and Wire to Various Locations for a One (1) Year Period, estimated cost \$124,000.00, Account 101-20000-623070

Dear Sir:

Contract documents and specifications have been prepared to furnish and deliver electrical supplies and wire to various locations for a one (1) year period, beginning approximately July 1, 2015 and ending June 30, 2016.

The purpose of this contract is to furnish and deliver electrical supplies and wire, such as pipe conduit, electrical boxes, clamps, and various types of electric wire to the District's storeroom, to maintain sufficient inventory levels that are required for the day to day maintenance needs of the District.

The estimated cost for this contract is \$124,000.00.

No bid deposit is required for this contract.

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.

The tentative schedule for this contract is as follows:

Advertise	April 22, 2015
Bid Opening	May 12, 2015
Award	June 4, 2015
Completion	June 30, 2016

Funds are available in Account 101-20000-623070.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to advertise Contract 15-017-11.

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:CD:tc
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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0336, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Issue purchase order to InterSeeder Technologies, LLC, to Furnish and Deliver a crop interseeder, in an amount not to exceed \$42,750.00, Account 101-16000-612490, Requisition 1394929

Dear Sir:

Authorization is requested to issue a purchase order to InterSeeder Technologies, LLC to furnish and deliver a straight crop interseeder to the Metropolitan Water Reclamation District of Greater Chicago's (District's) Fulton County site. The equipment will be delivered by approximately July 31, 2015. It will be used to plant cover crop between rows of standing corn at the District's Fulton County site. This equipment is needed for conducting Nutrient Loss Reduction research at the Fulton County site.

The straight interseeder is specially designed to have sufficient clearance to the ground for planting cover crop in the standing corn as required for this research project. The straight interseeder also has the capability to apply herbicide and fertilizer, and perform no-till grain drilling; there is no other unit on the market that has the multi-function platform. InterSeeder Technologies, LLC holds the sole rights to sell this equipment and has the technology patented.

InterSeeder Technologies, LLC, the manufacturer and sole source of supply, has submitted pricing for the straight crop interseeder required. Inasmuch as InterSeeder Technologies, LLC, is the only source of supply for the straight crop interseeder, said purchase order may be issued without competitive bidding pursuant to Section 11.4 of the Purchasing Act.

InterSeeder Technologies, LLC is not registered to transact business in Illinois, but has submitted a certificate of good standing from the state of Pennsylvania. The Department of Procurement and Materials Management has received approval from the Executive Director to move forward with the recommendation to award.

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

In view of the foregoing, it is requested that the Director of Procurement and Materials Management be authorized to issue said purchase order to InterSeeder Technologies, LLC in an amount not to exceed \$42,750.00.

Funds are available in Account 101-16000-612490.

Requested, Thomas C. Granato, Director of Monitoring and Research, TCG:MPC:KB:ae
Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management
Respectfully Submitted, Barbara J. McGowan, Chairman, Committee on Procurement

File #: 15-0336, **Version:** 1

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0386, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Issue purchase orders to Serpentix Conveyor Corporation, to Furnish and Deliver Repair Parts for Serpentix Conveyors, to Various Locations, in a total amount not to exceed \$102,900.00, Accounts 101-67000, 68000, 69000-623270

Dear Sir:

Authorization is requested to issue purchase orders to Serpentix Conveyor Corporation, to furnish and deliver repair parts for Serpentix conveyors, for the various locations, on an as needed basis. All parts will be delivered prior to December 31, 2017.

Serpentix Conveyor Corporation, the sole source provider of the repair parts, has submitted prices for the parts required. Purchase orders will be issued for the conveyor repair parts as needed using an outline agreement based on the prices received from Serpentix Conveyor Corporation. Inasmuch as Serpentix Conveyor Corporation is the only source of supply for the conveyor repair parts required, nothing would be gained by advertising for bids (Section 11.4 of the Purchasing Act).

Serpentix Conveyor Corporation is registered to transact business in Illinois and is in good standing. The Multi-Project Labor Agreement is not applicable because this 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 issue purchase orders to Serpentix Conveyor Corporation, in an amount not to exceed \$102,900.00, on an as needed basis ending December 31, 2017. Purchase orders will be issued when the parts are required. Payment will be based on the unit cost received by Serpentix Conveyor Corporation.

The estimated expenditures for 2015 are \$34,300.00, for 2016 are \$34,300.00 and for 2017 are \$34,300.00. Funds for the 2015 expenditures in the amount of \$34,300.00 are available in Accounts 101-67000, 68000, 69000-623270. Funds for the 2016 and 2017 expenditures are contingent on the Board of Commissioners' approval of the District's budget for that year.

Requested, Manju Prakash Sharma, Director of Maintenance and Operations
Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:JN:jk
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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0391, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Issue purchase orders and enter into an agreement with Nu-Recycling Technology, Inc., to Provide for a Full-Service Lease and Maintenance Agreement for Two Nu-ReTec8800 Automatic Misting and Odor Control Systems at the Stickney Water Reclamation Plant, for a total amount not to exceed \$136,500.00, Accounts 101-69000-612490, 623560, Requisition 1387577

Dear Sir:

Authorization is requested to issue purchase orders and enter into an agreement with Nu-Recycling Technology, Inc., for a Full-Service Lease and Maintenance Agreement for two Odor Control Systems. The purchase order will expire on December 31, 2017. The equipment is being used temporarily to address the odor concern at the Stickney Plant near the Imhoff tanks. These tanks will be removed and replaced with new primary tanks in three years.

Nu-Recycling Technology, Inc., the sole source for the services and equipment required, has submitted pricing for the services and equipment required. Inasmuch as this firm is the only source of supply for the services and equipment required, nothing would be gained by advertising for bids (Section 11.4 of the Purchasing Act).

Nu-Recycling Technology, Inc., is registered and in good standing to transact business in Illinois.

The Multi-Project Labor Agreement is not applicable because of the specialized nature of the work involved.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to issue purchase orders and enter into agreements with Nu-Recycling Technology, Inc., in an amount not to exceed \$136,500.00.

Funds for the 2015 expenditure, in the amount of \$45,500.00, are available in Accounts 101-69000-612490, 623560. The estimated expenditures for 2016 and 2017 are \$45,500.00 and \$45,500.00 respectively, and are contingent on the Board of Commissioners' approval of the District's budget for those years.

Requested, Manju Prakash Sharma, Director of Maintenance and Operations

Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management, DAL:SEB:JN:slk

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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0387, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to award Contract 15-618-11, Specialized Repairs for Large Motors, to Midwest Service Center, LLC, in an amount not to exceed \$149,178.00, Accounts 101-67000, 68000, 69000-612600, 623070, 612650, Requisitions 1376685, 1385814, 1387213

Dear Sir:

On November 6, 2014, the Board of Commissioners authorized the Director of Procurement and Materials Management to advertise for bids Contract 15-618-11, Specialized Repairs for Large Motors.

In response to a public advertisement of February 4, 2015, a bid opening was held on February 24, 2015. The bid tabulation for this contract is:

MIDWEST SERVICE CENTER, LLC

\$149,178.00

Seven hundred forty-three (743) companies were notified of this contract being advertised and eighteen (18) 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 reasons for not bidding: could not meet the specifications and the repair work for large size motors was beyond their capabilities. 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.

Midwest Service Center, LLC, the sole bidder, is proposing to perform the contract in accordance with the terms and specifications of the contract. The estimated cost for this contract is \$150,000.00, placing the bid of \$149,178.00, approximately 1 percent below the estimate.

The Affirmative Action Interim Ordinance Appendix D was not included in this contract because the contract does not provide practical or cost-effective opportunities for direct or indirect subcontracting.

Midwest Service Center, LLC, 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: electricians. The list of construction trades is not intended to confer any rights or jurisdiction upon any union or unions. It is our understanding that Midwest Service Center, LLC, will perform the repairs at their facility, when needed, and subcontract the services to be performed at various plant/site locations to Divane Electric, that is signatory to the union mentioned above.

The contract will require approximately 2 people for the services.

File #: 15-0387, **Version:** 1

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to award Contract 15-618-11 to Midwest Service Center, LLC, in an amount not to exceed \$149,178.00, 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 Contractor shall commence work upon approval of the Contractor's bond and terminate three years thereafter.

Funds for the 2015 expenditure, in the amount of \$49,726.00, are available in Accounts 101-67000, 68000, 69000-612600, 623070, 612650. The estimated expenditures for 2016 and 2017 are \$49,726.00 and \$49,726.00, respectively. Funds for the 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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0335, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to increase purchase order and amend the agreement with Veolia Water Solutions & Technologies North America, Incorporated, to design, furnish and deliver an ANITA Mox Moving Bed Biofilm Reactor System and to provide start-up services for Contract 13-409-3P, Nitrogen Removal in Centrate, Egan Water Reclamation Plant, in an amount of \$8,000.00, from an amount of \$4,420,115.00, to an amount not to exceed \$4,428,115.00, Accounts 401-50000-601420 and 645650, Purchase Order 3079128

Dear Sir:

On October 17, 2013, the Board of Commissioners authorized the Director of Procurement and Materials Management to issue a purchase order and enter into an agreement with Veolia Water Solutions & Technologies North America, Incorporated (VWSNA), to design, furnish and deliver an ANITA Mox Moving Bed Biofilm Reactor System (ANITA Mox MBBR) and to provide start-up services for Contract 13-409-3P, Nitrogen Removal in Centrate, Egan Water Reclamation Plant (WRP), to treat centrate at the Egan WRP. The agreement expires on May 29, 2015.

As of March 20, 2015, the attached list of change orders has been approved. The effect of this change order resulted in an increase in an amount of \$137,565.00 from the original amount awarded of \$4,282,550.00. The current contract value is \$4,420,115.00. The prior approved change order reflects a 3.21% increase from the original contract value.

During the detailed design process, it was determined that alkalinity addition would be required to control the pH within the ANITA Mox reactors. The original agreement included a caustic soda system for alkalinity addition. This was revised to a soda ash system to increase performance and provide better safety. With this change, the electrical components within the new soda ash system, such as control relays, the control panel enclosure and the transformer, required modifications to comply with District electrical standards. An additional cost is required to make these design changes. The contractor submitted a cost proposal for an extra in the amount of \$8,000.00. The engineer reviewed the proposal and found it to be reasonable.

The ANITA Mox equipment supplied under this purchase order is scheduled to be installed under a separate contract that is currently advertised for bids. The installation will be completed on approximately May 31, 2016. After equipment installation, a system start-up and testing period of six months shall elapse. As such, we anticipate a final completion date near the end of 2016 and recommend extension of the agreement to December 31, 2016.

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 increase Contract 13-409-3P in an amount of \$8,000.00 (0.18% of the current contract value), from an amount of \$4,420,115.00 to an amount not to exceed

File #: 15-0335, **Version:** 1

\$4,428,115.00, and extend completion date to December 31, 2016.

Funds are available in Accounts 401-50000-601420 and 645650.

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

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for April 9, 2015

Attachment

Client : 100
 Report Name: ZREP_CHANGE_ORDER_LOG
 Requester : DORIAN

Change Order Log Report

System: HO
 03/03/2015 14:05:1
 Page: 1

PO No. : 3079128
 Tracking No. :
 Vendor No. : 5015031

Original Value: 4,282,550.00
 Approved Value: 4,420,115.00
 Current Value : 4,420,115.00

Change Number	Text	Value	Initiator	Date	File Letter	CR #	Band Approval	Status	Approver	Seq. No.	Change Number	Object Class
0001	Per 06/05/14 Board Agenda Item 51, File No. 14-0570.	137,565.00 INC	MCULLOUGH	06/12/2014			X	Approved	USPINC	0001	4920070	EINKELEG
										0001	4920071	MI SERVICE
										0001	4920072	MI SERVICE



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0350, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to decrease purchase order and amend the agreement with Christopher B. Burke Engineering, Ltd. (CBBEL), for Contract 13-809-5C Implementation of the Watershed Management Ordinance - Phase B, in an amount of \$200,000.00, from an amount of \$1,248,097.04, to an amount not to exceed \$1,048,097.04, Account 501-50000-601410, Purchase Order 3079008

Dear Sir:

On October 17, 2013, the Board of Commissioners authorized the Director of Procurement and Materials Management to issue a purchase order and enter into an agreement with Christopher B. Burke Engineering, Ltd. (CBBEL), for Contract 13-809-5C Implementation of the Watershed Management Ordinance - Phase B, in an amount not to exceed \$1,248,097.04. The scheduled contract completion date is December 1, 2015.

As of March 20, 2015, there have been no prior change orders to the original contract value. On May 1, 2014, the Board of Commissioners authorized a scope of services amendment, at no additional cost to the Contract, for the development of materials associated with the District's new Infiltration and Inflow Control Program (IICP).

The Engineering Department has determined this Contract can be reduced by \$200,000.00 based on future anticipated needs for the duration of the Contract. The reason for this budget reduction is because Engineering Department staff has completed some of the work developing the IICP.

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 the purchase order and amend the agreement in an amount of \$200,000.00 (16.02% of the current contract value), from an amount of \$1,248,097.04, to an amount not to exceed \$1,048,097.04.

Funds will be restored to Account 501-50000-601410.

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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0352, Version: 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to increase Contract 04-131-2D Rehabilitation of the A/B and C/D Service Tunnels - Phase One, Stickney Water Reclamation Plant, to F.H. Paschen/S.N. Nielsen, in an amount of \$43,759.67, from an amount of \$13,720,290.69, to an amount not to exceed \$13,764,050.36, Account 401-50000-645750, Purchase Order 5001396

Dear Sir:

On January 17, 2013, the Board of Commissioners authorized the Director of Procurement and Materials Management to award Contract 04-131-2D Rehabilitation of the A/B and C/D Service Tunnels - Phase One, Stickney Water Reclamation Plant (WRP), to F.H. Paschen/S.N. Nielsen, in an amount not to exceed \$13,615,000.00. The scheduled contract completion date is August 8, 2016.

As of March 20, 2015, the attached list of change orders has been approved. The effect of these change orders resulted in an increase in an amount of \$105,290.69 from the original amount awarded of \$13,615,000.00. The current contract value is \$13,720,290.69. The prior approved change orders reflect a 0.77% increase to the original contract value.

Item 1: A net extra in the amount of \$21,526.69 is necessary to perform the following work: a) Install 61 additional mechanical couplers for connecting new rebars to existing rebars in the tunnel roof beams as per RFI-065; b) Delete a 6' long straight section of handrail from the contract in order to allow access to the concrete steps leading to the Pump and Blower house, and install new handrails on both sides of the concrete steps as per RFI-073; and c) Install a new backflow preventer at MH-11. The contractor submitted a cost proposal (CCO-15) for an extra in the amount of \$23,026.69 and a credit in the amount of \$1,500.00, for a net extra in the amount of \$21,526.69. The engineer reviewed the proposal, found it to be reasonable, and stated via correspondence 443, that the Engineering Department would recommend its approval.

Item 2: A net extra in the amount of \$22,232.98 to enlarge the floor slab openings to accommodate new ductwork for exhaust fans EF-1 and EF-2. The existing openings are not large enough to accommodate the new ductwork, and therefore additional selective demolition of the slabs is required. The contractor submitted a cost proposal (CCO-16) for an extra in the amount of \$22,232.98. The engineer reviewed the proposal, found it to be reasonable, and stated via correspondence 444, that the Engineering Department would recommend its approval.

The above two change orders are in compliance with the Illinois Criminal Code since the changes are germane to the contract.

It is hereby recommended that the Board of Commissioners authorize the Director of Procurement and Materials Management to execute two change orders to increase Contract 04-131-2D in an amount of

File #: 15-0352, **Version:** 1

\$43,759.67 (0.32% of the current contract value), from an amount of \$13,720,290.69, to an amount not to exceed \$13,764,050.36.

Funds are available in Account 401-50000-645750.

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

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 April 9, 2015

Attachment

Client : 100
Report Name: ZREP_CHANGE_ORDER_103
Requester : DUNSM

Change Order Log Report

PO No. : 5001396
Tracking No. : EN001312D
Vendor No. : 6001491

Original Value: 13,615,000.00
Approved Value: 13,745,410.79
Current Value : 13,720,290.69

System: HED
03/24/2015 11:27:15
Page: 1

Change Number	Text	Value	Initiator	Date	File Letter	CR #	Board Approval	Status	Approver	Seq. No.	Change Number	Object Class
0001	Per 10/17/13 Board Agenda Item 38, File No. 13-1292	19,791.65 INC	BOBKNUJ	10/18/2013	172	002		Approved	USPALNC	0001	4759283	ENGINEER M_SERVICE
0002	"Credit"-Substitution of Air Main Coupler	1,576.30 DEC	BOBKNUJ	03/10/2014	0253	003	X	Approved	USPALNC	0001	4759284	ENGINEER M_SERVICE
0003	"Bucka"-Additional RCS Work for Temperature Control	2,376.00 INC	BOBKNUJ	04/02/2014	0284	004		Approved	USNEPWERJ	0002	4856000	ENGINEER M_SERVICE
0004	"Credit"-Deletion of Ink Seals and Wall Sleeve	3,109.70 DEC	BOBKNUJ	08/07/2014	0362	006		Approved	USNEPWERJ	0003	4870585	ENGINEER M_SERVICE
0005	"Credit"- Elimination of Air Main Repairs at Col. 22-23 C/D	10,157.46 DEC	BOBKNUJ	12/22/2014	0367	008	X	Approved	USPALNC	0004	4956890	ENGINEER M_SERVICE
0006	Per 1/8/2015 Agenda Item 21, File No. 15-0007	98,682.88 INC	BOBKNUJ	01/12/2015	0406	012	X	Approved	USPALNC	0005	5070678	ENGINEER M_SERVICE
0007	Per 2/5/2015 Agenda Item 22, File No. 15-0137	24,403.72 INC	BOBKNUJ	02/09/2015	0407	013	X	Approved	USPALNC	0006	5083538	ENGINEER M_SERVICE
0008	Temporary Change Order Reversal - Rnd 401 CP	24,403.72 DEC	BOBKNUJ	02/26/2015				Approved	USNEPWERJ	0007	5104260	ENGINEER M_SERVICE
0009	Reversing Temp Change Order of 2/26/2015	24,403.72 INC	MCILLIOGPA	03/02/2015				Approved	USNEPWERJ	0008	5114173	ENGINEER M_SERVICE
0010	Per 3/19/2015 Agenda Item 18, File No. 15-0294	25,120.10 DEC	BOBKNUJ	03/24/2015			X	In-Process	USCARRINGTONS	0009	5116336	ENGINEER M_SERVICE
										0010	5130904	ENGINEER M_SERVICE
										0010	5130905	ENGINEER M_SERVICE



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0353, Version: 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to increase purchase order and amend the agreement with Hey and Associates, Inc., for professional engineering services for Contract 11-187-5C, Preliminary Engineering for Addison Creek Channel Improvements, in an amount of \$39,801.00, from an amount of \$1,182,333.72, to an amount not to exceed \$1,222,134.72, Account 501-50000-601410, Purchase Order 3069386

Dear Sir:

On August 11, 2011, the Board of Commissioners authorized the Director of Procurement and Materials Management to issue a purchase order and enter into an agreement with Hey and Associates, Inc. (Hey) for professional engineering services for Contract 11-187-5C, Preliminary Engineering for Addison Creek Channel Improvements, in an amount not to exceed \$1,167,333.72. The contract expires on May 31, 2015.

As of March 20, 2015, the attached list of change orders has been approved. The effect of these change orders resulted in an increase in an amount of \$15,000.00 from the original amount awarded of \$1,167,333.72. The current contract value is \$1,182,333.72. The prior approved change orders reflect a 1.28% increase to the original contract value.

The original scope of work for the preliminary engineering services included a detailed review of assumptions made with respect to the channel improvement portion of Project ADCR-6b in the Lower Des Plaines River Detailed Watershed Plan, evaluation of right-of-way issues and permit requirements, and preparation of preliminary plans for use in defining a detailed scope of work for the engineering services necessary for the final design of this project.

Subsequent to issuing a purchase order and entering into an agreement with Hey, various issues arose which required additional work. A summary of those issues are presented below:

1. Collecting and surveying high water marks for the April 2013 flood event;
2. Additional modeling updates for Broadview and Melrose Park along with calibrations for the April 2013 flood event;
3. Additional cost to obtain access easement and insurance to perform soil borings on Union Pacific Railroad property;
4. Additional cost incurred for deeper geotechnical soil borings; and
5. Additional environmental testing of soil parameters to determine potential disposal cost of spoils.

As a result, Hey requires additional funds to complete the preliminary design plans, report, and estimate for the Addison Creek Channel Improvement.

This change order is in compliance with the Illinois Criminal Code since the change is due to circumstances

File #: 15-0353, **Version:** 1

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 the purchase order and amend the agreement in an amount of \$39,801.00 (3.37% of the current contract value), from an amount of \$1,182,333.72, to an amount not to exceed \$1,222,134.72.

Funds are available in Account 501-50000-601410.

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 April 9, 2015

Attachment

Client : 100
 Report Name: ZRPT_CHANGE_ORDER_LOG
 Requester : BOYKINJ

Change Order Log Report

System: BRD
 03/20/2015 09:53:0
 Page: 1

FO No. : 3069386
 Tracking No. : ENGL11875C
 Vendor No. : 5012095

Original Value: 1,167,333.72
 Approved Value: 1,182,333.72
 Current Value : 1,182,333.72

Change Number	Text	Value	Initiator	Date	File Letter	COR #	Board Approval	Status	Approver	Seq. No.	Change Number	Object Class
0001	Reallocation, decrease Line 1, increase Line 2.	0.00 NOC	JAMESJ	03/22/2012				Net Zero				
										0001	4334209	EINKBEH3
										0001	4334210	MM_SERVICE
										0001	4334211	MM_SERVICE
0002	Per 12/06/12 Agenda Item 61, File No. 12-1648	15,000.00 INC	BOYKINJ	12/10/2012			X	Approved	USPALMC	0002	4543446	EINKBEH3
										0002	4543447	MM_SERVICE
0003	02/07/13 EOC, #13-0109, ENG	0.00 NOC	JAMESJ	02/08/2013			X	Approved	USNEUBAUERJ	0003	4585723	EINKBEH3
										0003	4585724	MM_SERVICE
										0003	4585725	MM_SERVICE



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0357, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to increase Contract 11-054-3P Disinfection Facilities, Terrence J. O'Brien Water Reclamation Plant, to Walsh Construction Company II, LLC, in an amount not to exceed \$566,776.55, from an amount of \$60,093,131.29 to an amount not to exceed \$60,659,897.84, Account 401-50000-645650, Purchase Order 4000005

Dear Sir:

On August 8, 2013, the Board of Commissioners authorized the Director of Procurement and Materials Management to award Contract 11-054-3P Disinfection Facilities, Terrence J. O'Brien Water Reclamation Plant, to Walsh Construction Company II, LLC, in an amount not to exceed \$59,899,650.00 plus a five (5) percent allowance for change orders in an amount of \$2,994,982.50, for a total amount not to exceed \$62,894,632.50. The scheduled contract completion date is December 19, 2015.

As of March 20, 2015, the effect of change orders resulted in a net increase in the amount of \$193,481.29 from the original amount awarded of \$59,899,650.00. The current contract value is \$60,093,131.29. The prior approved change orders reflect a 0.32% increase to the original contract value.

The engineer has determined that revisions to the Flow Control Structure (FCS)-1 Earth Retention System (ERS) and to the UV facility influent conduit are required. The contractor informed the District that the existing effluent conduit's actual location was found to be north of the location shown in the contract documents. The scope of the extra work requires the construction of an additional 8 lineal feet of 20'x8' concrete influent conduit needed to connect to the existing effluent conduit. Also, the ERS for FCS-1 needs to be re-designed and expanded because it is 8 feet closer to the CTA Yellow Line tracks, resulting in additional excavation and reinforcement. The contractor submitted a cost proposal (CCO-09) for an extra in the amount of \$566,776.55. The engineer reviewed the proposal, found it to be reasonable, and stated via correspondence 1005, that the Engineering Department would recommend its approval.

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 increase Contract 11-054-3P in an amount of \$566,776.55 from an amount of \$60,093,131.29, to an amount not to exceed \$60,659,897.84

Funds are available in Account 401-50000-645650.

Requested, Catherine A. O'Connor, Director of Engineering, MVL:ECB
Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management
Respectfully Submitted, Barbara J. McGowan, Chairman Committee on Procurement

File #: 15-0357, **Version:** 1

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for April 9, 2015
Attachment

Proj - ZIMMERMAN EAST
 User - BOKING
 Sys - PRD / 100

Metropolitan Water Reclamation District of Greater Chicago
 Adjusted Bid Value Report

Date - 03/26/2015
 Time - 09:22

Order : ENR10543P Vendor 6001515 Commitment 645650 Fund 401

Purchase Order #	Item	Commitment Item	Fund	Adjusted Bid Value	Total to Date Expenditures	Outstanding Encumbrances	Current Year's Expenditures	Retainage	Liquidated Damage	Lien	Charge Back	Hold Back
4000005	00001	645650	401	60,093,131.29	23,414,625.49	36,678,505.80	3,102,762.69	1,374,618.54	3,000.00	0.00	0.00	0.00
4000005	00002	645650	401	2,753,222.64	0.00	2,753,222.64	0.00	0.00	0.00	0.00	0.00	0.00
Total				62,846,353.93	23,414,625.49	39,431,728.44	3,102,762.69	1,374,618.54	3,000.00	0.00	0.00	0.00



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0373, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to decrease purchase order to LAI, LTD., to Furnish and Deliver Process Equipment Parts to Various Locations, in an amount of \$15,830.77, from an amount of \$615,277.89, to an amount not to exceed \$599,447.12, Accounts 101-67000-623070, 623270, 623090, Purchase Order 3076288

Dear Sir:

On March 21, 2013, the Board of Commissioners authorized the Director of Procurement and Materials Management to issue purchase orders to LAI, LTD., to furnish and deliver process equipment parts to various locations, in an amount not to exceed \$802,000.00. The purchase order expires on December 31, 2015.

As of March 18, 2015, the attached list of change orders has been approved. The effect of these change orders resulted in a decrease in an amount of \$186,722.11 from the original amount awarded of \$802,000.00. The current contract value is \$615,277.89. The prior approved change orders reflect a 23.3% decrease to the original contract value.

A decrease is being requested because the estimated 2015 expenditure has been reduced.

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 the purchase order in an amount of \$15,830.77 (approximately 2.6% of the current contract value) from an amount of \$615,277.89, to an amount not to exceed \$599,447.12.

Funds will be restored in Accounts 101-67000-623070, 623270, 623090.

Requested, Manju Prakash Sharma, Director of Maintenance and Operations, AQ:SO'C:MAG:SAF:JK
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 April 9, 2015

Attachment

CONTRACT: ZSS LAI

As Of: **3/18/2015** **Contract Type:** **ZSS** **Title:** **F/D Process Equipment Parts to Various Locations**

Prepared by:
J. Markovich

Group/Item: **Location:** **Validity Dates:** **Bid Deposit:** **Final Completion:**
Various **3/21/13 - 12/31/15** **N/A**

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.
	NSWRPs	3076288	5003168 LAI, Ltd.	244,500.00	(77,447.70)	167,052.30	167,052.30	93,909.23	-	-	-	-	73,143.07
	SWRP	3076289	5003168 LAI, Ltd.	246,000.00	(69,201.97)	176,798.03	176,798.03	96,087.03	-	-	-	-	80,711.00
	CWRP 101	3076290	5003168 LAI, Ltd.	221,500.00	(19,615.24)	201,884.76	201,884.76	131,384.76	-	-	-	-	70,500.00
	CWRP 201	3076291	5003168 LAI, Ltd.	90,000.00	(20,457.20)	69,542.80	69,542.80	39,542.80	-	-	-	-	30,000.00
				-	-	-	-	-	-	-	-	-	-
				-	-	-	-	-	-	-	-	-	-
				-	-	-	-	-	-	-	-	-	-
				802,000.00	(186,722.11)	615,277.89	615,277.89	360,923.82	-	-	-	-	254,354.07

Comments:



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0374, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to increase purchase order to Xylem Dewatering Solutions, Inc., for the rental of two submersible pumps at the Kirie Water Reclamation Plant, in an amount of \$16,870.00, from an amount of \$3,374.00, to an amount not to exceed \$20,244.00, Account 101-67000-612330, Purchase Order 3084361

Dear Sir:

On February 18, 2015, the Director of Procurement and Materials Management issued a purchase order to Xylem Dewatering Solutions, Inc., for biological phosphorus removal (bio-p removal) pump rental for one-month at the Kirie Water Reclamation Plant, in an amount of \$3,374.00. The purchase order expires December 31, 2015.

This purchase order has no prior change orders.

This increase is necessary to continue the rental of two submersible return activated sludge (RAS) pumps for the bio-p removal tests ongoing at the KWRP for an additional five months, from the original one-month time duration. These bio-p removal tests are critical to achieving permit compliance. The continued rental of these pumps, which has proven to be cost-effective as the District does not have these types of pumps on-hand, was not anticipated at the time the original purchase order was issued.

This change order is in compliance with the Illinois Criminal Code since these changes are due to circumstances not reasonably foreseeable at the time the purchase order was issued, 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 in an amount of \$16,870.00 (500% of the current purchase order's value), from an amount of \$3,374.00, to an amount not to exceed \$20,244.00.

Funds are available in Account 101-67000-612330.

Requested, Manju Prakash Sharma, Director of Maintenance & Operations, AQ:SO'C:MAG:SAF: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 April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0376, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to increase purchase order and amend the agreement with AT&T Corporation for Co-Location Services in an amount of \$54,000.00 from an amount of \$1,191,244.98, to an amount not to exceed \$1,245,244.98, Account 101-27000-612210, Purchase Order 3067251

Dear Sir:

On December 2, 2010, the Board of Commissioners authorized the Director of Procurement and Materials Management to issue a purchase order and enter into an agreement with AT&T Corporation (AT&T) to furnish and deliver co-location services for a period of 36 months, in an amount not to exceed \$650,722.00.

As of March 24, 2015 the attached list of change orders has been approved. The effect of these change orders resulted in a net increase in an amount of \$540,522.98 from the original amount awarded of \$650,722.00. The current contract value is \$1,191,244.98. The prior approved change orders reflect an 83.1% increase to the original contract value.

The Information Technology Department competitively bid this service and Latisys-Chicago, LLC was selected and approved by the Board on November 6, 2014. Additional funds are being requested to extend this service until AT&T can install the necessary communication circuits at Latisys-Chicago, LLC which will allow for the relocation of the District's equipment to that site. AT&T was unable to complete the needed work in the three-month extension approved by the Board on December 18, 2014. The Information Technology Department anticipates an additional two months is required for AT&T to successfully complete the installation and testing, extending the contract to May 31, 2015.

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 increase the purchase order in an amount of \$54,000.00 (5% of the current contract value), from an amount of \$1,191,244.98, to an amount not to exceed \$1,245,244.98.

Funds are available in Account 101-27000-612210.

Requested, Ellen Barry, Acting Director of Information Technology, EB:RP:ML:PK
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 April 9, 2015

File #: 15-0376, **Version:** 1

Attachment

Charge Order Log Report

System: RD
03/24/2015 15:02:4
Page: 1

Original Value: 650,722.00
Approved Value: 1,191,244.99
Current Value: 1,191,244.98

Client : 100
Report Name: ZREP_CHARGE_ORDER_LOG
Requester : GRGEC

PO No. : 3067251
Tracking No. : MISOWEILIO
Vendor No. : 5013954

Change Number	Text	Value	Initiator	Date	File Letter	CR #	Board Approval	Status	Approver	Seq. No.	Charge Number	Object Class
0001	EC 9-1-11, Agenda 11-1096, part 1	74,354.00 INC	PAJC	09/13/2011				Approved	USDALMC	0001	4185040	ENGINEER
0002	Increase for expanded space	244,593.00 INC	MIRANF2	09/13/2011				Approved	USDALMC	0002	4185703	ENGINEER
										0002	4185704	ENGINEER
										0002	4185955	MJ_SERVICE
										0002	4185956	MJ_SERVICE
0003	Net zero transfer from 2011 to 2014	0.00 NOC	GRGEC	02/07/2012				Net Zero		0003	4299500	ENGINEER
										0003	4299501	MJ_SERVICE
										0003	4299502	MJ_SERVICE
										0003	4299503	MJ_SERVICE
										0003	4299504	MJ_SERVICE
0004	Net zero to transfer funds from 2011 to 2014	0.00 NOC	GRGEC	02/10/2012				Net Zero		0004	4302956	ENGINEER
										0004	4302957	MJ_SERVICE
										0004	4303018	MJ_SERVICE
0005	ED approved NZ carry forward of funds	0.00 NOC	GRGEC	07/19/2013				Approved	USDALMC	0005	4688719	ENGINEER
										0005	4688720	MJ_SERVICE
										0005	4688721	MJ_SERVICE
										0005	4688722	MJ_SERVICE
										0005	4688723	MJ_SERVICE
0006	02/06/14 EC, #14-0045, IT.	5,023.99 DEC	GRGEC	02/04/2014		X		Rejected	USDALMC	0006	4833522	ENGINEER
										0006	4833523	MJ_SERVICE
										0006	4833524	MJ_SERVICE
0007	02/20/14 EC, #14-0096, IT	5,023.99 DEC	GRGEC	02/24/2014		X		Approved	USDALMC	0007	4945399	ENGINEER
										0007	4945400	MJ_SERVICE
										0007	4945401	MJ_SERVICE
0008	NZ transfer of funds to pay outstanding invoice.	0.00 NOC	GRGEC	06/24/2014				Approved	USDALMC	0008	4925673	ENGINEER
										0008	4925674	MJ_SERVICE
										0008	4925675	MJ_SERVICE
0009	EC 8/7/2014, File 14-0852	102,000.00 INC	GRGEC	08/12/2014		X		Approved	USDALMC	0009	4959673	ENGINEER
										0009	4959674	MJ_SERVICE
0010	Per Board Meeting 10/16/14, File 14-1225	44,600.00 INC	GRGEC	10/17/2014		X		Approved	USDALMC	0010	5012656	ENGINEER
										0010	5012657	MJ_SERVICE
0011	Per Bd Order of 12-18-14, Item # 25, File # 14-1478	80,000.00 INC	SIMRHIM	01/09/2015		X		Approved	USDALMC	0011	5081414	ENGINEER
										0011	5081414	ENGINEER
0012	02/05/15 EC, #15-0073, IID	0.00 NOC	GRGEC	02/04/2015		X		Approved	USDALMC	0012	5101440	ENGINEER
										0012	5101441	MJ_SERVICE
										0012	5101442	MJ_SERVICE



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0377, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING APRIL 9, 2015

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to increase purchase order for the WSCAJ/NASPO PC Contracts 2009-2014 with Oracle America, Inc. for the maintenance, support and acquisition of miscellaneous parts for the District's SAP Enterprise Servers, GIS Systems, the Laboratory Information Management System (LIMS), and the disaster recovery servers for a period of seventeen (17) months with option to extend for (4) additional one-year terms, in an amount of \$73,806.94, from an amount of \$357,475.39, to an amount not to exceed \$431,282.33, Accounts 101-27000-601170, 612810, 612820, 634810, Purchase Order 3077612

Dear Sir:

On March 21, 2013, the Board of Commissioners authorized the Director of Procurement and Materials Management to issue a purchase order to enter into an agreement with Oracle America, Inc. for the maintenance, support, acquisition of new computer equipment, peripherals, and related services in an amount not to exceed \$357,248.17.

As of March 25, 2015 the attached list of change orders has been approved. The effect of these change orders resulted in a net increase in an amount of \$227.22 from the original award amount of \$357,248.17. The current contract value is \$357,475.39. The prior approved change order reflects a .064% increase to the original contract value.

The new WSCA/NASPO Contract 2015-2019 has not been finalized and the 2009-2014 MN WSCA-NASPO Computer Equipment Master Agreement contract was extended through September 30, 2015 at the same prices, terms and conditions. The District exercises its option to extend the WSCA contract temporarily from April 1, 2015 through September 30, 2015.

Maintenance, support and acquisition of miscellaneous parts provided under this request are needed to insure the reliability and integrity of the data used for operational and administrative purposes. The systems involved are the District's Enterprise Servers, Storage Area Networks, load balancers, fiber switches and application firewalls which are used for SAP Enterprise Systems, the Portal, the Business Intelligence/Business Warehouse (BI/BW) System, the Public Sector Budget Formulation (PBF) System, GIS Systems, the disaster recovery systems, and LIMS Systems. There has been a substantial investment made in computer hardware and software used to support the applications associated with these systems and ongoing support and maintenance is required to protect this investment.

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 the purchase order in an amount of \$73,806.94

File #: 15-0377, **Version:** 1

(20.65% of the current contract value) from an amount of \$357,475.39, to an amount not to exceed \$431,282.33.

Funds are available in Accounts 101-27000-601170, 612810, 612820, 623810, 634810.

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

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 April 9, 2015

Attachment

Change Order Log Report

System: RRD
03/27/2015 10:06:5
Page: 1

Original Value: 357,248.17
Approved Value: 326,000.31
Current Value : 357,475.39

Client : 100
Report Name: ZREP_CHANGE_ORDER_LOG
Requester : GAGEC

PO No. : 3077612
Tracking No. : RAVI1A1
Vendor No. : 5013621

Change Number	Text	Value	Initiator	Date	File Letter	CCR #	Board Approval	Status	Approver	Seq. No.	Change Number	Object Class
0002	Part I, EOC 8-7-14, File 14-0821, Balance party EOC transfer	35,700.00 INC	GAGEC	08/15/2014			X	Approved	USMUNC	0002	4963159	EDNGEEEG
										0002	4963160	MM_SERVICE
										0002	4963161	MM_SERVICE
0003	Part II of EOC file 14-0821, 8-7-14; disc line 4 to 0.	29,120.01 INC	GAGEC	09/05/2014			X	Approved	USMUNC	0003	4977920	EDNGEEEG
										0003	4977921	MM_SERVICE
										0003	4977942	MM_SERVICE
0004	Per Bd order of 12-18-14, Item # 26, File # 14-1479	34,820.06 INC	STMKHNM	01/09/2015			X	Approved	USMUNC	0004	5081425	EDNGEEEG
0005	Redistribution of 2014 funds to cover invoices.	0.00 NOC	GAGEC	01/23/2015				Approved	USMUNERU	0005	5093169	EDNGEEEG
										0005	5093170	MM_SERVICE
										0005	5093171	MM_SERVICE
										0005	5093172	MM_SERVICE
0006	02/05/15 EOC, #15-0073, ITD	80,276.63 DEC	GAGEC	02/04/2015			X	Approved	USMUNERU	0006	5101396	EDNGEEEG
										0006	5101397	MM_SERVICE
										0006	5101398	MM_SERVICE
										0006	5101399	MM_SERVICE
										0006	5101400	MM_SERVICE
										0006	5101401	MM_SERVICE
0007	part 1: net zero redue line 9 create line 10 (\$31,475.08)	31,475.08 DEC	GAGEC	03/25/2015				Approved	USMUNC	0007	5132362	EDNGEEEG
										0007	5132363	MM_SERVICE
0008	NOC ADD LINE 10	31,475.08 INC	STMKHNM	03/25/2015				In-Process	USMUNERU	0008	5132534	EDNGEEEG



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0381, Version: 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON BUDGET AND EMPLOYMENT

Mr. David St. Pierre, Executive Director

Authority to transfer 2015 departmental appropriations in the amount of \$9,600.00 in the Corporate Fund

Dear Sir:

Attached is the departmental appropriation transfer requested to be authorized at the April 9, 2015 Regular Board Meeting, for the following fund:

Corporate Fund: Amount	To Amount	From
Inter - Departmental		
16000 - Monitoring & Research	\$ 9,600.00	
15000 - General Administration	<u>\$ 9,600.00</u>	
Total Corporate Fund	<u>\$ 9,600.00</u>	<u>\$ 9,600.00</u>

It is requested that the Board of Commissioners authorize the transfers of appropriations submitted herewith.

Requested, Eileen M. McElligott, Administrative Services Manager: JPN:SL:JR:NG

Respectfully Submitted, Kari K. Steele, Chairman Committee on Budget and Employment

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for April 9, 2015

Attachment

METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO

2015 Request for Line Item Transfer

Page ____ of ____

Dept: Monitoring and ResearchBoard Meeting Date: Apr 9, 2015BTB Date: Mar 15, 2015**TRANSFER 2015 FUNDS FROM:**

CODE <small>Fund Fund Ctr Cmt Item</small>	BUDGETARY ACCOUNT NAME	APPROPRIATION		FUNDS AVAILABLE	OUT AMOUNT	EXPLANATION
		ORIGINAL	ADJUSTED			
101 16000 623520	Office, Printing, & Photo Supplies, Equipment, & Furniture	\$31,000	\$31,000	\$13,401	\$1,600	Funds are available due to the lower than anticipated need for office furniture at the Stickney Water Reclamation Plant, following the recent reorganizational design implemented in the Industrial Waste Division.
101 16000 623570	Laboratory Testing Supplies, Small Equipment, and Chemicals	\$371,600	\$371,600	\$114,214	\$1,000	Funds are available due to the lower than anticipated need for buffer solution at this time.
101 16000 623990	Materials and Supplies, N.O.C.	\$60,300	\$60,300	\$14,710	\$2,000	Funds are available due to the reduced need for equipment replacement, following the current assessment that the existing equipment is in good working condition.
101 16000 634970	Testing and Laboratory Equipment	\$420,000	\$420,000	\$314,924	\$5,000	Funds are available due to the extension of the useful life of the dishwasher located at the Kirie Water Reclamation Plant in the Industrial Waste Division. Currently, the dishwasher is in good working condition.
TOTAL:					\$9,600	

TRANSFER 2015 FUNDS INTO:

CODE <small>Fund Fund Ctr Cmt Item</small>	BUDGETARY ACCOUNT NAME	APPROPRIATION		FUNDS AVAILABLE	IN AMOUNT	EXPLANATION
		ORIGINAL	ADJUSTED			
101 15000 623990	Materials and Supplies, N.O.C.	\$69,100	\$69,100	\$53,059	\$9,600	Funds are required to replenish the monies utilized to purchase and install required add-ons to six newly purchased Ram Promaster vehicles located in the Industrial Waste Division. Add-ons include floor liners, running boards, and interior handles to protect the vehicle from wear and tear and make them safely accessible for all staff.
TOTAL:					\$9,600	

REQUESTED:

Department Head

REVIEWED:

Budget Officer

APPROVED:

Executive Director

REQUESTED:

Department Head



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0375, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON JUDICIARY

Mr. David St. Pierre, Executive Director

Authority to settle the Workers' Compensation Claim of Fatouma Ali vs. MWRDGC, Case 14 WC 9645, Illinois Workers' Compensation Commission (IWCC), in the sum of \$375,000.00, Account 901-30000-601090

Dear Sir:

On April 3, 2012, Fatouma Ali was working as a Maintenance Laborer A at the Egan Water Reclamation Plant when she sustained an injury to her right shoulder and arm. The employee was initially seen at the industrial clinic on April 3, 2012 where she was diagnosed with a right upper arm strain. She was treated conservatively with physical therapy, but failed to improve. On August 10, 2012, she underwent surgery. Following this surgery, Ms. Ali underwent a course of physical therapy, but continued to experience ongoing problems with her right shoulder and arm. It was determined that she required a second surgical procedure. On May 7, 2013, she underwent additional surgery, after which a course of post physical therapy was prescribed, but she was not able to return to her previous functional level.

Ms. Ali's physician eventually recommended a Functional Capacity Evaluation to determine her work abilities. The evaluation was performed on September 13, 2013 and found Ms. Ali at the light physical work level, which is below the work threshold for her position at the District. She went through a formal ADA process, but the District was not able to accommodate her restrictions.

Fatouma Ali was initially disabled on April 5, 2012, before returning to work on April 22, 2012. She was disabled again on June 22, 2012, before returning to work on June 25, 2012. The third time, she was disabled effective July 5, 2012. Ms. Ali has continued to remain disabled up to the present time.

Ms. Ali has been paid a total of \$124,410.78, which represents 142 weeks of lost time benefits.

Ms. Ali filed an Application of Adjustment of Claim with the IWCC through her counsel. Subject to the approval of the IWCC, this claim can now be settled for a total amount of \$375,000.00. This settlement would include a separate resignation and release of all claims against the District. In addition, this settlement closes out any future lost time and future medical benefits associated with this injury.

The Director of Human Resources believes that this settlement is in the best interest of the District and requests payment of that sum be approved and she be authorized to execute such documents as may be necessary to effect the settlement.

Requested, Denice E. Korcal, Director of Human Resources, DEK:RAJ:RG:aw
Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Judiciary
Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0394, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON JUDICIARY

Mr. David St. Pierre, Executive Director

Authority to settle Presence Saints Mary and Elizabeth Medical Center d/b/a Presence Saint Elizabeth Hospital's 2006, 2009, and 2012 User Charge penalties for a payment in the amount of \$5,000.00 and to waive \$24,661.08 in User Charge penalties for 2006, 2009, and 2012.

Dear Sir:

The Metropolitan Water Reclamation District of Greater Chicago ("MWRD") and Presence Saints Mary and Elizabeth Medical Center d/b/a Presence Saint Elizabeth Hospital ("Saint Elizabeth"), located at 1431 North Claremont Avenue, Chicago, Illinois, have reached a settlement of a Director's Appeal arising out of Saint Elizabeth's failure to file its RD 925 statements in a timely manner in accordance with MWRD's User Charge Ordinance ("Ordinance").

Saint Elizabeth paid the User Charges, penalty, and interest for the years 2006, 2009, and 2012 and timely appealed its 2006, 2009, and 2012 User Charge penalties to MWRD's Director of Monitoring and Research Department ("M&R"), and upon conclusion of the Director's Appeal, Saint Elizabeth's User Charge penalties were determined to be \$29,661.08. Saint Elizabeth subsequently appealed the Director's Determination to MWRD's Board of Commissioners ("Board"); however, pending the Board's grant of the appeal, MWRD and Saint Elizabeth engaged in settlement negotiations.

MWRD acknowledges that Saint Elizabeth has been in full compliance with all Ordinance requirements for all other years and recognizes that Saint Elizabeth provides health care services to a medically underserved community. Furthermore, Saint Elizabeth represents that it has taken measures to ensure full compliance in the future. Therefore, MWRD and St. Elizabeth have agreed to accept \$5,000.00 as St. Elizabeth's User Charge penalties for the years 2006, 2009, and 2012, with a waiver of User Charge penalties in the amount of \$24,661.08. M&R has reviewed the settlement and has no objection to same.

Therefore, the General Counsel respectfully requests that the Board of Commissioners approve the settlement of Saint Elizabeth's User Charge penalties in the total amount of \$5,000.00, with a waiver of User Charge penalties in the amount of \$24,661.08 and for authority to execute such documents as may be necessary to effectuate settlement.

Requested, Ronald M. Hill, General Counsel, RMH:LLD:PS:nm

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Judiciary

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for April 9, 2015



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0337, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to issue a 1-day permit to Friends of the Chicago River to access District land at 14 locations along the North Branch of the Chicago River, North Shore Channel, Main Channel, and Cal-Sag Channel, in Cook County, Illinois for its Annual Chicago River Day Clean-Up Event on May 9, 2015. Consideration shall be a nominal fee of \$10.00

Dear Sir:

The Friends of the Chicago River ("Friends") has requested a 1-day permit to access District land at 14 locations along the North Branch of the Chicago River, North Shore Channel, Main Channel, and Cal-Sag Channel, in Cook County, Illinois for its Annual Chicago River Day Clean-Up Event on May 9, 2015. Prior approvals of the Annual Chicago River Day Clean-Up Event have been granted by the District since 1998.

The 14 locations along the North Branch of the Chicago River, North Shore Channel, Main Channel, and Cal-Sag Channel are generally identified as follows:

1. Skokie Sculpture Park, Main St. to Dempster, Evanston
2. Park No. 538, West Arthur Ave. to West Touhy Ave. Lincolnwood
3. Lincoln Village Shopping Center, North Lincoln Ave./West Hood Ave. to West Devon Ave., Chicago
4. North Side College Prep High School, Chicago
5. River Park, Chicago
6. Ronan Park, Chicago
7. Neighborspace, West Berteau Ave. to West Montrose Ave., Chicago
8. Horner Park, Chicago
9. Clark Park, Chicago
10. Lake Katherine Nature Preserve, Palos Heights
11. Ann Street, Blue Island
12. Evanston Ecology Center, Green Bay Rd. to Emerson St., Evanston
13. California Park, Chicago
14. De Paul College Prep, Chicago

Maps depicting the locations are attached hereto. There are no objections to Friends' request from the technical departments.

As in the past, Friends has requested that the District provide a boat to collect the debris again this year and the Maintenance and Operations Department ("M & O") has no objections to this request. Friends shall notify the District Police when the boat is needed to coordinate with M & O for the pick-up of the debris.

The 1-day clean up event will be conducted by supervised high school students. As in the past, Friends will

File #: 15-0337, **Version:** 1

be required to provide public liability insurance naming the District as an additional insured. The permit will also require that Friends provide the District with signed releases from all of the participants including signed releases from a parent and/or guardian of a minor participant. Should a parent/guardian not accompany said minor, the permit will require that the minor's release, signed by a parent, must also be signed by the adult supervisor. The permit will also require that Friends obtain the written consent of the private lessees of any leased parcel.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize and approve the issuance of a 1-day permit to Friends of the Chicago River to access District land at 14 locations along the North Branch of the Chicago River, North Shore Channel, Main Channel, and Cal-Sag Channel, in Cook County, Illinois for its Annual Chicago River Day Clean-Up Event on May 9, 2015. Consideration shall be a nominal fee of \$10.00.

It is also 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 agreement after it is approved by the General Counsel as to form and legality.

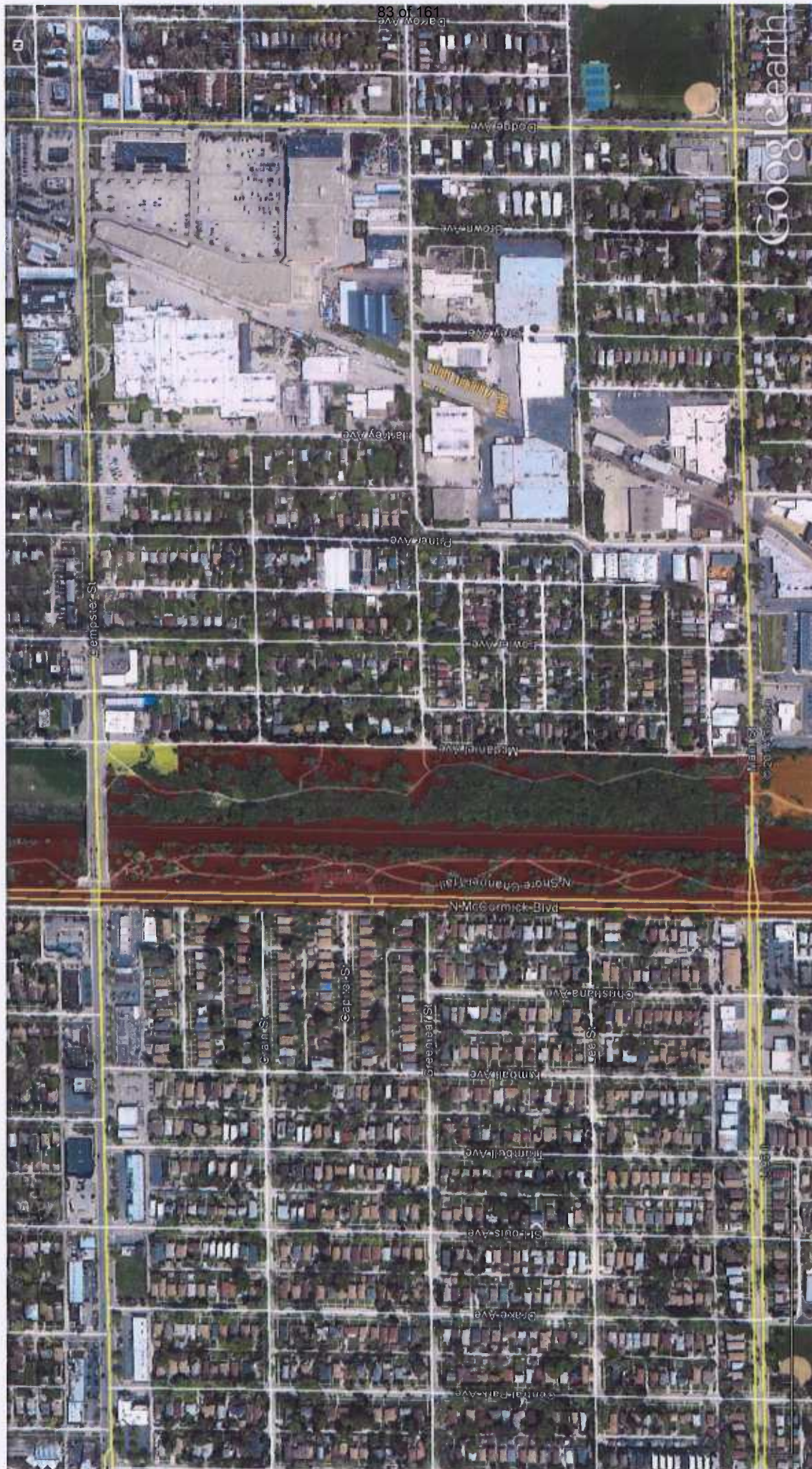
Requested, Ronald M. Hill, General Counsel, RMH:STM:NPE:vp

Recommended, David St. Pierre, Executive Director

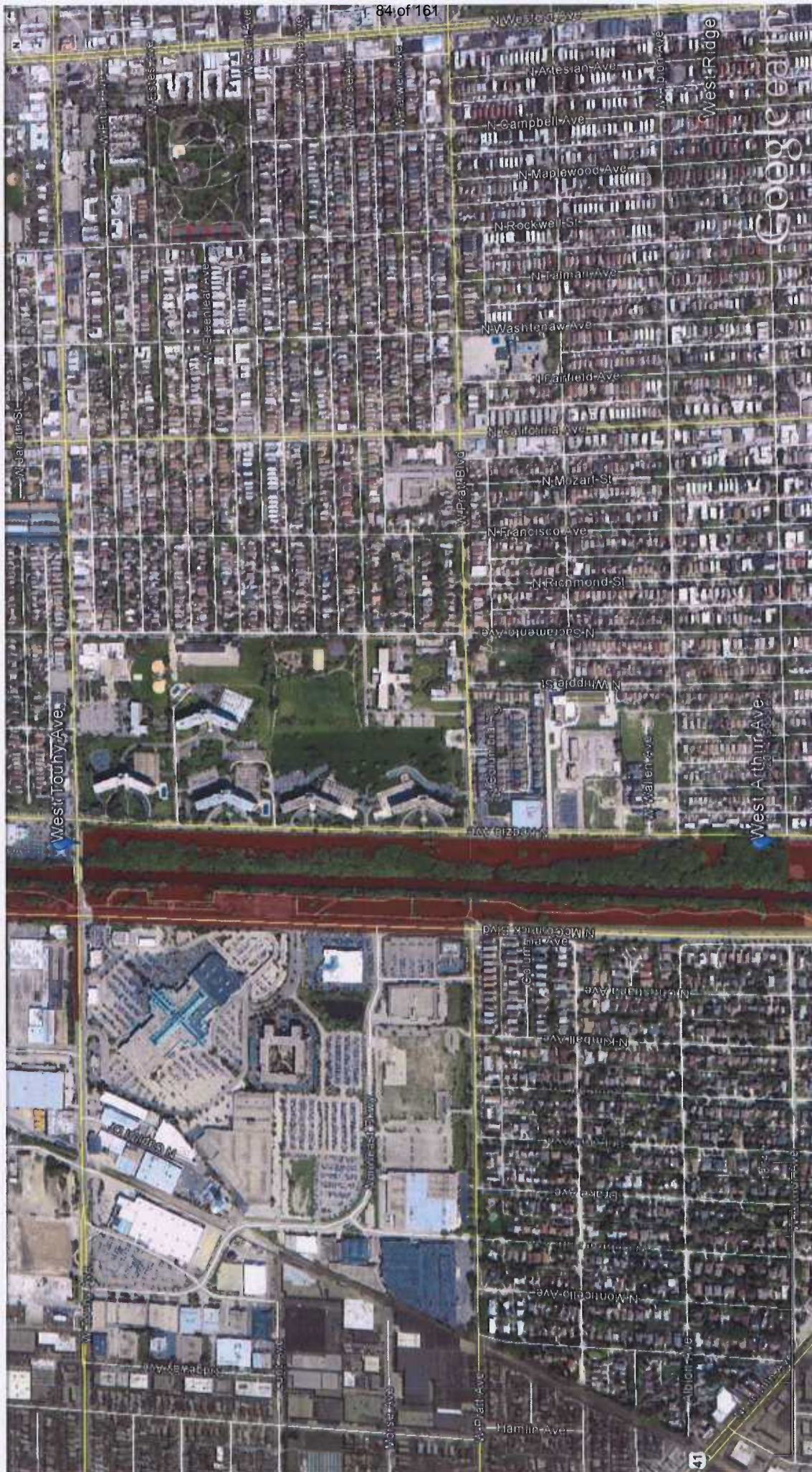
Respectfully Submitted, Mariyana T. Spyropoulos, Chairman Committee on Real Estate Development

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners April 9, 2015

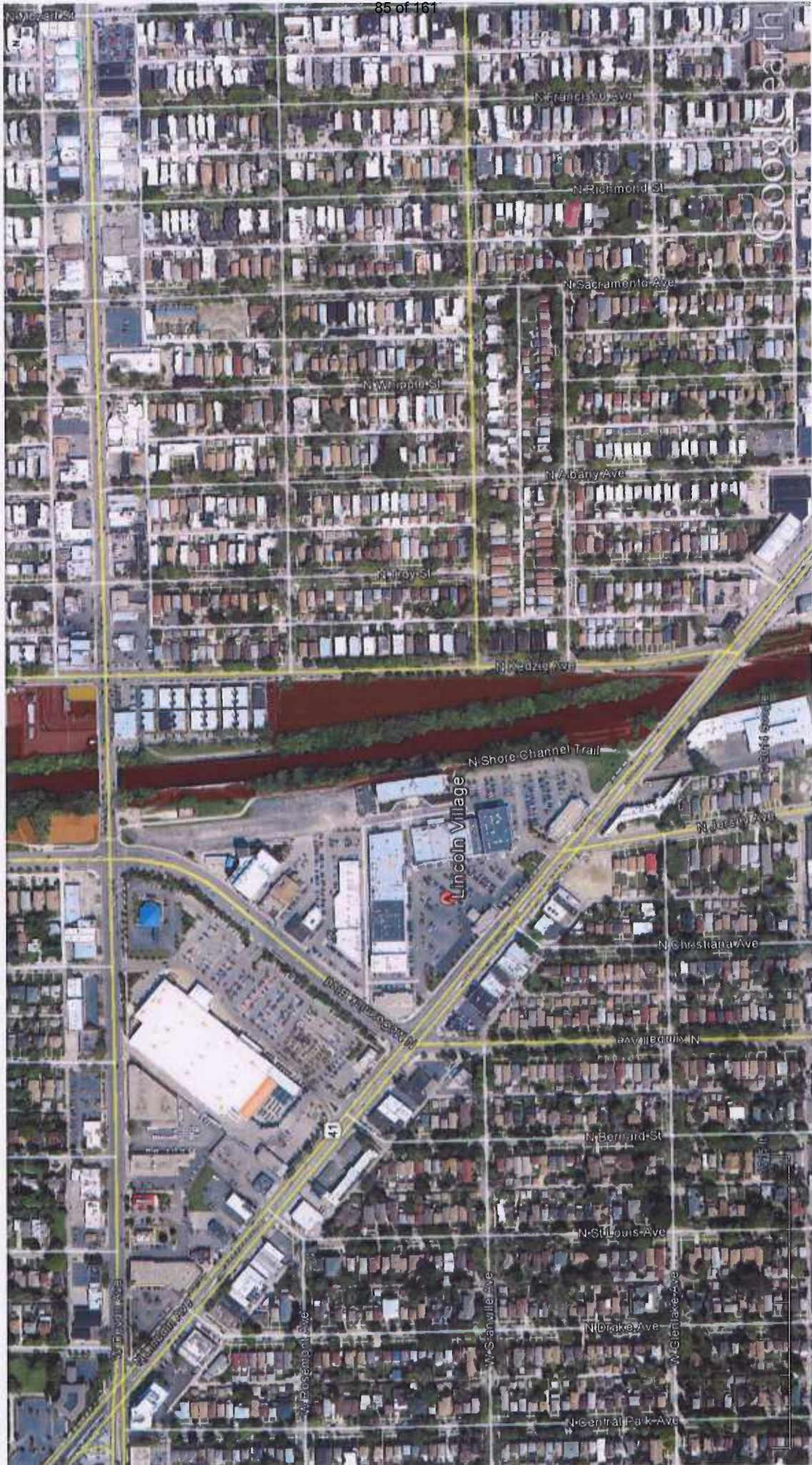
Attachments



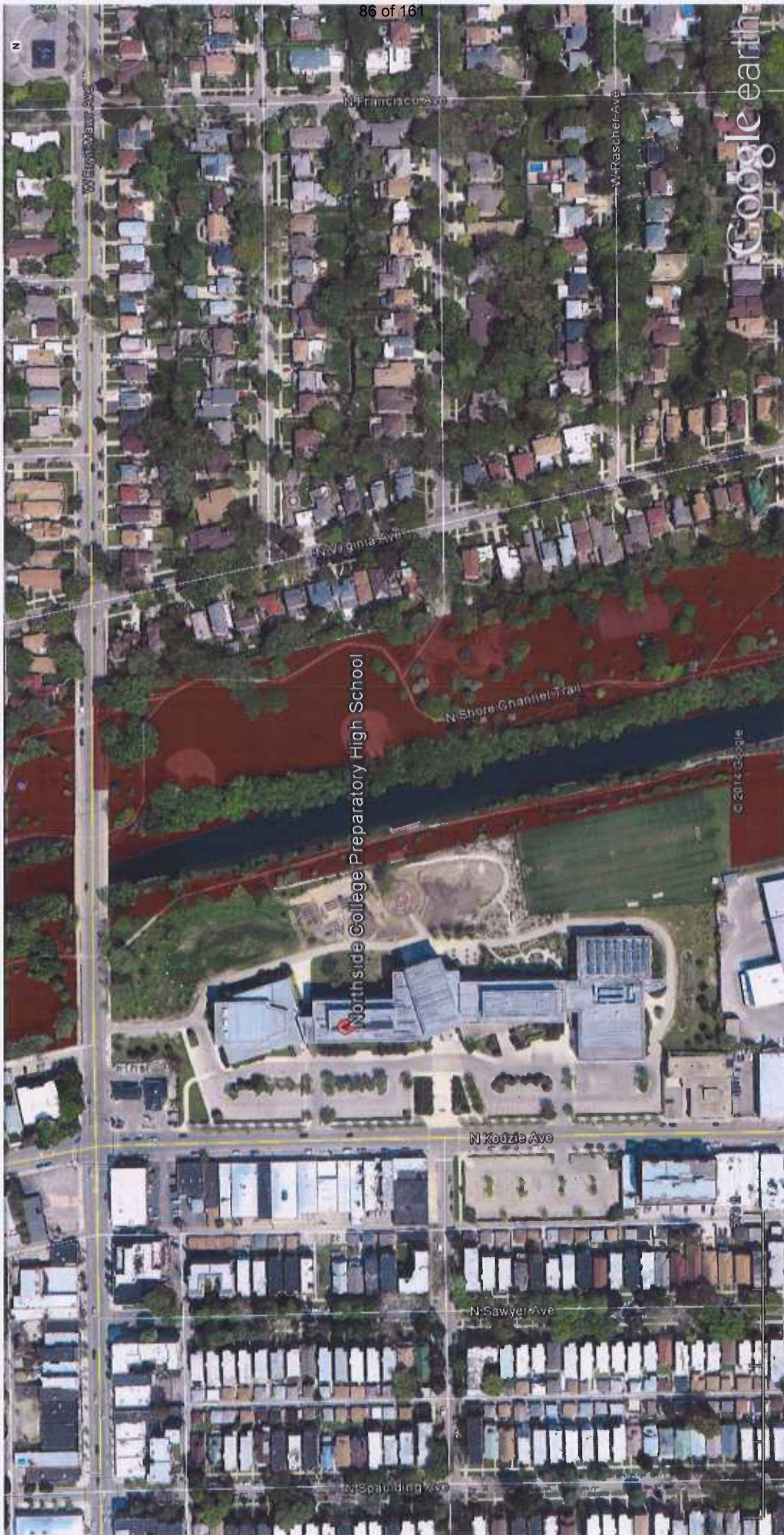
Map # 1 Skokie Sculpture Park
Main St. to Dempster, Evanston



Map # 2 Park No. 538
 West Arthur Ave. to West Touhy Ave.,
 Lincolnwood



Map # 3 Lincoln Village Shopping
Center
North Lincoln Ave./West Hood Ave. to
West Devon Ave., Chicago



Map # 4 North Side College Prep
High School, Chicago



Map # 5 River Park, Chicago



Map # 6 Ronan Park, Chicago



Map # 7 Neighborspace
West Berteau Ave. to West Montrose
Ave., Chicago



Map # 8 Horner Park, Chicago



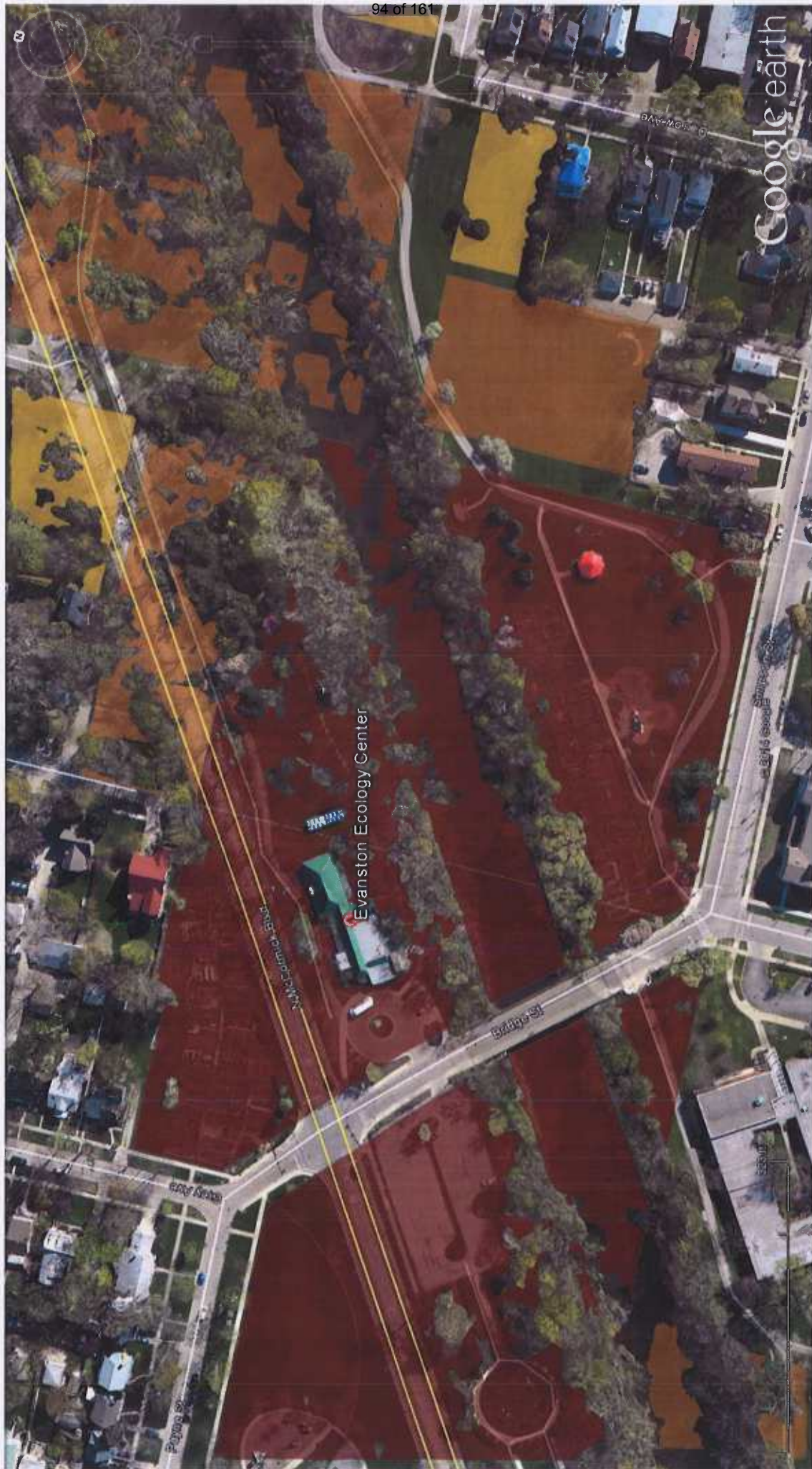
Map # 9 Clark Park, Chicago



Map # 10 Lake Katherine Nature Preserve, Palos Heights



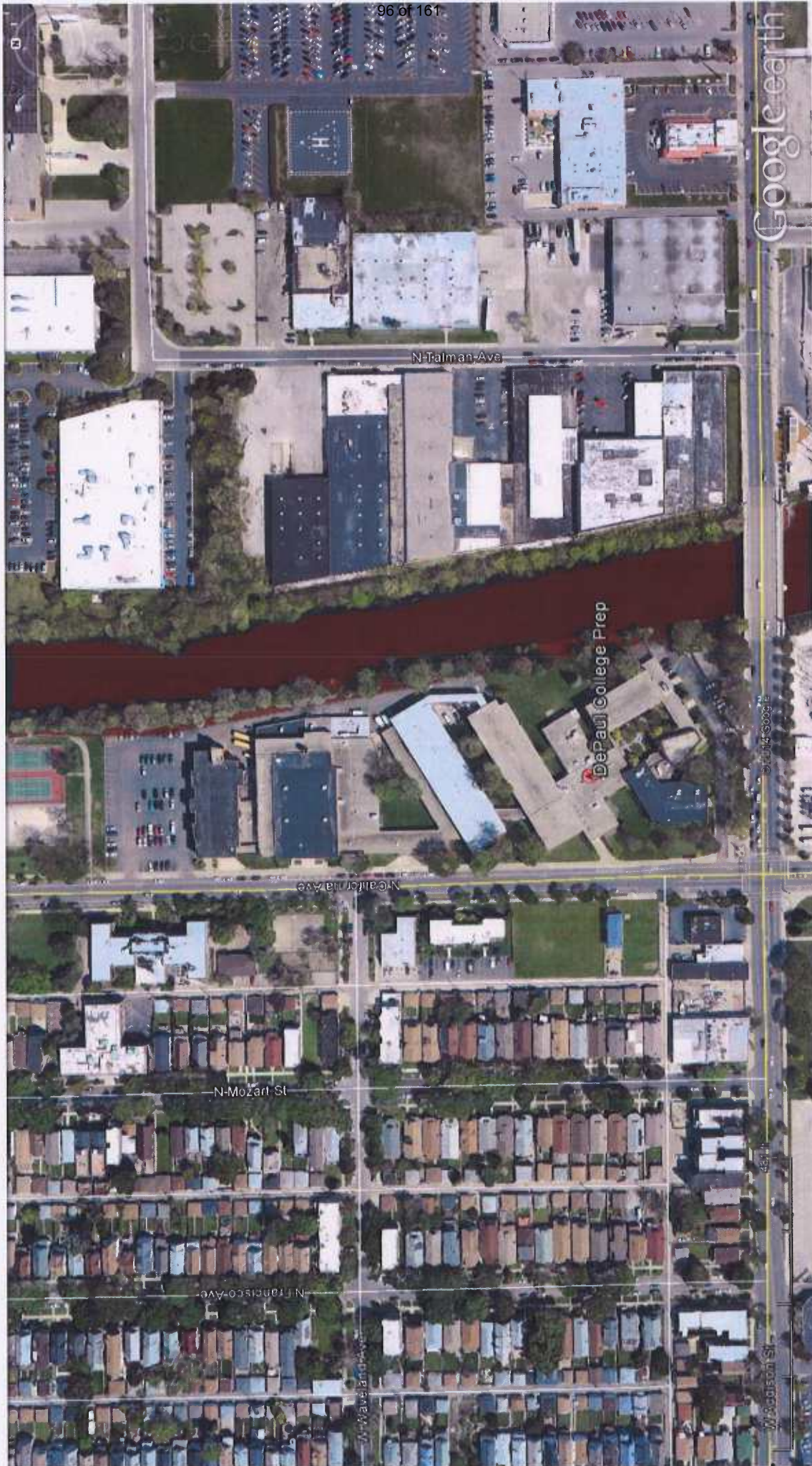
Map # 11 Ann Street, Blue Island



Map # 12 Evanston Ecology Center
Green Bay Rd. to Emerson St.,
Evanston



Map # 13 California Park, Chicago



Map # 14 De Paul College Prep
Chicago



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0363, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authorization to commence statutory procedures to lease approximately 23 acres of unimproved District real estate located west of Lemont Road and north of the Main Channel in Lemont, Illinois; Main Channel Parcel 23.01

Dear Sir:

The Law Department has received a request from Ozinga Bros., Inc. ("Ozinga") to lease approximately 23 acres of unimproved District real estate located west of Lemont Road and north of the Main Channel in Lemont, Illinois and known as Main Channel Parcel 23.01. The site is currently vacant. Ozinga leases the adjacent easterly site to operate a ready mix concrete facility and has requested to lease Parcel 23.01 to expand its existing operations. The requested term is for 39 years.

The District's technical departments have reviewed the lease request and have indicated that the subject site is not needed for corporate use nor do they have any technical objections thereto.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize and direct the General Counsel to commence statutory procedures to lease approximately 23 acres of unimproved District real estate located west of Lemont Road and north of the Main Channel in Lemont, Illinois and known as Main Channel Parcel 23.01 upon the terms and conditions set forth herein.

Requested, Ronald M. Hill, General Counsel, RMH:SM: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 April 9, 2015

Attachment

PARKS/RECREATION

LEASED

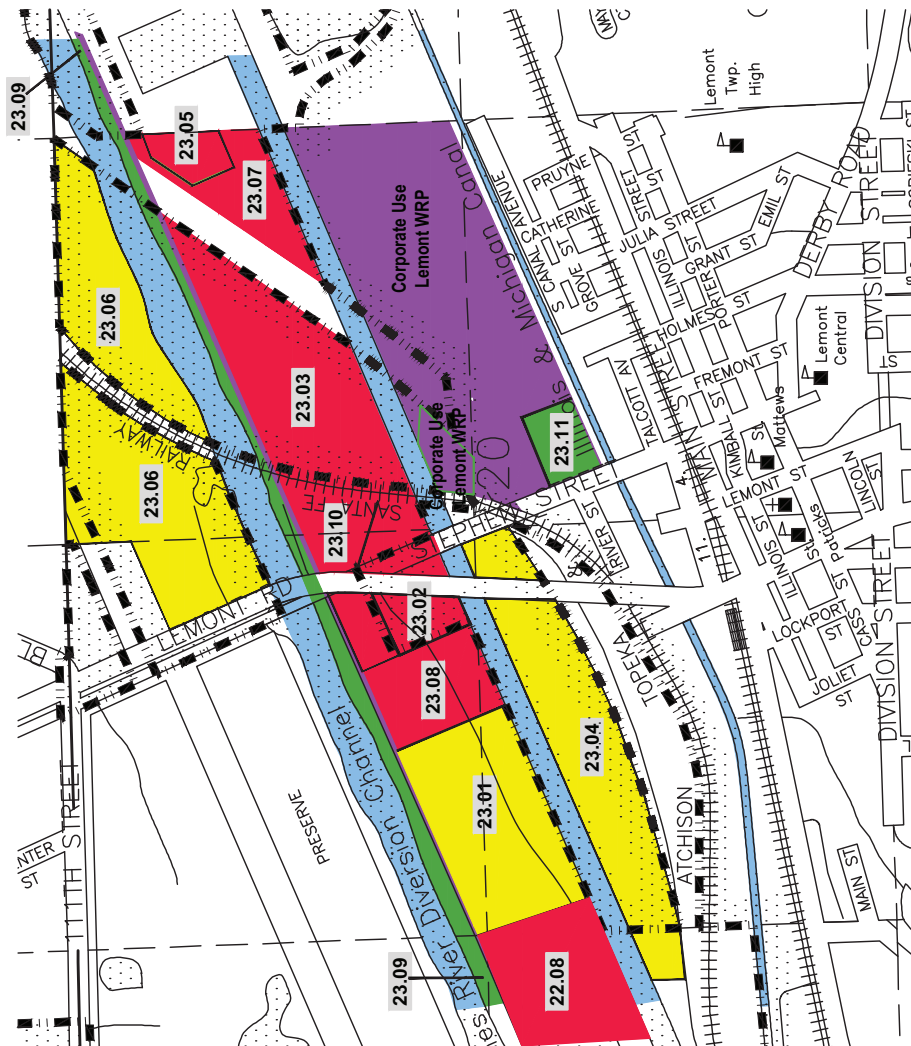
VACANT

CORPORATE USE

WATERWAYS

1
1/2
0

SCALE OF MILES





Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0393, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to commence negotiations with the Village of Wheeling for the sale of an approximately two acre segment of the William Rodgers Memorial Diversionary Channel on District real estate located southwest of the intersection of Milwaukee Avenue and Lake Cook Road in Wheeling, Illinois

Dear Sir:

The District owns two parcels of real estate comprising approximately two acres located southwest of the intersection of Milwaukee Avenue and Lake Cook Road in Wheeling, Illinois. The parcels are not contiguous to each other but each parcel comprises a section of the William Rodgers Memorial Diversionary Channel ("Channel"). One parcel ("Parcel A") is located at the western end of Meadow Lane. The second parcel ("Parcel B") is located west of the intersection of Strong Street and Northgate Parkway. Both parcels were acquired by the District in the 1990's as part of a regional stormwater project that involved the construction of the Channel for the benefit of the Village of Wheeling ("Wheeling"). Wheeling assumed sole responsibility for the project in 1999 and has been maintaining the Channel since such time.

Wheeling has requested to build a footpath over the Parcel A section of the Channel for public use. Because Wheeling already maintains the entire Channel and neither Parcel A nor Parcel B are needed for corporate use, it is recommended that both parcels of land be sold.

The technical departments have no objections to sell these sections of the Channel to Wheeling. A fair market value sale of the parcels is recommended.

It is requested that the Executive Director recommend to the Board of Commissioners that it issue orders authorizing the General Counsel to commence negotiations with the Village of Wheeling for the sale of an approximately two acre segment of the William Rodgers Memorial Diversionary Channel on District real estate located southwest of the intersection of Milwaukee Avenue and Lake Cook Road in Wheeling, Illinois.

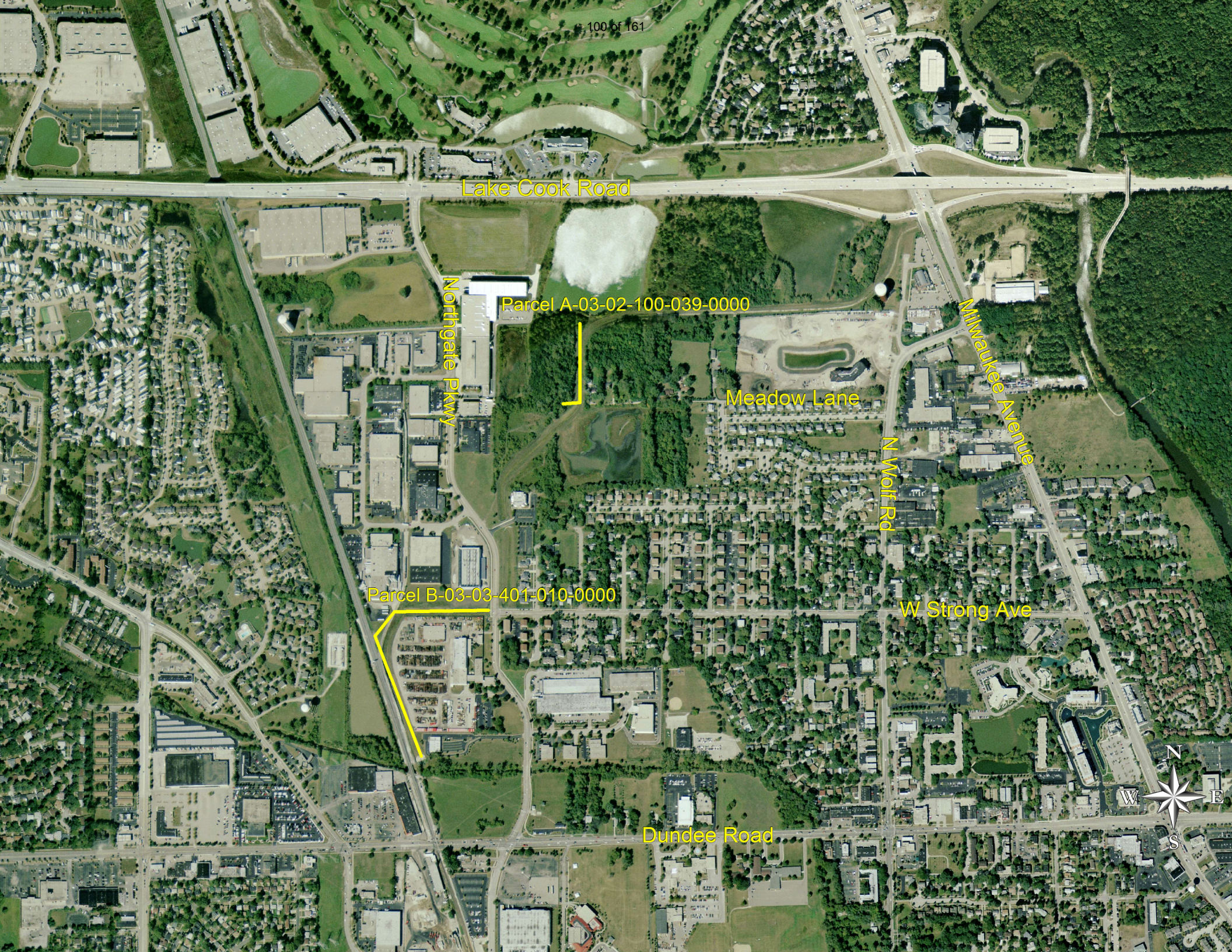
Requested, Ronald M. Hill, General Counsel, RMH:STM:CMM:vp

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 April 9, 2015

Attachment



100 of 161

Lake Cook Road

Northgate Pkwy

Parcel A-03-02-100-039-0000

Meadow Lane

Milwaukee Avenue

N Wolf Rd

Parcel B-03-03-401-010-0000

W Strong Ave

Dundee Road





Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0395, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to issue a 12-month permit extension to Wm. Wrigley Jr. Company on District property located at 3548 South Ashland Avenue to continue to conduct confirmatory sampling and additional environmental remediation. Consideration shall be \$2,500.00

Dear Sir:

The District owns a 25' x 100' vacant parcel of real estate at 3548 South Ashland Avenue in Chicago. Wm. Wrigley Jr. Company ("Wrigley") owns an adjacent parcel of land at 3538 South Ashland Avenue where benzene was discovered due to a leaking underground storage tank. Reports and data indicated that the contamination migrated onto the western portion of the District's property. Additionally, Wrigley entered into an Agreement with the Illinois Environmental Protection Agency to remediate its site and the affected surrounding sites, including the Districts.

As a result of the migration of the contamination, on September 3, 2009, the Board of Commissioners ("Board") authorized the issuance of a 9-month permit to Wrigley's environmental contractor, Malcolm Pirnie, Inc., to access the District's site to perform environmental testing and remediation. On July 9, 2010, the Board amended the permit to name Wrigley as the responsible party for the site's remediation. That permit, as extended, expired on December 31, 2012. During the permit period, Wrigley remediated the site pursuant to its approved remediation plan.

On October 2, 2014, the District and Wrigley entered into a new Permit Agreement granting Wrigley access to the property for the period of October 15, 2014 through April 14, 2015, to perform confirmatory sampling to ensure that the contamination on the District's property has been fully remediated. Confirmatory sampling has shown that the benzene contamination is still present and that additional remediation is necessary. A one-year permit extension is therefore necessary.

The technical departments have no objections to the requested permit extension. Because the sampling and remediation affects the western quarter of the site, a fee based on 10% of that section would yield a value less than the District's minimum fee of \$2,500.00. A \$2,500.00 fee is therefore recommended.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize the issuance of a 12-month permit extension to Wm. Wrigley Jr. Company on District property located at 3548 South Ashland Avenue to continue to conduct confirmatory sampling and additional environmental remediation. Consideration shall be a fee of \$2,500.00.

It is further requested that the Executive Director recommend to the Board of Commissioners that it authorize the Chairman of the Committee on Finance and the Clerk to execute said permit extension agreement after it is approved by the General Counsel as to form and legality.

File #: 15-0395, **Version:** 1

Requested, Ronald M. Hill, General Counsel, RMH:STM:JDC: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 April 9, 2015

Attachment





Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0397, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

Authority to grant to the City of Chicago a permanent subterranean easement on 3.398 acres on District North Shore Channel Parcels 9.02, 9.06 and 9.13 and a five (5) year construction easement on 4.444 acres on District North Shore Channel Parcel 9.02 in connection with the Albany Park Flood Control Project. Consideration shall be a nominal fee of \$10.00

Dear Sir:

On August 29, 2013, the Board of Commissioners authorized the District to enter into an Intergovernmental Agreement with the City of Chicago ("Chicago") for the design and construction of the Albany Park Flood Control Project ("Project"). The Project will consist of a stormwater diversion tunnel which will be constructed approximately 150 feet below grade and follow the Foster Avenue right-of-way beginning at Springfield Avenue then continue easterly to the North Shore Channel. The diversion tunnel will take excess waters from a potential flood area and divert them directly into the North Shore Channel bypassing the Albany Park neighborhood.

The Project will require the District to grant Chicago a permanent subterranean easement totaling 3.398 acres on North Shore Channel Parcels 9.02, 9.06 and 9.13 and a temporary five (5) year construction easement totaling 4.444 acres on North Shore Channel Parcel 9.02. Parcel 9.02 is under lease to the Chicago Park District under a lease that expires in 2061 for public recreational use and is known as River Park and Parcels 9.06 and 9.13 are under lease to North Park University under a lease that commenced in 2003 and expires in 2042 for use of its athletic fields. This permanent easement is subject to the consent of the Chicago Park District and North Park University and the construction easement is only subject to the consent of Chicago Park District.

The District's technical departments have reviewed this Project and have no objections to granting the permanent and temporary easements. Since this is a joint project between Chicago and the District a nominal fee of \$10.00 is recommended.

It is requested that the Executive Director recommend to the Board of Commissioners that it authorize and approve the grant to the City of Chicago a permanent subterranean easement on 3.398 acres on District North Shore Channel Parcels 9.02, 9.06 and 9.13 and a five (5) year construction easement on 4.444 acres on District North Shore Channel Parcel 9.02 in connection with the Albany Park Flood Control Project. Consideration shall be a nominal fee of \$10.00.

It is further 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 easements and any other necessary documents in conjunction therewith after they are approved by the General Counsel as to form and legality.

File #: 15-0397, **Version:** 1

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 April 9, 2015

Attachment





Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 15-0378, **Version:** 1

MEMORIAL RESOLUTION FOR BOARD MEETING OF APRIL 9, 2015

MEMORIAL RESOLUTION sponsored by the Board of Commissioners honoring Reverend Willie Taplin Barrow

WHEREAS, Willie Beatrice Taplin was born in Burton, Texas, on Dec. 7, 1924, to Nelson and Octava Taplin, and was raised on their farm with her six siblings; and

WHEREAS, at the age of twelve, Reverend Barrow began her lifelong fight for equality when she demanded to be allowed to ride the whites-only bus to school; and

WHEREAS, at the age of sixteen, Reverend Barrow moved to Portland, Oregon to study ministry, and in the process, organized one of the first African-American Churches of God; and

WHEREAS, while working as a welder in a shipyard during the war, she met Clyde Barrow, who would become her husband; and

WHEREAS, the couple moved to Chicago in 1945, where Reverend Barrow resumed her studies at Moody Bible Institute; and

WHEREAS, as a member of Emerald Avenue Church of God, Reverend Barrow organized a youth choir made up of children from all over the South Side, and when her minister noticed her leadership ability and her energy, he tapped her to help with civil rights demonstrations; and

WHEREAS, by 1950, Reverend Barrow was a field organizer, helping to put together marches and pickets for civil rights all over the United States; and

WHEREAS, Reverend Barrow helped organize sit-ins and boycotts in the South with other civil rights icons including the Reverend Dr. Martin Luther King, Jr., Rosa Parks and the Reverend Ralph Abernathy; and

WHEREAS, on September 27, 1954, Reverend Barrow gave birth to son Keith, who, influenced by his mother, sang gospel music, eventually becoming a noted recording artist; and

WHEREAS, in the mid-1960s, Reverend Barrow founded Operation Breadbasket with Reverend Jesse Jackson, leading boycotts of white-owned businesses to bring awareness to the disparity in food pricing and quality between black and white neighborhoods; and

WHEREAS, Operation Breadbasket evolved into Operation PUSH, which led campaigns to serve the poor and the most vulnerable communities in Chicago; and

WHEREAS, with Operation PUSH, Reverend Barrow actively participated in the boycott of Chicago Fest, which led to a massive voter registration effort and the election of the late Mayor Harold Washington; and

WHEREAS, Reverend Barrow served as executive director of Operation PUSH for five years, the first woman to lead the organization, and served as chair of the board for over a decade; and

File #: 15-0378, **Version:** 1

WHEREAS, small in stature but giant in spirit, “The Little Warrior” fought for equality everywhere, joining the fight for women’s rights and labor rights, and in later years, for gay rights; and

WHEREAS, after losing her son to AIDS, Reverend Barrow became active in the AIDS awareness movement and helped launch one of the first AIDS quilts; and

WHEREAS, Reverend Barrow traveled widely on missions of peace and outreach all over the world, including Vietnam, Russia, Nicaragua, Cuba and to South Africa; and

WHEREAS, in her missions of peace and advocacy for human rights, Reverend Barrow met with many foreign and domestic leaders, including Nelson and Willie Mandela; Presidents Carter, Bush, Reagan, Clinton and Obama; and other heads of state; and

WHEREAS, Reverend Barrow wrote “How to Get Married...and Stay Married,” a book offering advice based on her 56 years of marriage to her husband Clyde; the two remained married until his passing; and

WHEREAS, in recent years, Reverend Barrow focused her advocacy on the issues of gun violence in Chicago and concern over the dilution of the Voting Rights Act; and

WHEREAS, Reverend Barrow took many young activists under her wing and served as “godmother” to hundreds, including President Barack Obama; and

WHEREAS, on March 12, 2015, Reverend Barrow passed from this life to rejoin husband Clyde and son Keith; and

WHEREAS, generations of men and women have been inspired by Reverend Willie Barrow’s strength in spirit in her fight to extinguish inequality wherever she found it, and they will continue the fight in her honor; 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 passing of Reverend Willie Barrow and honor her lifelong commitment to equality; 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: April 9, 2015

Approved: MARIYANA T. SPYROPOULOS, President; BARBARA J. MCGOWAN, Vice President; FRANK AVILA, Chairman, Committee on Finance; MICHAEL A. ALVAREZ; TIMOTHY BRADFORD; 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 #: 15-0265, **Version:** 1

RESOLUTION FOR BOARD MEETING OF APRIL 9, 2015

RESOLUTION sponsored by the Board of Commissioners recognizing the 48th Annual Chicago Business Opportunity Fair

WHEREAS, the Chicago Minority Business Development Council's 48th Annual Chicago Business Opportunity Fair will be held April 23rd through April 24th at the Navy Pier Festival Hall; and

WHEREAS, the Chicago Business Opportunity Fair has a distinguished history as a catalyst for developing partnerships between minority and majority-owned corporations and government agencies; and

WHEREAS, the Chicago Business Opportunity Fair is the oldest and largest procurement show in the nation devoted exclusively to multi-cultural and multi-ethnic business; and

WHEREAS, continuing its tradition of promoting relationships between minority-owned businesses and major buying organizations in the public and private sectors, representatives from hundreds of organizations will participate in the Fair; 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 April 23rd through April 24th, 2015 as Chicago Minority Business Opportunity Days 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, and that a copy of same, suitably engrossed, be presented to the Chicago Minority Supplier Development Council.

Dated: April 9, 2015

Approved: MARIYANA T. SPYROPOULOS, President; BARBARA J. MCGOWAN, Vice President; FRANK AVILA, Chairman, Committee on Finance; MICHAEL A. ALVAREZ; TIMOTHY BRADFORD; 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 #: 15-0338, **Version:** 1

RESOLUTION FOR BOARD MEETING OF APRIL 9, 2015

RESOLUTION sponsored by the Board of Commissioners celebrating the 100th anniversary of the Belgian American Club of Chicago

WHEREAS, the Metropolitan Water Reclamation District of Greater Chicago welcomes his Excellency Ambassador Johan Verbeke of the Kingdom of Belgium on his first visit to Illinois and congratulates Honorary Consul Paul M. Van Halteren of the Kingdom of Belgium of Chicago celebrating the 10th year anniversary of the Honorary Consulate of the Kingdom of Belgium and Louis J. Dries, President, Belgian American Club of Chicago (BACC) celebrating its 100th Anniversary; and,

WHEREAS, the Kingdom of Belgium has had a long tradition in Chicago since 1854 when it was the first country to open a consulate in Chicago located in "Old Town"; and,

WHEREAS, the Kingdom of Belgium opened the Honorary Consulate of Paul M. Van Halteren in March 2005 to reflect the Belgian American community; and,

WHEREAS, Belgium communities were established in the 19th century in Chicago, Illinois; Detroit, Michigan; Door County, Wisconsin; and Moline, Illinois; and

WHEREAS, the Belgian Club of Chicago has a long history in the city of Chicago; and,

WHEREAS, the Belgians in Chicago first organized around 1904/1905 to help raise funds to build the Belgian Church, St. John Berchmans, at Logan Boulevard and Maplewood Avenue completed in 1907; and,

WHEREAS, the President was Charles F. Strubbe whose family originated from Bruges and was active in the city's public affairs, in labor circles and became a trustee of the new Belgian Church, St. John Berchmans; and,

WHEREAS, in 1915, the "Belgian Janitors Association" was established under the leadership of Gus Van Heck for several decades and then succeeded by his son Ray Van Heck, and,

WHEREAS, in 1921, they built a clubhouse for dances and social events at 2625 W. Fullerton Avenue with "All Belgians Are Equal" carved into a stone plaque on the corner of the building, and at the top of the façade are the initials "ABE," which stand for the same phrase; and,

WHEREAS, Gus Van Heck was also instrumental in the growth and development of Janitors' Union Local 1, a union that organized the janitors in Chicago today represented by the Service Employees International Union (SEIU), and eventually he became Vice-President of the Union and served until 1955; and,

WHEREAS, many new Belgian immigrants who arrived in Chicago would become janitors and join the union as well as the club; and,

WHEREAS, the club was renamed the "Belgian American Club of Chicago" in 1948; and,

File #: 15-0338, **Version:** 1

WHEREAS, from the 1960s through the 1980s, the Belgian American Club of Chicago was led by Arnold Van Puymbroeck, and currently the President of the BACC is Louis J. Dries; and,

WHEREAS, the BACC serves a diverse community of individuals and families who have an interest in Belgian culture; and

WHEREAS, the BACC is a non-profit, non-political and non-religious group, promoting the image of Belgium and its peoples and encouraging social relations among Belgians, as well as non-Belgians, living within the Chicago metropolitan area; and

WHEREAS, a Belgian missionary, Father Arnold Damien, a Jesuit Priest, played an important role in Chicago by expanding Catholic educational opportunities in founding Saint Ignatius College Prep, a private, coeducational Jesuit High School located in the near West Side neighborhood of Chicago, Illinois; and,

WHEREAS, Belgian missionary, Father Damien, was chosen as the greatest Belgian of all time by the Flemish Public Broadcasting Service, VRT; and, Damen Avenue in Chicago is named after him; and,

WHEREAS, Belgian, James Oliver Van De Velde, served as the second Roman Catholic Bishop of Chicago between 1849 and 1853; and,

WHEREAS, Belgian, Charles Henrotin, founded the Chicago Stock Exchange in a formal meeting on March 21, 1882, and was the principal organizer and promoter and was elected the Chairman and President for two other terms, as well as member of the New York Stock Exchange and connected to the Chicago Board of Trade; and,

WHEREAS, in 1892, Belgian, Charles Henrotin was chosen a Director on the World's Columbian Exposition also know as the Chicago's World's Fair; and,

WHEREAS, the former Memorial Hospital of the North Side of Chicago was named Henrotin Hospital after Ferdinand Henrotin; and,

WHEREAS, World War I (1914-1918) had a profound impact on the history of the Kingdom of Belgium and of the whole world, and it played an important role in the conflict, not least through the courageous resistance shown by the Belgians during the German invasion; and,

WHEREAS, the Kingdom of Belgium is playing a central part in the 100th anniversary of World War I with a number of national commemorative ceremonies with international scope throughout the period 2014-2018, including Flanders Fields Battlefield Tours in Ypres Salient, part of the Western Front; and,

WHEREAS, the Kingdom of Belgium served as the battleground between many European powers, causing it to be dubbed the "Battlefield of Europe", a reputation strengthened by both World Wars; and,

WHEREAS, Belgian-Americans continue to contribute to the growth of the Midwest where greater Chicago is and has been a focus for Belgian immigrants coming to America, and excelling in many fields including religion, labor, economics, science, medicine, education and business; 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, welcome his Excellency Ambassador Johan Verbeke of the Kingdom of Belgium on his first visit to Illinois and congratulate Honorary Consul Paul M. Van Halteren of the Kingdom of Belgium of Chicago for celebrating the 10th year anniversary of the Honorary Consulate and President Louis J. Dries, Belgian American Club of Chicago (BACC) for celebrating its 100th Anniversary; and,

File #: 15-0338, **Version:** 1

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 copies of same, suitably engrossed, be presented to His Excellency Ambassador Johan Verbeke of the Kingdom of Belgium, Honorary Consul Paul M. Van Halteren of the Kingdom of Belgium of Chicago and Louis Dries, President of the Belgian American Club of Chicago (BACC).

Dated: April 9, 2015

Approved: MARIYANA T. SPYROPOULOS, President; BARBARA J. MCGOWAN, Vice President; FRANK AVILA, Chairman, Committee on Finance; MICHAEL A. ALVAREZ; TIMOTHY BRADFORD; 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 #: 15-0380, **Version:** 1

RESOLUTION FOR BOARD MEETING OF APRIL 9, 2015

RESOLUTION sponsored by the Board of Commissioners recognizing the 10th Anniversary of the Loyola University Museum of Art

WHEREAS, the Loyola University Museum of Art (LUMA) was founded in 2005 on the Water Tower Campus of Loyola University Chicago and is located in Lewis Towers, a historic 1926 Gothic Revival building on the Magnificent Mile; and

WHEREAS, Pamela E. Ambrose, Director of Cultural Affairs at Loyola University Chicago oversees the museum's eight main exhibition galleries, where LUMA mounts three to four major exhibitions per year; and

WHEREAS, additional exhibitions, primarily focusing upon the work of Illinois artists, are presented in the Harlan J. Berk, Ltd. Works on Paper Gallery; and

WHEREAS, at least four times a year, the work of local school children is presented on the third floor in LUMA's Push Pin Gallery; and

WHEREAS, the Martin D'Arcy, S.J. Collection of Medieval, Renaissance and Baroque Art serves as the permanent collection at LUMA and was established in 1969 by Donald Rowe, S.J., a Jesuit and Loyola faculty member, who named this collection after British humanist and Jesuit theologian Martin D'Arcy, S.J.; and

WHEREAS, LUMA is dedicated to exploring, promoting, and understanding art and artistic expression that illuminates the enduring spiritual questions of all cultures and societies; and

WHEREAS, under the governance of University President Fr. Michael Garanzini, S.J. and an elected board of advisors chaired by Matthew T. Dattilo, the museum reflects the University's Jesuit identity and is dedicated to helping people of all creeds to explore their faith and spiritual quest; and

WHEREAS, LUMA is one of the youngest museums to receive accreditation by the American Alliance of Museums; and

WHEREAS, an exciting list of programs, exhibitions and events have been organized to celebrate the 10th anniversary, culminating in the fall exhibition, LUMA at 10: Greatest Hits, which features many of LUMA's past exhibitions and will give the museum the chance to display 10 years of acquisitions that have not yet been shown; and

WHEREAS, since 2005, LUMA's cultural events have introduced visitors to the rich cultural fabric of Chicago through a series of lectures, dancing, singing, costume and cuisine that have encouraged discovery, awareness, curiosity and an interest in life-long learning; 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 10th Anniversary of the Loyola University Museum of Art; and

File #: 15-0380, **Version:** 1

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 copies of same, suitably engrossed, be presented to Loyola University President Michael J. Garanzini, S.J.; Mathew T. Dattilo, Chair of the LUMA Board of Advisors; and Pamela E. Ambrose, Director of Cultural Affairs at Loyola University Chicago.

Dated: April 9, 2015

Approved: MARIYANA T. SPYROPOULOS, President; BARBARA J. MCGOWAN, Vice President; FRANK AVILA, Chairman, Committee on Finance; MICHAEL A. ALVAREZ; TIMOTHY BRADFORD; 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 #: IW15-001, **Version:** 1

ORDINANCE FOR THE BOARD MEETING OF APRIL 9, 2015

Request Authority to Amend the Sewage and Waste Control Ordinance of the Metropolitan Water Reclamation District of Greater Chicago

METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO



Sewage and Waste Control Ordinance

As Amended

August 9, 2012

April 9, 2015

**METROPOLITAN WATER RECLAMATION DISTRICT
OF GREATER CHICAGO
100 East Erie Street
Chicago, Illinois 60611
(312) 751-5600**

BOARD OF COMMISSIONERS

~~Hon. Terrence J. O'Brien, President~~
Hon. Mariyana T. Spyropoulos, President
 Hon. Barbara J. McGowan, Vice President
~~Hon. Cynthia M. Santos, Chairman of Finance~~
Hon. Frank Avila, Chairman of Finance

Hon. Michael A. Alvarez	Hon. Frank Avila
Hon. Patricia Horton	Hon. Therese Meany
Hon. Debra Shore	<u>Hon. Mariyana T. Spyropoulos</u>
<u>Hon. Timothy Bradford</u>	<u>Hon. Kari K. Steele</u>
<u>Hon. Cynthia M. Santos</u>	<u>Hon. Patrick D. Thompson</u>

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David St. Pierre, *Executive Director*
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 Keith D. Smith, *Director of Information Technology*
 Catherine O'Connor, *Director of Engineering*
 Jacqueline Torres, *Director of Finance/Clerk*
Ellen Barry, Acting Director of Information Technology

AN ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE ABATEMENT AND PREVENTION OF POLLUTION BY REGULATING AND CONTROLLING THE QUANTITY AND QUALITY OF SEWAGE AND INDUSTRIAL WASTE ADMITTED TO OR DISCHARGED INTO THE SEWERAGE SYSTEMS AND WATERS UNDER THE JURISDICTION OF THE METROPOLITAN WATER RECLAMATION DISTRICT OF GREATER CHICAGO, HEREINAFTER TO BE KNOWN AS "THE SEWAGE AND WASTE CONTROL ORDINANCE" ADOPTED BY THE BOARD OF TRUSTEES OF THE METROPOLITAN SANITARY DISTRICT OF GREATER CHICAGO ON SEPTEMBER 18, 1969; AND AS AMENDED TO AND INCLUDING FEBRUARY 24, 1972; OCTOBER 2, 1975; JANUARY 19, 1978; OCTOBER 12, 1978; NOVEMBER 6, 1980; APRIL 21, 1983; SEPTEMBER 6, 1984; SEPTEMBER 5, 1985; JULY 30, 1987; JANUARY 21, 1988; MARCH 10, 1988; JULY 7, 1988; SEPTEMBER 7, 1989; DECEMBER 6, 1990; SEPTEMBER 5, 1991; SEPTEMBER 24, 1992; JANUARY 28, 1993; MARCH 24, 1994; DECEMBER 22, 1994; NOVEMBER 21, 1996; JULY 9, 1998; JULY 13, 2000; JUNE 21, 2001; SEPTEMBER 20, 2001; NOVEMBER 1, 2001; OCTOBER 3, 2002; NOVEMBER 4, 2004; NOVEMBER 3, 2005; MAY 4, 2006; NOVEMBER 16, 2006; NOVEMBER 1, 2007; NOVEMBER 19, 2009; FEBRUARY 16, 2012, AUGUST 9, 2012, and APRIL 9, 2015.

BE IT ORDAINED by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago: That the Sewage and Waste Control Ordinance, originally passed by the Board of Trustees of The Metropolitan Sanitary District of Greater Chicago on September 18, 1969, and as amended, is herewith and now comprehensively amended to read as follows:

ARTICLE I

Purpose

This Ordinance, promulgated by the Metropolitan Water Reclamation District of Greater Chicago, hereinafter called the "District," pursuant to the authority vested in it by the Illinois legislature, has as its purpose the protection of the public health and safety by abating and preventing pollution through the regulation and control of the quantity and quality of sewage, industrial wastes, and other wastes admitted to or discharged into the sewerage systems, sewage treatment facilities, and waters under the jurisdiction of the District.

ARTICLE II

Definitions and Abbreviations

The meaning of the terms used in this Ordinance shall be as follows:

"Administrator" shall mean the Administrator of the United States Environmental Protection Agency.

"Applicable pretreatment standard" means any criteria, limitation or prohibition upon the discharge of any pollutant into a publicly owned treatment works.

"Approval Authority" shall mean the Regional Administrator of the United States Environmental Protection Agency or the Illinois Environmental Protection Agency, if so designated by the Regional Administrator.

"Authorized representative" means an owner or corporate officer of the industrial user authorized to legally bind the user in any and all negotiations and agreements.

"Baseline monitoring report" or "BMR" shall mean a form supplied by the District for reporting by an industrial user on the nature of the industrial user's operations and discharge of pollutants to the water reclamation facilities of the District.

"Biochemical Oxygen Demand (BOD)" means the quantity of dissolved oxygen required for biochemical oxidation of decomposable matter under aerobic conditions in a period of five days at a temperature of 20° C.

"Board of Commissioners" or "Board" means the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago.

"Categorical pretreatment standards" or "CPS" means any effluent limitation or standard applicable to an industrial category promulgated by the USEPA.

"Clean Water Act" means the Federal Water Pollution Control Act as amended by the Clean Water Act of 1977 (Pub. L. 95-217). It establishes responsibilities of Federal, State, and local government, industry and the public to implement National Pretreatment Standards to control pollutants which pass through or interfere with treatment processes in Publicly Owned Treatment Works (POTWs) or which may contaminate sewage sludge.

"Code of Federal Regulations" or "CFR" shall mean the codification of the general and permanent rules published in the **Federal Register** by the executive departments and agencies of the United States Government.

"Combined waste stream formula" shall mean the formulae contained in 40 CFR 403.6(e) for calculating alternative concentration limits or alternative mass limits for determining compliance with categorical pretreatment standards.

"Composite sample" means a representative mixture of a minimum three grab sample aliquots obtained over a period of time.

"Control authority" means the Metropolitan Water Reclamation District of Greater Chicago.

"Control manhole" or "sampling chamber" means a device or structure suitable and appropriate to permit sampling and flow measurement of a wastewater stream to determine compliance with this Ordinance.

"Deficient" means materially lacking information sufficient to determine compliance with applicable standards or requirements, or lacking required authorized representative, Registered Professional Engineer or notary certifications.

"Discharge Authorization" or "DA" means the document issued by the District to a significant industrial user granting permission to discharge process wastewater into the sewerage system of the District.

"Discharge Authorization Request" or "DAR" means the document submitted by a significant industrial user, on forms supplied by the District, requesting permission to discharge process wastewater into the sewerage system of the District.

"Executive Director" means the Executive Director of the Metropolitan Water Reclamation District of Greater Chicago.

"Existing source" shall mean any point source whose operations commenced prior to the date of proposal by the USEPA of any applicable categorical pretreatment standard in the **Federal Register**.

"**Federal Register**" shall mean the publication of the executive departments of the United States Government.

"Flow" means the volumetric measure per unit of time of wastewater, water, industrial waste or other flow.

"Fats, oils and greases (FOG)" means organic polar and non-polar compounds. Polar compounds are derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. Organic non-polar fraction of oil and grease (petroleum hydrocarbons) is identified as Silica gel treated n-hexane extractable materials (SGT-HEM) in the pretreatment standards.

"Fundamentally different factors" shall mean factors pertaining to the nature of an industrial user's operations which are fundamentally different from the factors considered by the USEPA in development of an applicable categorical pretreatment standard.

"Garbage" means solid wastes from the preparation, cooking and dispensing of food, and from the handling, storage or sale of meat, fish, fowl, fruit, or vegetables and condemned food.

"General pretreatment standards" or "GPS" means the standards contained in Appendix B of this Ordinance which are applicable to all discharges into sewerage systems tributary to water reclamation facilities.

"Grab sample" means a single aliquot sample collected over a period not to exceed 15 minutes.

"Hazardous waste" means any industrial waste, production residue, sewage or sludge which is classified as a hazardous waste pursuant to 40 CFR 261.

"Illinois Environmental Protection Agency" or "IEPA" means the Environmental Protection Agency of the state of Illinois.

"Illinois Pollution Control Board" or "IPCB" means the Pollution Control Board of the state of Illinois.

"Incompatible pollutant" shall mean a pollutant or waste characteristic which causes, or has the potential to cause, interference with the operation of a water reclamation facility or which is not amenable to treatment by a water reclamation facility and passes

through such a water reclamation facility and is contained in the discharged final effluent.

"Industrial user" or "IU" means a person who conducts any industrial, manufacturing, agricultural, trade or business process or who conducts the development, recovery or processing of natural resources.

"Industrial waste" means all solid, liquid or gaseous waste resulting from any commercial, industrial, manufacturing, agricultural, trade or business operation or process or from the development, recovery or processing of natural resources.

"Intake water adjustment" shall mean the adjustment of a categorical pretreatment standard to reflect the presence of a pollutant in a user's intake water.

"Interference" means a discharge which alone or in conjunction with a discharge or discharges from other sources inhibits or disrupts the normal operation of any treatment processes, including sludge processes, use or disposal, which causes a violation of any requirement of a NPDES permit or other permit issued to the District by the IEPA or the USEPA.

"National Pollutant Discharge Elimination System" or "NPDES" means the permit and regulation system governing direct discharges into navigable waters administered by the IEPA and USEPA.

"New source" shall mean any industrial point source of pollutants for which the construction or installation of process facilities or the housing for containing process facilities commenced on or after the date of proposal of regulations in the **Federal Register** of any applicable categorical pretreatment standard for pollutants which applies to said source.

"Ordinance" means the Sewage and Waste Control Ordinance of the Metropolitan Water Reclamation District of Greater Chicago and any rules, regulations and orders adopted by the Board pertaining thereto.

"Other wastes" means all decayed wood, sawdust, shavings, bark, lime, refuse, ashes, garbage, offal, oil, tar, chemicals, and all other substances except sewage and industrial wastes.

"Pass-through" means a discharge which exits the District's water reclamation facilities into waters in quantities, or concentrations which, alone or in conjunction with a discharge or discharges from other sources, causes a violation of any requirement of a NPDES permit or other permit issued to the District by the IEPA or the USEPA.

"Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint venture, joint stock company, sole proprietorship, trust, estate, co-partnership, unit of

government, school district, or private corporation organized or existing under the laws of the state of Illinois or any other state or country.

"Person in Significant Noncompliance" means any person who is so designated by the District in accordance with the criteria contained in Appendix E of this Ordinance.

"Pollution" means the discharge of a substance, set forth in Appendices A, B, and C hereto, to any waters, sewer, or other facility under the jurisdiction of the District, in excess of those quantities or strengths permitted by said Appendices A, B, and C hereto or in a manner contrary to that set forth herein. The discharge of any material or substance hereunder in quantities or strengths greater than those permitted under Appendices A, B, and C hereto or contrary to the manner set forth in this Ordinance shall constitute prima facie "pollution" and no further proof of detriment or harm shall be required by the District in any and all enforcement activities undertaken pursuant to the Ordinance.

"Pretreatment" means any method, construction, device, arrangement or appliance appurtenant thereto, installed for the purpose of treating, neutralizing, stabilizing, disinfecting, or disposing of sewage, industrial waste or other wastes prior to the discharge of such sewage, industrial waste or other wastes into the sewerage system under the jurisdiction of the District, or for the recovery of by-products from such sewage, industrial waste or other wastes.

"Pretreatment Standards" means any restriction on quantities, quality, rates, or concentrations of pollutants discharged into a Publicly Owned Treatment Works (POTW).

"Process wastewater" means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product or waste product.

"Production residue" means any liquid, solid, or gas which is residual source material, waste product or production by-product capable of being disposed in the sewerage system under the jurisdiction of the District.

"POTW" means treatment works owned and operated by a public entity, such as the District's water reclamation facilities.

"Registered Professional Engineer" or "P.E." means a professional engineer licensed by the Illinois Department of Financial and Professional Regulation to practice that profession.

"Sewage" means water-carried human wastes or a combination of water-carried wastes from residences, business, buildings, institutions and indus-

trial establishments, together with any ground, surface, storm or other waters that may be present.

"Sewerage system" means sewers, intercepting sewers, pipes or conduits, pumping stations, force mains, constructed drainage ditches, surface water intercepting ditches, and all other constructions, devices and appliances appurtenant thereto used for collecting or conducting sewage, industrial waste or other wastes to a point of treatment or ultimate disposal.

"Significant industrial user" or "SIU" means any person who: (i) is subject to categorical pretreatment standards, or (ii) discharges greater than 25,000 gallons per day of process wastewater to the sewerage system, excluding water-carried human wastes from sanitary conveniences such as toilets, wash bowls, bathtubs, showers and residential laundries, noncontact cooling water, boiler blowdown water, and uncontaminated storm water, or (iii) discharges process wastewater in excess of five percent or more of the average dry weather hydraulic or organic capacity of the receiving water reclamation facilities, or (iv) is designated by the District as having a reasonable potential for adversely affecting the operations of the water reclamation facilities or for violating any standard or requirement of this Ordinance. Upon finding that an IU meeting the above criteria has no reasonable potential for adversely affecting the operations of the District's water reclamation facilities or for violating any pretreatment standards or requirements, the District may at any time, on its own initiative or in response to a petition from an IU, determine that such IU is not an SIU.

"Significant violator" means any person who is so designated by the District in accordance with the criteria contained in Appendix E of this Ordinance.

"Sludge" means liquid and precipitated or suspended solid material therein contained, generated from the treatment of water, sewage, industrial waste or other wastes.

"Slug Discharge" means any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or non-customary batch Discharge, which has a reasonable potential to cause interference, pass-through, or in any other way to cause a violation of the District's regulations, local limits or Permit conditions.

"Standard Methods" means the most recent edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association.

"United States Environmental Protection Agency" or "USEPA" means the Environmental Protection Agency of the United States Government and its designated agents.

"Water reclamation facilities" means any method, construction, device, arrangement or appliance appurtenant thereto, installed for the purpose of treating, neutralizing, stabilizing, disinfecting, or disposing of sewage, industrial wastes or other wastes, or for the recovery of by-products from such sewage, industrial waste or other wastes and includes sewers, pipes and other conveyances if they convey wastewater to a POTW.

"Waters" means all accumulations of water, surface and underground, natural or artificial, public or private or parts thereof, which are wholly or partially under the jurisdiction of the District or which flow through the territory of the District.

ARTICLE III

Prohibited Wastes

Section 1. Unlawful Discharges

It shall be unlawful for any person to discharge sewage, industrial wastes, or other wastes of any kind into any waters of the state of Illinois under the jurisdiction of the District, in the absence of a current and valid National Pollutant Discharge Elimination System Permit issued by the Illinois Environmental Protection Agency, or into any sewerage system under the jurisdiction of the District, which does not conform to the criteria or effluent quality standards established and/or adopted by the District, as set forth in Appendices A, B, and C hereto of this Ordinance.

In addition to the prohibitions indicated in the above paragraph, it shall be unlawful for any significant industrial user, as defined herein, to cause or allow the discharge of process wastewater into the sewerage system under the jurisdiction of the District in violation of the terms and conditions contained in a Discharge Authorization issued to said person pursuant to the provisions of Appendix D of this Ordinance.

Section 2. Waterway Discharge Standards

Effluent quality standards and criteria for discharges into and pollution of waters of the state of Illinois in the absence of a current and valid National Pollutant Discharge Elimination System Permit issued by the Illinois Environmental Protection Agency, enacted by the Illinois Pollution Control Board and adopted by the Board of Commissioners of the District, are contained in Appendix A of this Ordinance.

Section 3. General Pretreatment Standards ("GPS")

General pretreatment standards and criteria for discharges into and pollution of sewerage systems tributary to water reclamation facilities of the District,

enacted by the Board of Commissioners of the District, are contained in Appendix B of this Ordinance.

Section 4. Categorical Pretreatment Standards ("CPS")

Categorical pretreatment standards for discharges into and pollution of sewerage systems tributary to publicly owned treatment works, promulgated by the United States Environmental Protection Agency, are adopted by the Board of Commissioners for discharges to sewers under the jurisdiction of the District. Where there is a conflict in the application of general pretreatment standards contained in Appendix B and categorical pretreatment standards listed in Appendix C, the more stringent standard shall apply.

Section 5. New or Increased Pollutant or Flow

All persons shall promptly notify the District in advance of any substantial changes in volume or character of pollutants in their wastewater discharge such as new or changed flow volume, new or changed concentrations or mass loadings of pollutants, or a change in the point of entry of a discharge into the sewerage system, if any of which does not conform to the provisions of this Ordinance or a Discharge Authorization issued to said person by the District. Such notification shall be submitted in writing for approval at least 30 days prior to the commencement of the desired change. The date of commencement of the desired change shall in no case be earlier than 30 days following receipt of the request by the District. The District shall respond within 30 days of the date of receipt of the request with approval or denial. No such change in discharge conditions shall take place until the District has granted written approval of the desired change. If the District does not respond within 30 days with a denial or a request for additional information clarifying the request for changes, then the request shall be deemed approved.

Persons subject to the terms of a Discharge Authorization issued by the District under Appendix D of this Ordinance, for which the requested change in discharge conditions constitutes a deviation from any conditions established in the Discharge Authorization issued to said person, shall not commence the desired change until the District has issued a revised or renewed Discharge Authorization.

Any person whose request for change of discharge conditions has been denied by the District, may request a review of the District's determination. Such request must be made in writing to the Director of Monitoring and Research. The request for review must clearly state the reason(s) why such person believes that the District's denial of the requested discharge change should be reviewed.

The Director of Monitoring and Research will inform the Executive Director of all requests for review. The Executive Director shall order that a hearing be held for each request for review. The review hearing shall comply with the hearing procedures of Article VI, Section 3 of this Ordinance and shall be limited in scope to the issues raised in the person's initial request for change of discharge conditions. The final administrative decision on each review will be made by the Board after it receives a report with recommendations from the Review Hearing Officer.

During the pendency of any review requested pursuant to this Section, the person requesting a change of discharge conditions is expressly prohibited from implementing, causing or allowing the proposed change in discharge conditions.

Any pollution control equipment necessary to achieve compliance with the District's standards, as specified in Appendices A, B, and C hereof, must be installed prior to commencement of such change in discharge conditions.

Section 6. Dilution Prohibition

No person shall increase the use of process water or, in any way, dilute or attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the criteria or effluent quality standards set forth in this Ordinance.

Section 7. Dangerous or Threatening Discharge

Notwithstanding any other remedies which the District may have by statute, common law or this Ordinance, when, in the determination of the Executive Director, any person's discharge presents an imminent danger to the public health, welfare or safety, presents or may present an endangerment to the environment, or which threatens to interfere with the operation of the sewerage system or a water reclamation facility under the jurisdiction of the District, the District, acting through the Executive Director, shall apply to the Circuit Court of Cook County for injunctive relief to cease and desist the dangerous or threatening discharge.

Section 8. Uncontrolled or Unregulated Wastes

Each person subject to the terms and conditions of this Ordinance must install and maintain, at its own expense, pretreatment facilities adequate to prevent a violation of the pollutant concentration limits, discharge prohibitions or performance criteria of this Ordinance.

No person shall reintroduce into the sewer system of the District materials which have been removed from the sewer system by catch basins,

grease traps, and other pretreatment devices. Physical, chemical or biological agents shall not be introduced into catch basins, grease traps or other pretreatment devices for the purposes of resuspending, dissolving, emulsifying or rendering soluble any pollutants or other materials removed from a wastestream by such pretreatment devices and reintroducing these materials into the sewer system.

All new industrial users and existing industrial users wishing to introduce new or increased pollutant flows or changes in the nature or concentration of pollutants discharged to the sewerage system must provide all pretreatment facilities required pursuant to this Ordinance prior to the commencement of discharge.

Section 9. Certification of Wastewater Pretreatment System Operator

No person shall cause or allow the operation of any pretreatment facilities discharging process wastewater into the sewerage system of the District unless the operation of such pretreatment facilities is under the direct and active field supervision of a person who has been certified by the IEPA as being competent to operate the particular type or size of pretreatment facilities being used or operated.

ARTICLE IV

Monitoring Methods and Facilities

Section 1. Compliance Determination

In order to determine whether or not the sewage, industrial waste or other wastes discharged by any person into any waters or sewerage system conforms to the criteria or water quality standards of the District, the District may use any accepted engineering or scientific practice, method or device which will lead to such a determination. When practicable, all measurements, tests, and analyses of the waters, sewage, and wastes of any kind shall be conducted in accordance with USEPA approved methods or, in the absence thereof, the latest edition of Standard Methods.

Section 2. Control Manhole/Sampling Chamber – Installation and Access Requirements

Each person subject to the terms of this Ordinance who is a significant industrial user shall install and maintain, at its own expense, a control manhole or sampling chamber for each separate discharge conveying process wastewater from its facility to the sewerage system. Each such control manhole or sampling chamber shall have ample room to allow the District to perform inspections, sampling, and flow measurement operations.

Each such control manhole shall be located outside of any buildings or enclosed spaces and as

near to the facility site boundary as practical; shall not be obstructed by temporary or permanent construction, manufacturing operations or activities, landscaping, parked vehicles or any other activities of the person; and shall be safely and directly accessible to representatives of the District at all times, without restriction of any kind.

Persons subject to this Ordinance who are not significant industrial users, as defined herein, may also be required to install control manholes or sampling chambers in conformance with the provisions of this section, upon the direction of the District's Executive Director.

Persons subject to this requirement of the Ordinance, who represent that this requirement cannot be reasonably complied with, may set forth said representations in writing to the Executive Director and be given an opportunity to be heard regarding said representations. The Executive Director shall make a determination, in writing to the person, granting leave from this requirement upon proof that compliance cannot be reasonably obtained, or dismissing said representations as unfounded.

Any person whose request for exemption from the requirements of this section has been denied by the District, may request a review of the District's determination by the Board. Such request must be made in writing, to the Director of Monitoring and Research and must be received by the District within 30 days of the date of notification that the request for exemption has been denied. The request for review must clearly state the reason(s) why such person believes that the District's denial of the requested exemption should be reviewed.

The Director of Monitoring and Research will inform the Executive Director of all requests for review. The Executive Director shall order that a hearing be held for each request for review. The review hearing shall comply with the hearing procedures of Article VI, Section 3 of this Ordinance and shall be limited in scope to the issues raised in the person's initial request for exemption from this section. The final administrative decision on each review will be made by the Board after it receives a report with recommendations from the Review Hearing Officer.

If a building or enclosed space contains more than one industrial user, then each significant industrial user therein, shall install and maintain, at its own expense, a control manhole or sampling chamber for each discharge from its facility, which shall comply with all of the requirements set forth herein. All process wastewater flows from the facility shall, at all times, pass through a control manhole installed in conformance with this Ordinance and no process wastewater flows shall be discharged without passing through a control manhole or sampling chamber

acceptable to the District. Each such control manhole or sampling chamber shall be accessible to representatives of the District at all times, without restrictions of any kind.

Persons who are required to construct a control manhole or sampling chamber to comply with this section shall submit a proposal to, and receive approval from, the District prior to undertaking construction of said control manhole or sampling chamber. The proposal submitted shall be certified by a Registered Professional Engineer licensed by the state of Illinois.

Section 3. Right of Access

Representatives of the District may, during reasonable hours, enter upon the premises of each person subject to this Ordinance for the purposes of installing, maintaining and inspecting measurement or sampling devices or facilities; for conducting necessary measuring, gauging and sampling operations; for inspecting or examining facilities, premises, installations and processes; for inspection and copying of records; and for reviewing pretreatment operating procedures and spill prevention and control plans of such person to determine compliance with this Ordinance or an order of the Board of Commissioners adopted pursuant hereto.

For the purpose of this section, reasonable hours are any time when the industrial user is operating any process or equipment, or any time when the facility is discharging industrial waste to the sewerage system of the District.

Areas subject to inspection are limited to those areas with drains or other connections to the sewerage system in which processes, equipment, and operations which result in industrial waste discharges are located, and storage areas containing any raw material, industrial waste, production residue or sludge. The scope of an inspection, including reviewing and copying of records, is limited to determining whether the industrial user is in compliance with all applicable standards and requirements of this Ordinance.

District personnel, when accessing the premises of a person, will observe and comply with all posted safety and health rules and practices applicable at the premises of the person.

Section 4. Monitoring for Public Hazards

Whenever the Executive Director determines that a public safety hazard exists due to the threat of release of pollutants regulated under Appendix B, Section 2(a), 2(b), or 2(e) of this Ordinance, in the discharge from an industrial user to the sewerage system under the jurisdiction of the District, the Executive Director shall require the industrial user to install and maintain suitable devices to detect the presence

of the hazardous materials in the discharge and to notify the District immediately, through a reputable, independent alarm service company acceptable to the District, in the event of such hazardous discharge.

Any monitoring device installed pursuant to this section shall be calibrated at least once per week, and the alarm notification system shall be tested at least monthly. Each person required to install and maintain a monitoring device under this section shall maintain a record of the calibration and testing required under this paragraph; and make such records available to District personnel for inspection.

Section 5. Control Manhole / Sampling Chamber -- Access Requirements

This section deleted, effective July 9, 1998.

Section 6. Requirement for Installation of Flow Measurement Devices for Persons Subject to Categorical Pretreatment Standards

Each person subject to this Ordinance who is a significant industrial user subject to categorical pretreatment standards shall provide and maintain, at no cost to the District, adequate regulated wastewater flow measurement devices to determine compliance with federal categorical pretreatment standards, including, where applicable, to determine compliance with the Combined Wastestream Formula, which devices shall be accessible to the District at the time of conducting an inspection of the industrial facility and/or pretreatment device. Alternatives to direct metering shall be acceptable where application of the Combined Wastestream Formula is necessary or where the categorical pretreatment standards are based on production. The means by which such metering or alternative means shall be accomplished shall be submitted in writing in advance by the person to the District for approval.

Section 7. Interfering with District Monitoring Activities

It shall be illegal for any person to tamper with, adjust, relocate, remove or damage any monitoring devices installed by the District. Any such activity will be considered a knowing and willful violation of this Ordinance, the applicable statutes of the State of Illinois and applicable federal pretreatment regulations.

The Executive Director may refer such violation to the Office of State's Attorney or the Office of the United States Attorney, for such action as they deem appropriate.

ARTICLE V

Reporting Requirements

Section 1. Volatile/Hazardous Materials

All persons who, at any time, use, consume, produce or store on their business premises, any volatile/hazardous materials as defined herein, shall annually certify, in writing, to the District, the type and estimated quantities of these materials on forms supplied by the District. The annual certified report is to be signed by an authorized representative of the entity on whose behalf the report is being made. Where a significant change in the type or quantity of materials used, consumed, produced or stored on the business premises occurs after an annual report has been filed, a new report must be filed immediately.

Volatile/hazardous materials are those identified as wastes under the Resource Conservation and Recovery Act and defined by the USEPA at 40 CFR 261 or those pollutants under the Clean Water Act identified as priority pollutants and defined by the USEPA at 40 CFR 403 Appendix B, published in Final Rule at 46 FR 9458, January 28, 1981.

Section 2. Reporting of Production Residue or Sludge

This section deleted, effective July 9, 1998.

Section 3. Facility Categorization

When so directed by the District, each industrial user shall complete and submit to the District a facility classification questionnaire, on forms supplied by the District. The questionnaire shall be submitted to the District within 30 days of such industrial user's receipt of the form.

Section 4. Spill Containment Requirements

Each industrial user notified of applicability of this section based on said user's use or storage of flammable, volatile, explosive or corrosive materials, or has the potential for a slug discharge, shall provide protection from accidental discharge to the sewerage system of prohibited materials or other substances regulated by this Ordinance. Facilities to prevent such discharge shall be provided and maintained at the user's own cost and expense. Additionally, each such industrial user must have detailed plans on file at the District showing facilities and operating procedures to provide this protection.

Plans shall contain all elements required under 40 CFR 403.8(f)(2)(vi) and shall be approved by the District prior to construction of new facilities. Plans and facilities previously approved by the District shall be re-evaluated by the District at least once every two years and must be modified by the industrial user upon a determination by the Director

of Monitoring and Research that modifications are necessary. Plans shall be certified by a Registered Professional Engineer licensed by the state of Illinois.

Each industrial user shall immediately notify the District of any changes at its facility affecting the approved plan or the potential for a slug discharge.

Section 5. Reports on Discharges to Surface Waters and to the Sewerage System

Persons operating sewage treatment facilities discharging effluents to waters or operating pretreatment facilities discharging to the sewerage system under the jurisdiction of the District shall submit operating reports and laboratory analyses of discharges as directed by the Executive Director, at intervals specified by the Executive Director. The reports shall cover all activities of the industrial user from the close of the previous reporting period and must be received at the District not later than 30 calendar days after the end of the reporting period.

Notwithstanding any other non-monetary remedies which the District may have by statute, common law or this Ordinance, any person failing to submit a report or submitting a deficient report to the District, as required hereunder, within the filing period established by the District for such report, shall be assessed a late filing fee, as set forth under Article V, Section 10 of this Ordinance.

Section 6. Reporting on Discharges of Hazardous Wastes to the Sewerage System

Each person subject to the provisions of this Ordinance shall report to the District, on forms supplied by the District, the discharge of hazardous wastes, as defined herein, into the sewerage systems under the jurisdiction of the District. Such reporting shall conform with all applicable terms and conditions of 40 CFR 403.12(p).

Copies of reports filed with the District pursuant to this section shall also be filed with the United States Environmental Protection Agency and the Illinois Environmental Protection Agency, pursuant to 40 CFR 403.12(p).

Section 7. Maintenance of Records

Each person subject to any of the reporting requirements of this Ordinance shall maintain copies of reports and records as required in 40 CFR 403.12(o) resulting from any monitoring activities required by this Ordinance for a minimum of three years and shall make such records available for inspection and/or copying by the District or its representatives. The period of retention shall be extended during the course of any unresolved litigation re-

garding the person or the District, or at the request of the USEPA, the IEPA or the District. All records pertaining to an incident of noncompliance and the person's actions taken to return to compliance shall be retained for a minimum of three years following the return to compliance resulting from a Cease and Desist Order, Show Cause Board Order or Court Order.

Section 8. Self-Reporting a Violation

Each person subject to this Ordinance must report all violations identified as a result of self-monitoring to the District by telephone, during normal business hours, to the Industrial Waste Division, Enforcement Section (312) 751-3044 within 24 hours of the time the person becomes aware of such violations. For purposes of this reporting requirement, the person will be considered aware of such violations as of the date of the approval and release of the laboratory analyses indicating the violation. Said person must also submit the results of three days of repeat analyses to the Director of the District's Monitoring and Research Department within 30 days after becoming aware of the violation together with a complete report on all steps taken to resolve the violation. Where the District performs the sampling and analyses in lieu of the industrial user, and if the sampling indicates a violation(s), the District will perform the repeat sampling and analyses unless the District notifies the industrial user of the violation(s) and requires the industrial user to perform the repeat sampling and analyses.

Section 9. Submittal of All Self-Monitoring Data

Each person subject to this Ordinance must submit all self-monitoring discharge analytical data to the Director of the District's Monitoring and Research Department, regardless of whether or not the data so obtained is in addition to the District's minimum reporting requirements. Each significant industrial user who monitors any pollutant more frequently than the District's minimum reporting requirements must submit all self-monitoring discharge analytical data with the Continued Compliance Report which covers the reporting period during which the monitoring was performed, in accordance with Appendix C, Article I, Section 4 of this Ordinance.

Section 10. Late Filing of Reports

Persons required to submit reports by the terms of this Ordinance, including but not limited to Article V, Reporting Requirements; Appendix C, Article I, Reporting Requirements Applicable to Significant Industrial Users and any order of the Executive Director issued pursuant to the terms of this Ordinance, shall submit the required reports by the specified due date. Persons not submitting the reports

by the specified due dates shall be subject to late filing fees as follows:

- a. Persons submitting reports up to 15 calendar days following the specified due date shall be assessed \$100.00 for each delinquent report.
- b. Persons submitting reports more than 15 calendar days and up to 45 calendar days following the specified due date shall be assessed \$500.00 for each delinquent report.
- c. Persons submitting reports more than 45 calendar days following the specified due date shall be assessed \$1,000.00 for each delinquent report.

A person may submit required reports following the specified due date together with the late filing fee as specified above. The payment must be in the form of a cashier's check drawn on a United States bank, made payable to the Clerk of the District.

The District shall provide, by Certified Mail, a written notice of the fee assessment which states that the person has 30 days after the receipt of the notice to request a conference with the Monitoring and Research designee to discuss or dispute the appropriateness of the assessed fee. Unless a person objects to paying the fee for filing a report late by timely requesting, in writing to the Director of Monitoring and Research within 30 days of receipt of the late filing fee notice, a conference with a designee of the Executive Director, that person waives his or her right to a conference and the District may impose a lien recorded against the property of the person for the amount of the unpaid fee.

If a person requests a conference and the matter is not resolved at the conference, the person subject to the fee may request an administrative hearing before an impartial hearing officer appointed by the Board under the provisions of Article VI, Section 3 of this Ordinance, to determine the person's liability for and the amount of the fee.

If the hearing officer finds that the late filing fee is owed to the District, the District shall notify the responsible person or persons of the hearing officer's decision. If payment is not made within 30 days after the notice, the District may impose a lien on the property of the person or persons.

Any liens filed under this section shall apply only to the property to which the late filing fee is related. A claim for lien shall be filed in the Office of the Recorder of the county in which the property is located. The filing of a claim for lien by the District does not prevent the District from pursuing other means for collecting a late filing fee. If a claim for lien is filed, the District shall notify the person whose property is subject to the lien.

Section 11. Failure to Report is a Violation

Whenever a person subject to this Ordinance fails to comply with any of the reporting requirements of this Ordinance or with details regarding reporting requirements as directed by the Executive Director, such failure shall be a violation of the Ordinance. If it is necessary for the District to perform inspections and/or sampling of the person's facility, or prepare a report on behalf of the person, the District shall recover the costs of such activity from the person in the same manner as debts are recoverable at law.

Section 12. Reporting of Batch and/or Intermittent Discharges

Upon written notification from the District of applicability of this paragraph, each person subject to this Ordinance who discharges industrial waste on a batch and/or intermittent basis shall notify the District's Field Surveillance Section, by telephone at (708) 588-4030, between 7:00 a.m. and 3:30 p.m. on normal business days, at least 48 hours prior to each batch or infrequent discharge. The telephone notification shall be used by the District to facilitate inspection and sampling of the person to coincide with periods during which the batch and/or intermittent discharge may occur. No process wastewater may be discharged into the sanitary sewerage system on a batch basis except in conformance with the batch discharge telephone notification procedure.

For the purpose of this section, a batch discharge is defined as a discharge of industrial waste which does not occur continuously during all working shifts of the person. An intermittent discharge is defined as a discharge of industrial waste which originates from an industrial process or activity which is not performed by the person during all working shifts of the person.

Section 13. Submittal of Facility Closure Schedule

Each significant industrial user and each industrial user notified of applicability of this section based on said user's use or storage of flammable, volatile, explosive or corrosive materials, who determines that an industrial facility owned or operated by said person shall cease its operations, shall notify the Director of Monitoring and Research of intent to cease such operations, not less than 30 days prior to the cessation of operations. Such person shall also submit to the District, at that time, a facility closure schedule, which shall identify the dates upon which the person anticipates completion of the lawful removal or disposal of all raw materials, production residues and sludges which contain pollutants regulated under Appendix B or Appendix C of this Ordinance, from the industrial facility and, where applicable, the names of disposal contractors to be used. The District may provide such information as may be

submitted under this Section, to the United States Environmental Protection Agency, the Illinois Environmental Protection Agency, or any unit of local government having jurisdiction over the industrial facility.

If such person has submitted a facility closure plan to a federal or state agency and has received approval of such plan from said agency, the person may submit a copy of such facility closure plan to the District in lieu of developing a new facility closure schedule, provided the submitted plan adequately addresses the issues identified in the preceding paragraph.

Section 14. Notification Requirements Regarding a Planned Bypass or Shutdown of Pretreatment Facilities

In the event of a planned shutdown or bypass of pretreatment facilities installed and operated to maintain compliance with the provisions of this Ordinance or a Discharge Authorization issued to a significant industrial user, such user shall notify the Director of the District's Monitoring and Research Department, in writing, at least ten days prior to the beginning of the shutdown or bypass.

Section 15. Notification Requirements Regarding Spills, Malfunctions, Bypasses, and Slug Loadings

Each significant industrial user and each industrial user notified of applicability of this section based on said user's use or storage of flammable, volatile, explosive or corrosive materials, shall immediately notify the District, by telephone, in the event of any of the following occurrences:

- a) a mechanical malfunction of any portion of such person's industrial waste pretreatment system, except in cases where (i) no wastewater is discharged to the sewerage system, (ii) in the best professional judgment of the person's certified wastewater pretreatment system operator, the wastewater discharge flow rate or quality is not affected or remains within the normal operating characteristics of the wastewater pretreatment system, or (iii) if the malfunction itself precludes the discharge of wastewater;
- b) an accidental or deliberate discharge without adequate pretreatment of any chemical, product, production residue or other waste into the sewerage system;
- c) an accidental or deliberate discharge which results in a violation of the criteria or applicable discharge standards of this Ordinance; or
- d) a slug discharge.

Such notification shall be made within one hour of the person's becoming aware of the incident, by telephone, to the Monitoring and Research Department, Industrial Waste Division (312) 751-3044 during normal business hours or to the Systems Dispatcher (312) 787-3575 at all other times. Said notification shall be confirmed in writing and received by the District within five calendar days explaining the incident and outlining corrective measures to prevent a recurrence.

ARTICLE VI

Administrative Proceedings

Section 1. Cease and Desist Orders

Whenever the Executive Director determines that sewage, industrial wastes, or other wastes are being, have been, or may reasonably be expected to be discharged into any waters or the sewerage system under the jurisdiction of the District, which are not in compliance with the provisions of this Ordinance, or that any person has otherwise acted contrary to the provisions of this Ordinance or to a Discharge Authorization issued to such person under this Ordinance, the Executive Director or his designee shall order such person to cease and desist such action. The Cease and Desist Order may be sent via Certified Mail, Return Receipt Requested, or may be served personally by a representative of the District at the site, on the owner, officer, registered agent or individual designated by permit, or operator of the offending person. The Executive Director or his designee may convene a conciliation meeting with the person so ordered to cease and desist for the purpose of establishing a compliance and reporting schedule for the person to come into compliance with the Ordinance or provisions of the Discharge Authorization.

Section 2. Compliance Reports

During conciliation proceedings, any person may be required to furnish the District with compliance schedules, interim and final compliance reports, sampling and analysis, and such other information as is reasonably necessary to demonstrate compliance with the applicable discharge standards of this Ordinance. All such reports, data, and information shall be executed by an authorized representative of the person and certified as to accuracy and completeness by a Registered Professional Engineer licensed by the state of Illinois. Interim reports shall be required only when the person fails to achieve compliance within 90 days of the receipt of a Cease and Desist Order and shall be submitted no more frequently than once per month.

Compliance Schedules (RD-112) required under this section must be received at the District not later

than 15 calendar days after the person's receipt of a Cease and Desist Order issued by the District.

Final Compliance Reports (RD-114) required under this section must be received at the District not later than 15 calendar days after the final compliance date specified in the RD-112 for a given Cease and Desist Order. Persons submitting RD-114 forms for a Cease and Desist Order pertaining to effluent discharge violations may limit sampling analyses to only the noncomplying pollutants indicated in the Cease and Desist Order.

Representative samples must be obtained at each control manhole/sampling chamber identified in the Cease and Desist Order. Samples must be taken for a minimum of three days within a two-week period for the monitoring of a wastestream with a flow less than 200,000 gallons per day. Where the long-term average flow of a wastestream exceeds 200,000 gallons per day, the user shall take samples for six days within a two-week period. Sample collection shall conform to the requirements of 40 CFR 403.12(g) and all analyses shall be performed in accordance with test procedures established by the United States Environmental Protection Agency in 40 CFR 136.

Notwithstanding any other non-monetary remedies which the District may have by statute, common law or this Ordinance, any person failing to submit a report or submitting a deficient report to the District, as required hereunder, within the filing period established by the District for such report, shall be assessed a late filing fee, as set forth under Article V, Section 10 of this Ordinance.

Section 3. Proceedings for Show Cause / Board Order Compliance

If any person fails or refuses to achieve compliance with this Ordinance within 90 days after notification of a Cease and Desist Order issued pursuant to this Ordinance, the Executive Director may order such person to show cause before the Board of Commissioners of the District or its designee why they have failed or refused to comply with the Cease and Desist Order. In making the determination to order a person to Show Cause why they have failed or refused to comply with the Cease and Desist Order, the Executive Director shall, (i) with respect to the discharge limits contained in Appendix B of this Ordinance, place preponderant weight on monitoring data based on composite samples representative of the discharge of the person, unless the approved analytical method does not allow analysis of composite samples, and (ii) with respect to categorical pretreatment standards contained in Appendix C of this Ordinance, place preponderant weight on monitoring data based on sampling which conforms to sampling requirements specified in the applicable categorical

pretreatment standards. A notice shall be served on the offending party, specifying the time and place of a hearing to be held by the Board of Commissioners regarding their failure to achieve compliance, and directing the offending party to show cause before the Board why an order should not be entered directing the offending party to come into compliance. The notice of the hearing shall be served personally or by Registered or Certified Mail at least ten (10) days before the hearing; service may be had on any agent or officer of a corporation or municipality.

After the Board of Commissioners has reviewed the evidence, it may issue an order to the party responsible for the violation, directing that within a specified time period, the violation be discontinued, and any other such orders as the Board may deem necessary.

The Board shall establish procedures for assessing fines and issuing orders as follows:

- a. In making its orders and determinations, the Board shall take into consideration all the facts and circumstances bearing on the activities involved and the assessment of civil penalties as shown by the record produced at the hearing.
- b. The Board shall establish a panel of independent hearing officers to conduct all hearings on the issuance of orders and the assessment of civil penalties under this Section. The hearing officers shall be attorneys licensed to practice law in the State of Illinois.
- c. The Board shall promulgate procedural rules governing the proceedings, the issuance of orders and the assessment of civil penalties.
- d. All hearings shall be on the record; and testimony taken must be under oath and recorded stenographically. Transcripts so recorded must be made available to any member of the public or any party to the hearing upon payment of the usual charges for transcripts. At the hearing, the hearing officer may issue, in the name of the Board, notices of hearing requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in the hearing, and may examine witnesses.
- e. The hearing officer shall conduct a full and impartial hearing on the record, with an opportunity for the presentation of evidence and cross-examination of the witnesses. The hearing officer may also recommend, as part of the order of the Board, that the discharge of industrial waste or other waste be discontinued within a specified period of time. After all evidence has been presented, the hearing

officer shall issue a Report based upon the preponderance of evidence in the record, which includes finding of fact, conclusions of law, order, and, if violations are proven, recommended civil penalties. Civil penalties shall be assessed at the level of \$1,000.00 to \$2,000.00 per day of violation. Each day's continuation of such violation or failure to abide by the terms of this Ordinance is a separate offense. A regulatory multiple day average that exceeds acceptable limits constitutes a separate violation.

- f. The Report shall be transmitted to the Board, along with a complete record of the hearing.
- g. The Board shall either approve or disapprove the Report. If the Report is rejected, the Board shall remand the matter to the hearing officer for further proceedings. If the Report is accepted by the Board, it shall constitute the final order of the Board.
- h. The Administrative Review Law of the State of Illinois, and the rules adopted under such law, shall govern all proceedings for judicial review of final orders of the Board issued under this Section.
- i. The civil penalty specified by the Board shall be paid within 35 days after the party on whom it is imposed receives a written copy of the order of the Board, unless the person or persons to whom the order is issued seeks judicial review of the order under Article VI, Section 3, Paragraph h of this Ordinance.
- j. If the respondent seeks judicial review of the order assessing a civil penalty, the respondent shall, within 20 days after the date of the final order of the Board, pay the amount of the civil penalty into an escrow account maintained by the District for that purpose or file a bond guaranteeing payment of the civil penalty if the fines are upheld on review.
- k. Civil penalties not paid by the times specified above shall be delinquent and subject to a lien recorded against the property of the person ordered to pay the penalty. The foregoing provisions for asserting liens against real estate by the District shall be in addition to and not in derogation of any other remedy or right of recovery, in law or equity, that the District may have with respect to the collection or recovery of penalties and charges imposed by the District. Judgment in a civil action brought by the District to recover or collect the charges shall not operate as a release and waiver of the lien upon the real estate for the amount of the judgment. Only satisfaction of the judgment or the filing of a

release or satisfaction of lien shall release the lien.

Section 4. Failure to Report is a Violation

Whenever a person subject to this Ordinance fails to comply with any of the reporting requirements of this Ordinance or with details regarding reporting requirements as directed by the Executive Director, such failure shall be a violation of the Ordinance. If it is necessary for the District to perform inspections and/or sampling of the person's facility, the District may recover the costs of such activity from the person in the same manner as debts are recoverable at law.

Section 5. Penalties

The Board may also order the party responsible for the violation, to pay a civil penalty in an amount specified by the Board which is not less than \$1,000.00 nor more than \$2,000.00 per day for each day on which such person was found in violation. The Board may also order the party responsible for the violation to pay court reporter costs and hearing officer fees in a total amount not exceeding \$3,000.00. Each day's continuance of such violation or failure is a separate offense. Regulatory multiple day averages which exceed acceptable limits shall constitute separate violations.

Section 6. Order to Cease Discharge Upon Violation of Board Order

The Executive Director may order a person to cease the discharge of industrial waste upon a finding by the Executive Director that the final order of the Board, entered after a hearing to Show Cause, has been violated. The Executive Director shall serve the person with a copy of the order either by Certified Mail or personally by serving the owner, officer, registered agent or individual designated in said person's Discharge Authorization. The order of the Executive Director shall also schedule an expedited hearing before a hearing officer designated by the Board for the purpose of determining whether the company has violated the final order of the Board. The Board shall adopt rules of procedure governing expedited hearings. In no event shall the hearing be conducted less than seven days after receipt by the person of the Executive Director's order.

At the conclusion of the expedited hearing, the hearing officer shall prepare a report with his or her findings and recommendations and transmit it to the Board. If the Board, after reviewing the findings and recommendations, and the record produced at the hearings, determines that the person has violated the Board's final order, the Board may authorize the plugging of the sewer. The Executive Director shall give not less than 10 days written notice of the

Board's order to the owner, officer, registered agent, or individual designated in said person's Discharge Authorization, as well as the owner of record of the real estate and other parties known to be affected, that the sewer will be plugged. The Administrative Review Law, and the rules adopted under that Law, shall govern all proceedings for the judicial review of final orders of the Board issued under this section.

The foregoing provision for plugging a sewer shall be in addition to and not in derogation of any other remedy, in law or in equity, that the District may have to prevent violation of this Ordinance and orders of the Board.

ARTICLE VII

Court Proceedings

Section 1. Violation of Order to be Considered a Nuisance

A violation of an Order of the Board shall be considered a nuisance. If any person fails to comply with any Order of the Board, the District, acting through the Executive Director, may commence an action or proceeding in the Circuit Court in and for the county in which the District is located or operates facilities for the purpose of having the violation stopped either by mandamus or injunction, or to remedy the violation in any manner provided by law.

Section 2. Penalties

Whoever violates any provisions of this Ordinance or fails to comply with an order of the Board of Commissioners issued in accordance with the provisions of this Ordinance, shall be assessed a civil penalty of not less than \$1,000.00 nor more than \$10,000.00 for each day the violation continues. If, however, the violation occurs before the entry of an order by the Board, the civil penalty may be reduced to not less than \$1,000.00 nor more than \$2,000.00 per day of violation. Each day's continuance of such violation or failure is a separate offense. The penalties provided in this Section, plus interest at the rate set forth in the Interest Act on unpaid penalties imposed by the Board under Article VI, Section 3 of this Ordinance, the reasonable costs to the District of removal or other remedial action caused by discharges in violation of the Metropolitan Water Reclamation District Act or this Ordinance, reasonable attorney's fees, court costs and other expenses of litigation, together with costs for inspection, sampling, analysis, and administration related to the enforcement action against the person, are recoverable by the District in a civil action.

Section 3. Injunctive Relief

In addition to the penalties provided in the foregoing Section, whenever a person violates any provision of this Ordinance or fails to comply with any

Order of the Board of Commissioners, the District, acting through the Executive Director, may apply to the Circuit Court of Cook County for the issuance of an injunction restraining the person violating the Ordinance or failing to comply with the Board Order from making any further discharges into the waterways or sewerage system of the District.

Notwithstanding any other remedies which the District may have by statute, common law or this Ordinance, when, in the determination of the Executive Director, any person's discharge presents an imminent danger to the public health, welfare or safety, presents or may present an endangerment to the environment, or which threatens to interfere with the operation of the sewerage system or a water reclamation facility under the jurisdiction of the District, the District, acting through the Executive Director, may apply to the Circuit Court of Cook County for injunctive relief to cease and desist such discharge, without first exhausting administrative procedures.

ARTICLE VIII

Savings Clause

Section 1. Integrity of Ordinance

If the provisions of any paragraph, section or article of this Ordinance are declared unconstitutional or invalid by the final decision of any court of competent jurisdiction, the provisions of the remaining paragraph, sections or articles shall continue in full force and effect.

Section 2. Previous Violations

Nothing in this Ordinance shall in any manner or form affect the validity of any enforcement proceedings instituted under the Sewage and Waste Control Ordinance, in effect prior to the date of this amendment. Enforcement proceedings shall be controlled by the Sewage and Waste Control Ordinance, as amended, in effect at the time of the commencement of such enforcement activity.

ARTICLE IX

Effective Date

This comprehensive Amendment shall take effect immediately upon passage by the Board of Commissioners.

Approved:

~~Terrence J. O'Brien~~

Mariyana T. Spyropoulos

President

Board of Commissioners

Metropolitan Water Reclamation

District of Greater Chicago

Approved as to Form & Legality:

Ronald Hill

General Counsel

APPENDIX A
to the
SEWAGE AND WASTE CONTROL
ORDINANCE
DISCHARGES TO AND POLLUTION OF
WATERS

Section 1. General Provisions

a. Dilution

Dilution of the effluent from a treatment works or from any wastewater source is not acceptable as a method of treatment of wastes in order to meet the standards set forth in this Appendix A. Rather, it shall be the obligation of any person discharging contaminants of any kind to the waters of the state to provide the best degree of treatment of wastewater consistent with technological feasibility, economic reasonableness, and sound engineering judgment. In making determinations as to what kind of treatment is the "best degree of treatment" within the meaning of this paragraph, any person shall consider the following:

- (1) What degree of waste reduction can be achieved by process change, improved housekeeping, and recovery of individual waste components for reuse; and
- (2) Whether individual process wastewater streams should be segregated or combined.

In any case, measurement of contaminant concentrations to determine compliance with the effluent standards shall be made at the point immediately following the final treatment process and before mixture with other waters, unless another point is designated by the District. If necessary, the concentrations so measured shall be recomputed to exclude the effect of any dilution that is improper under this Appendix A.

b. Background Concentrations

Because the effluent standards in this Appendix A are based upon concentrations achievable with conventional treatment technology that is largely unaffected by ordinary levels of contaminants in intake water, they are absolute standards that must be met without subtracting background concentrations. However, it is not the intent of these regulations to require users to clean up contamination caused essentially by upstream sources or to require treatment when only traces of contaminants are added to the background.

Compliance with the numerical effluent standards is therefore not required when effluent concentrations in excess of the standards result entirely from influent contamination, evaporation, and/or the incidental addition of traces of materials not utilized or produced in the activity that is the source of the waste.

c. Sampling

Except as otherwise specifically provided in this Appendix A, proof of violation of the numerical standards of this Appendix A shall be on the basis of one or more of the following standards:

- (1) No monthly average shall exceed the prescribed numerical standard.
- (2) No daily composite shall exceed two times the prescribed numerical standard.
- (3) No grab sample shall exceed five times the prescribed numerical standard.

d. Terminology

Terms used under Section 1c shall have the following meanings:

- (1) The monthly average shall be the numerical average of all daily composites taken during a calendar month. A monthly average must be based on at least three daily composites.
- (2) A daily composite shall be the numerical average of all grab samples, or the result of analysis of a single sample formed by combining all aliquots taken during a calendar day. A daily composite must be based on at least three grab samples or three aliquots taken at different times.
- (3) A grab sample is a sample taken at a single time. Aliquots of a daily composite are grab samples only if they are analyzed separately.

Section 2. Violation of Water Quality Standards

In addition to the other requirements of this Appendix A, no effluent shall, alone or in combination with other sources, cause a violation of any state water quality standard. When the District finds that a discharge that would comply with effluent standards contained in this Appendix A would cause or is causing a violation of state water quality standards, the District shall take appropriate action to require the discharge to meet whatever effluent limits are necessary to ensure compliance with the state water quality standards. When such a violation is caused by the cumulative effect of more than one source, several sources may be joined in an enforcement

proceeding, and measures for necessary effluent reductions will be determined on the basis of technological feasibility, economic reasonableness, and fairness to all dischargers.

Section 3. Offensive and Threatening Discharges

In addition to the other requirements of this Appendix A, no effluent shall contain untreated sewage constituents, settleable solids, floating debris, visible oil, grease, scum, or sludge solids, or liquids, solids or gases which by reason of their nature or quantity are sufficient to cause fire or explosion or be injurious in any other way to the sewerage system, to human life or to the environment. No effluent shall have a closed cup flashpoint less than 140 degrees Fahrenheit (60 degrees Centigrade) using the test methods specified in 40 CFR 261.21. Color, odor, and turbidity must be reduced to below obvious levels.

Section 4. Deoxygenating Wastes

All effluents containing deoxygenating wastes shall meet the following standards:

- a. No effluent from any source discharging into the Chicago River System or into the Calumet River System shall exceed 20 mg/L of BOD or 25 mg/L of suspended solids.
- b. No effluent from any source discharging into the Des Plaines River System shall exceed 30 mg/L of BOD or 30 mg/L of suspended solids.
- c. No effluent whose dilution ratio is less than five to one shall exceed 10 mg/L of BOD or 12 mg/L of suspended solids.
- d. No effluent whose dilution ratio is less than one to one shall exceed 4 mg/L of BOD or 5 mg/L of suspended solids.

Section 5. Bacteria

No effluent governed by this Appendix A shall exceed 400 fecal coliforms per 100 ml.

Section 6. Phosphorus

No effluent discharged to the Calumet River shall contain more than 1.0 mg/L of phosphorus as P.

Section 7. Lake Michigan

There shall be no discharge of any sewage, industrial wastes or other wastes of any kind into the waters of Lake Michigan unless the discharges are subject to regulation under a current and valid National Pollutant Discharge Elimination System Permit

issued by the Illinois Environmental Protection Agency.

Section 8. Additional Contaminants

The following levels of contaminants shall not be exceeded by any discharge of sewage, industrial wastes or other wastes to waters under the jurisdiction of the District.

Waste or Chemical	Concentration (mg/L)
Arsenic (total).....	0.25
Barium (total).....	2.0
Cadmium (total).....	0.15
Chromium (total hexavalent)*.....	0.1
Chromium (total).....	1.0
Copper (total).....	0.5
Cyanide.....	0.10
Fats, oils and greases**.....	15.0
Fluoride (total).....	15.0
Iron (total).....	2.0
Lead (total).....	0.2
Manganese (total).....	1.0
Mercury (total)***.....	0.0005
Nickel (total).....	1.0
Phenols.....	0.3
Silver.....	0.1
Zinc (total).....	1.0
pH range (must be met at all times).....	6.0 - 9.0

* Discharge of hexavalent chromium shall be subject to the averaging rule of Section 1c of this Appendix, modified as follows: monthly averages shall not exceed 0.1 mg/L; daily composites shall not exceed 0.3 mg/L; and grab samples shall not exceed 1.0 mg/L.

** Oil may be analytically separated into polar and nonpolar components. If such separation is done, neither of the components may exceed 15 mg/L (i.e., 15 mg/L polar materials and 15 mg/L nonpolar materials).

*** Except if all of the following conditions are met:

1. The discharger does not use mercury; or the discharger uses mercury and this use cannot be eliminated; or the discharger uses mercury only in chemical analysis or in laboratory or other equipment and takes reasonable care to avoid contamination of wastewater; and
2. The effluent mercury concentration is less than 0.003 mg/L, as determined by application of the averaging rules of Section 1c of this Appendix; and

3. The discharger is providing the best degree of treatment consistent with technological feasibility, economic reasonableness, and sound engineering judgment. This may include no treatment for mercury; and
4. The discharger has an inspection and maintenance program likely to reduce or prevent an increase in the level of mercury discharges.

Section 9. Discharges Made Under Current and Valid National Pollutant Discharge Elimination System Permit

The provisions of this Appendix shall not be applicable to discharges subject to regulation under a current and valid National Pollutant Discharge Elimination System Permit issued by the Illinois Environmental Protection Agency.

APPENDIX B

to the

SEWAGE AND WASTE CONTROL ORDINANCE

DISCHARGES TO AND POLLUTION OF SEWERAGE SYSTEMS

Section 1. Pollutant Concentration Limits

The following are the maximum concentrations acceptable for discharge of sewage, industrial wastes, or other wastes into sewerage systems under the jurisdiction of the District at any time:

Waste or Chemical	Concentration (mg/L)
Cadmium.....	2.0
Chromium (total).....	25.0
Chromium (hexavalent).....	10.0
Copper.....	3.0
Cyanide (total).....	5.0
Fats, oils and greases (FOG) (total)†.....	250.0
Iron*.....	250.0
Lead.....	0.5
Mercury**.....	0.0005
Nickel.....	10.0
Zinc.....	15.0
pH range***	Not lower than 5.0 or greater than 10.0

Temperatures of liquids or vapors at point of entrance to a public sewer shall not exceed 150°F.

* Discharges from domestic water treatment

plants which supply potable water to the general public shall be exempt from this limitation for iron.

** Except as provided under Appendix B, Section 2i.

*** Discharges which are monitored continuously for pH may exceed the upper pH range of 10.0 by not more than 0.5 pH units, for not more than four hours in any single calendar day.

† Effluent leachate discharges from landfill facilities that are closed for the acceptance of wastes shall be exempt from this limitation for Fats, oils and greases (FOG) (total), provided that approved Best Management Practices (BMPs) are implemented and maintained. Failure to adhere to BMPs may result in enforcement action.

Section 2. Discharge Prohibitions

Any discharge of waste or waters into a sewer which terminates in or is a part of the sewerage system of the District, must not introduce pollutant(s) which causes Pass Through or Interference, and must not contain the following:

- a. Liquids, solids or gases which by reason of their nature or quantity are sufficient to cause fire or explosion or be injurious in any other way to the sewerage system or to the operation of the water reclamation facilities, including, but not limited to, any wastewater having a closed cup flashpoint less than 140 degrees Fahrenheit (60 degrees Centigrade) using the test methods specified in 40 CFR 261.21.
- b. Noxious or malodorous liquids, gases or substances which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life, to cause injury or acute worker health or safety problems, or to prevent entry into the sewers for their maintenance or repair.
- c. Water or wastes containing toxic substances in quantities which are sufficient to interfere with the biological processes of the water reclamation facilities.
- d. Garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

- e. Radioactive wastes unless they comply with 10 CFR 20 and 32 Illinois Administrative Code 340.
 - f. Solid or viscous wastes which cause obstruction to the flow in sewers or other interference with the proper operation of the sewerage system or water reclamation facilities, such as grease, uncomminuted garbage, animal guts or tissues, paunch manure, bone, hair, hides, fleshings, entrails, feathers, sand, cinders, ashes, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grain, waste paper, wood, plastic, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, gasoline, naphtha, and similar substances. Potentially Infectious Medical Wastes unless they comply with 35 Illinois Administrative Code, Subtitle C.
 - g. Waters or waste containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the water reclamation facilities' effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
 - h. Excessive discoloration (such as, but not limited to, dye waste and vegetable tanning solutions) which threatens the District's operations.
 - i. Mercury in excess of 0.0005 mg/L on a monthly average, 0.001 mg/L in a daily composite, and 0.0025 mg/L in any grab sample; except when all of the following conditions are met:
 - (1) The discharger does not use mercury; or the discharger uses mercury and this use cannot be eliminated; or the discharger uses mercury only in chemical analyses or in laboratory or other equipment and takes reasonable care to avoid contamination of wastewater; and
 - (2) The discharge mercury concentration is less than 0.003 mg/L on a monthly average, 0.006 mg/L in a daily composite, and 0.015 mg/L in any grab sample; and
 - (3) The discharger is providing the best degree of treatment consistent with technological feasibility, economic reasonableness, and sound engineering judgment. This may include no treatment for mercury; and
 - (4) The discharger has an inspection and maintenance program likely to reduce or to prevent an increase in the level of mercury discharges.
- Any person seeking application of the alternative discharge limitations for mercury into the sanitary sewerage system shall submit a written request, together with a complete report indicating why the alternative discharge limitations for mercury should be applicable to such person's discharge, to the Director of the District's Monitoring and Research Department, in accordance with procedures established by the Director of the District's Monitoring and Research Department. The District will advise the person, in writing, of approval or denial of the person's request, within 90 days of the District's receipt of the person's request.
- j. The discharge of wastes from medicinal or therapeutic uses of mercury, exclusive of laboratory use, shall be exempt from the 0.0005 mg/L limitation of this section if all the following conditions are met:
 - (1) The total plant discharge is less than 227g (one half pound) as Hg in any year; and
 - (2) The discharge does not, alone or in conjunction with other sources, cause the effluent from the sewer system or treatment facility to exceed 0.0005 mg/L of mercury.
 - k. Pollutants which will cause corrosive structural damage.
 - l. Pollutants including, but not limited to, petroleum oil, non-biodegradable cutting oil, and products of mineral origin, which cause interference or pass-through.
 - m. Hauled or trucked wastes, except at discharge points designated by and under valid written authorization of the District.
 - n. Any pollutant, including oxygen-demanding pollutants (BOD, etc.) released in a Discharge at a flow rate and/or pollutant concentration, which will cause Interference with the water reclamation facilities.
 - o. Heat in amounts, which will inhibit biological activity in the water reclamation facilities resulting in Interference, but in no case heat in such quantities that the temperature at the water reclamation plant exceeds 40°C (104 °F).

Section 3. Dischargers in the Poplar Creek Service Area

Persons located in the Poplar Creek Service Area of the District discharging sewage, industrial waste, and other wastes to the sewerage system under the jurisdiction of the District which is tributary to the water reclamation facility owned and operated by the Fox River Water Reclamation District may be subject to more stringent limitations than the limitations found in Appendix B to this Ordinance.

Section 4. Compliance Determination

Compliance with the discharge limitations in this Appendix shall be maintained at all times, without exception. Any grab sample, or a composite sample of any duration, may be used for purposes of determining compliance with the discharge limitations in this Appendix. District monitoring of industrial users for determining compliance with the discharge limitations in this Appendix shall conform to the provisions of 40 CFR 403.8(f)(2)(vii) and shall be performed with sufficient care to produce evidence admissible in enforcement proceedings.

APPENDIX C

to the

SEWAGE AND WASTE CONTROL ORDINANCE

REGULATIONS APPLICABLE TO SIGNIFICANT INDUSTRIAL USERS

ARTICLE I

Reporting Requirements Applicable to Significant Industrial Users

In addition to the reporting requirements contained in Article V of this Ordinance, the following reporting requirements are applicable to any person identified by the District as a significant industrial user.

Section 1. Baseline Monitoring Report

Within 90 days after the date of promulgation for the applicable categorical standards found in Appendix C, existing industrial users subject to categorical pretreatment standards and currently discharging an effluent into a sewerage system under the jurisdiction of the District, shall complete and submit to the District, on forms supplied by the District, a BMR. Within 90 days after being notified by the District of designation as a significant industrial user, significant industrial users not subject to categorical standards shall submit a BMR to the District. Sampling requirements for the completion of the BMR shall be supplied by the District and shall conform to the requirements of 40 CFR 403.12(g).

Upon adoption of Appendix D to this Ordinance, the BMR form supplied by the District for purposes of reporting under this section is replaced by the Discharge Authorization Request (DAR) form supplied by the District. All provisions of this Ordinance relating to the preparation and submittal of the BMR form shall be applicable to the preparation and submittal of the DAR form.

The BMR shall contain all information required by 40 CFR 403.12 (b), (c) and (g) of the general pretreatment regulations together with additional information as required by the District.

The BMR shall comply with the certification provisions of 40 CFR 403.12(b) and the signatory requirements of 40 CFR 403.12(l), and shall be executed by an authorized representative of the significant industrial user and certified as accurate and complete by a Registered Professional Engineer licensed by the state of Illinois.

New significant industrial users shall complete and submit to the District, on forms supplied by the District, an acceptable BMR at least 90 days prior to commencing discharge.

Section 2. Compliance Schedule

It shall be unlawful for a significant industrial user to continue to discharge process wastewater to a sewerage system under the jurisdiction of the District if the Executive Director has found the person in violation pursuant to Article VI, Section 1 of this Ordinance, or if the person certifies in their BMR or DAR that applicable pretreatment standards or other requirements are not being met on a consistent basis and that additional operation and maintenance or pretreatment facilities are required to meet those standards or requirements, unless the significant industrial user has submitted to the District a compliance schedule which conforms to the requirements of 40 CFR 403.12(c) and which is acceptable to and approved by the Executive Director. The schedule shall comply with the certification provisions of 40 CFR 403.12(b) and the signatory requirements of 40 CFR 403.12(l) and shall be certified by an authorized representative of the industrial user and certified by a Registered Professional Engineer licensed by the state of Illinois. In the event the compliance schedule is not acceptable, the Executive Director may require re-submittal of a compliance schedule acceptable to the District, or may proceed as set forth under Article VI of this Ordinance.

A compliance schedule for attaining compliance with an applicable categorical pretreatment standard cannot extend beyond the final compliance date for the applicable categorical pretreatment standard contained in the Code of Federal Regulations.

A compliance schedule submitted by a significant industrial user as required herein shall be considered an enforceable requirement of a DA issued to the significant industrial user, and failure to comply with the compliance schedule shall be considered a violation of this Ordinance.

Section 3. Final Compliance Report

Each person subject to categorical pretreatment standards shall, within 90 days following the date for final compliance as set forth in Appendix C, Article III, submit to the Director of the District's Monitoring and Research Department, a report of final compliance with the categorical pretreatment standards on forms supplied by the District. The statement shall conform to the requirements of 40 CFR 403.12(d) and (g), shall comply with the certification provisions of 40 CFR 403.12(b) and the signatory requirements of 40 CFR 403.12(l), shall be executed by an authorized representative of such person, and certified by a Registered Professional Engineer licensed by the state of Illinois.

New significant industrial users shall complete and submit to the Director of the District's Monitoring and Research Department a report of final compliance immediately upon commencement of discharge.

Each significant industrial user shall take representative samples for a minimum of three days within a two-week period for the monitoring of a wastestream with a flow less than or equal to 200,000 gallons per day. Where the flow of a wastestream exceeds 200,000 gallons per day, the user shall take samples for six days within a two-week period. Sample collection shall conform to the requirements of 40 CFR 403.12(g). Grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organic compounds. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the District. Where time-proportional composite sampling or grab sampling is authorized by the District, the samples must be representative of the wastewater discharge. Sample analysis shall include all parameters listed in Appendix B, Sections 1 and 2(i) of this Ordinance and any parameters listed in the categorical pretreatment standards applicable to the significant industrial user.

Section 4. Reporting Continued Compliance

Each significant industrial user shall submit to the District, on forms supplied by the District and at intervals specified by the District, in the Discharge Authorization issued to the significant industrial user, which shall be not more than once per month nor less than twice per year, a report on continued com-

pliance with applicable pretreatment standards and other requirements of this Ordinance. The reports shall cover all pertinent activities of the industrial user from the close of the previous reporting period through a date 30 calendar days prior to the report due date specified in the Discharge Authorization issued to the industrial user, and must be received by the District not later than the report due date. The reports shall conform to the requirements of 40 CFR 403.12(e) and (g), shall comply with the signatory requirements of 40 CFR 403.12(l), and shall be certified by an authorized representative of the industrial user.

Sampling requirements for the completion of reports on continued compliance shall be the same as described in Section 3 above.

Notwithstanding any other non-monetary remedies which the District may have by statute, common law or this Ordinance, any person failing to submit a report or submitting a deficient report to the District, as required hereunder, within the filing period established by the District for such report, shall be assessed a late filing fee, as set forth under Article V, Section 10 of this Ordinance.

Any significant industrial user whose total industrial waste discharge does not exceed 5,000 gallons in any calendar month, may request a waiver of the self-monitoring requirements of this section. The request must be submitted to the Director of Monitoring and Research and will not become effective until such determination is issued by the District, in writing. The significant industrial user must continue to submit all reports required under this section as established in the Discharge Authorization issued to said significant industrial user. The reports must be complete and accurate in all aspects, except for self-monitoring data. The District will perform the required sampling on behalf of the significant industrial user and shall insert its data to complete the report. The Director of Monitoring and Research may withdraw a waiver of the self-monitoring requirements granted under this paragraph upon a determination that the significant industrial user discharges greater than 5,000 gallons of industrial waste in any calendar month, or if the significant industrial user is found in significant noncompliance with any provisions of this Ordinance.

Any significant industrial user may request a waiver from the self-monitoring requirements of this section for one continued compliance report, as required hereunder, annually. The significant industrial user must have an acceptable outside control manhole/sampling chamber, as required under the provisions of Article IV of this Ordinance, to enable the District to perform the required monitoring on behalf of the significant industrial user. The request must clearly indicate which annual continued

compliance report is the subject of the waiver request, must be submitted to the Director of Monitoring and Research and will not become effective until such determination is issued by the District, in writing. The significant industrial user must continue to submit all reports required under this section as established in the Discharge Authorization issued to said significant industrial user. The District will perform the required sampling on behalf of the significant industrial user and shall provide its data to the significant industrial user to complete the continued compliance report. The reports must be complete and accurate in all aspects. The Director of Monitoring and Research may withdraw a waiver of the self-monitoring requirements granted under this paragraph upon a determination that the significant industrial user is in significant noncompliance with any provisions of this Ordinance.

Section 5. Late Filing of Reports

Notwithstanding any other non-monetary remedies which the District may have by statute, common law or this Ordinance, any person failing to submit a report or submitting a deficient report to the District, as required under any provision of this Appendix, within the filing period established by the District for such report, shall be assessed a late filing fee, as set forth under Article V, Section 10 of this Ordinance.

ARTICLE II

Additional Requirements Relating to Compliance with Appendix C

Section 1. Dilution Prohibition

No person shall augment the use of process water or, in any way, dilute or attempt to dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with the limitations contained in this Ordinance.

Section 2. Intake Water Adjustment

Persons seeking adjustment of categorical pretreatment standards to reflect the presence of pollutants in their intake water must comply with the requirements of 40 CFR 403.15.

Section 3. Fundamentally Different Factors Variance

Persons seeking variances for reasons of fundamentally different factors must comply with the requirements of 40 CFR 403.13. The Executive Director may, upon notification of approval by the USEPA of the variance request, apply limitations to the industrial user.

Section 4. Adjustment for Combined Waste Streams

Persons seeking adjustments in the categorical pretreatment standards may petition the District for approval of adjustments to account for the combining or mixing of industrial process waste discharges with other flows or industrial process waste discharges prior to pretreatment or to discharge to the sewerage system under the jurisdiction of the District. The petition to the District must follow requirements and formulae established in 40 CFR 403.6(e) and be certified by an authorized representative and certified by a Registered Professional Engineer licensed by the state of Illinois.

Section 5. End-of-Process Monitoring

Where required to comply with the categorical pretreatment standards of Appendix C, additional control manholes or sampling chambers shall be provided at the end of each industrial process within an industrial user's facility.

ARTICLE III
Categorical Pretreatment Standards

Section 1. Categorical Standards

Industrial categories for which pretreatment standards have been promulgated and as amended by the USEPA are listed herein. Industrial users in one or more of the regulated categories will be supplied with the appropriate pretreatment standards by the District. Those categorical standards as promulgated and as amended by the USEPA and set forth below are adopted by the Board of Commissioners as its performance criteria for discharge to sewers under the jurisdiction of the District.

Industrial Point Source Category	Final Rule Date	Industrial Point Source Category	Final Rule Date
401 General provisions	2/1/1974	445 Landfills	1/19/2000
403 General pretreatment regulations for existing and new sources of pollution	1/28/1981	425 Leather tanning and finishing	11/23/1982
467 Aluminum forming	10/24/1983	432 Meat products	2/28/1974
427 Asbestos manufacturing	2/26/1974	433 Metal finishing	7/15/1983
461 Battery manufacturing	3/9/1984	464 Metal molding and casting	10/30/1985
407 Canned and preserved fruits and vegetables processing	3/21/1974	438 Metal products and machinery	5/13/2003
408 Canned and preserved seafood processing	6/26/1974	436 Mineral mining and processing	10/16/1975
458 Carbon black manufacturing	1/9/1978	471 Nonferrous metals forming and metal powders	8/23/1985
411 Cement manufacturing	2/20/1974	421 Nonferrous metals manufacturing	3/8/1984
437 Centralized waste treatment	12/22/2000	435 Oil and gas extraction	4/13/1979
434 Coal mining	10/9/1985	440 Ore mining and dressing	12/3/1982
465 Coil coating	12/1/1982	414 Organic chemicals, plastics and synthetic fibers	11/5/1987
412 Concentrated animal feeding operations	2/12/2003	446 Paint formulating	7/28/1975
468 Copper forming	8/15/1983	443 Paving and roofing materials (tars and asphalt)	7/24/1975
405 Dairy products processing	3/28/1974	455 Pesticide chemicals	4/25/1978
469 Electrical and electronic components	4/8/1983	419 Petroleum refining	10/18/1982
413 Electroplating	1/28/1981	439 Pharmaceutical manufacturing	10/27/1983
457 Explosives manufacturing	3/9/1976	422 Phosphate manufacturing	2/20/1974
424 Ferroalloy manufacturing	2/22/1974	459 Photographic	7/14/1976
418 Fertilizer manufacturing	4/8/1974	463 Plastics molding and forming	12/17/1984
426 Glass manufacturing	1/22/1974	466 Porcelain enameling	11/24/1982
406 Grain mills	3/20/1974	430 Pulp, paper and paperboard	4/15/1998
454 Gum and wood chemicals manufacturing	5/18/1976	428 Rubber manufacturing	2/21/1974
460 Hospitals	5/6/1976	417 Soap and detergent manufacturing	4/12/1974
447 Ink formulating	7/28/1975	423 Steam electric power generating	11/19/1982
415 Inorganic chemicals manufacturing	6/29/1982	409 Sugar processing	1/31/1974
420 Iron and steel manufacturing	5/27/1982	410 Textile mills	9/2/1982
		429 Timber products processing	1/26/1981
		442 Transportation equipment cleaning	8/14/2000
		444 Waste combustors	1/27/2000

Section 2. Compliance Determination

Industrial user self-monitoring for determining compliance with categorical pretreatment standards shall conform to the provisions contained in Appendix C, Article I of this Ordinance.

District monitoring of industrial users for determining compliance with categorical pretreatment standards shall conform to the provisions of 40 CFR 403.8(f)(2)(vii), and shall be performed with sufficient care to produce evidence admissible in enforcement proceedings.

APPENDIX D

to the

SEWAGE AND WASTE CONTROL ORDINANCE

Discharge Authorizations

Section 1. Applicability

As provided under Article III, Section 1 of this Ordinance, and except as provided elsewhere in this Appendix, it shall be unlawful for any significant industrial user, as defined herein, to cause or allow the discharge of process wastewater into the sewerage system under the jurisdiction of the District unless such significant industrial user is in conformance with all terms and conditions of a current valid Discharge Authorization issued to said significant industrial user by the District.

Section 2. Discharge Authorization Document

The Discharge Authorization document issued by the District shall contain, at a minimum, the following conditions:

- a. Statement of limited duration not to exceed five years, as provided for in Appendix D, Section 6 of this Ordinance;
- b. Transferability provision, as provided for in Appendix D, Section 7 of this Ordinance;
- c. Effluent discharge limitations applicable to all effluent discharge monitoring points of the industrial user, as provided for in Appendix B and Appendix C of this Ordinance;
- d. Self-monitoring, sampling, reporting, notification and record-keeping requirements, including identification of the pollutants to be monitored, sampling points, sampling frequency, and sample type, as provided for in Article V, Article VI, Appendix C and Appendix D of this Ordinance;
- e. Statement of applicable penalties for violation of standards and requirements, as provided for in Article VI and Article VII of this Ordinance;

- f. Compliance milestone requirements and dates of any compliance schedule entered into by the significant industrial user to remedy a condition of noncompliance with the terms and conditions of this Ordinance or a DA issued to the significant industrial user pursuant hereto; and
- g. Requirements concerning spill containment and potential for slug discharge described in Article V, Section 4 of this Ordinance.

Section 3. Discharge Authorization Request

Within 90 days of the date of notification from the District that a person has been determined to be a significant industrial user, such person shall complete and submit to the District, on forms supplied by the District, a Discharge Authorization Request (DAR). Sampling requirements for the completion of the DAR shall be specified on the DAR form supplied by the District. Sample collection and analysis shall conform to the requirements of 40 CFR 403.12(g).

Any person who submits a completed and certified DAR to the District, in a timely manner as provided herein, may continue to cause or allow the discharge of process wastewater into the sewerage system under the jurisdiction of the District, in the absence of a DA, only in conformance with all other terms and conditions of this Ordinance.

For the purposes of this provision, any person who has on file with the District, a current and approved BMR shall be deemed to have been issued an interim DA, and shall not be required to submit a DAR, until 90 days after being notified of such requirement by the District.

The DAR shall disclose the name and address of the person, as defined herein, seeking the Discharge Authorization and identify the name(s) of all officers or principal owners of said person. The DAR shall be executed by an authorized representative of the person and certified as accurate and complete by a Registered Professional Engineer licensed by the state of Illinois.

Any person who plans to commence new activities or who plans to modify existing activities such that said person becomes a significant industrial user shall notify the District of such activities and shall submit to the District, on forms supplied by the District, a DAR at least 90 days prior to commencement of such activities and discharge to the sewerage system.

Section 4. Issuance of Discharge Authorization By District

Within 90 days of receipt of a completed DAR, the District shall notify the person submitting said

DAR of approval or denial of the DAR and the reason(s) for denial.

For the purposes of this provision, any person who has on file with the District, a current and approved BMR shall be deemed to have been issued an interim DA.

Section 5. Review of Denial of Discharge Authorization or Special Condition in Discharge Authorization

Any person whose DAR has been denied by the District, or who wishes to have reviewed any special condition of a Discharge Authorization issued to such person, may request a review of the District's determination. Such request must be made in writing, to the Director of Monitoring and Research, and must be received by the District within 30 days of the date of notification that the DAR has been denied or of notification of the special condition. The request for review must clearly state the reason(s) why such person believes that the District's denial of the DAR or the special condition should be reviewed.

- a. Any person whose DAR for a new discharge has been denied by the District is prohibited from commencing the discharge of process wastewater into the sewerage system of the District until such time as a Discharge Authorization is issued to said person.
- b. Any person whose DAR for an existing discharge has been denied may continue to discharge process wastewater into the sewerage system of the District, only in accordance with all conditions reported in the DAR and not otherwise in violation of this Ordinance, during the review and until a final administrative decision by the District.
- c. Any person who requests a review of a special condition contained in a Discharge Authorization issued to said person, for an existing discharge of process wastewater, may continue to discharge process wastewater into the sewerage system of the District, only in accordance with all conditions of the Discharge Authorization issued to said person, except the special condition under review, and not otherwise in violation of this Ordinance, during the review and until a final administrative decision by the District.

The Director of Monitoring and Research will inform the Executive Director of all requests for review. The Executive Director shall order that a hearing be held for each request for review. The review hearing shall comply with the hearing procedures of Article VI, Section 3 of this Ordinance. The final administrative decision on each review will be made by the Board of Commissioners after it receives a

report with recommendations from the Review Hearing Officer.

Section 6. Request for Renewal of Discharge Authorization

Discharge Authorizations issued pursuant to this Ordinance shall be valid for a period not exceeding five years. Not less than 90 days prior to the expiration date of a discharge authorization issued by the District, the person to whom said discharge authorization was issued shall submit to the District, on a DAR form supplied by the District, a request for renewal of the discharge authorization. Any person who submits a completed and certified request for renewal, in a timely manner as provided herein, shall be granted an extension of the termination date of their DA, until such time as the District issues a determination with regard to such person's request for renewal of the DA. Any person whose request for renewal of a DA has been denied may seek review of such denial, as provided in Appendix D, Section 5 of this Ordinance.

In addition to the provisions for administrative and legal proceedings contained in Article VI and Article VII of this Ordinance, whenever the Executive Director determines that a person to whom a Discharge Authorization has been issued has failed to comply with an Order of the Board issued pursuant to this Ordinance; has failed to comply with a substantive Order of the Court issued in litigation initiated by the District, the Office of the State's Attorney or the United States Attorney, against such person for noncompliance with this Ordinance; has failed to promptly pay all civil penalties, late filing fees or other costs assessed against such person in any action taken by the District; or has failed to pay all User Charges owed to the District by such person, the Director of Monitoring and Research may deny renewal of such person's Discharge Authorization, except that actions subject to a pending and properly filed appeal taken pursuant to the provisions set forth in this Ordinance, the Rules Governing the Proceedings, Assessment of Civil Penalties, and Issuance of Orders Under the Sewage and Waste Control Ordinance of the Metropolitan Water Reclamation District of Greater Chicago, or the User Charge Ordinance, shall not be considered sufficient cause for the District to deny renewal of such person's Discharge Authorization until said appeal has been finally resolved by the District.

During the period of review of any denial of a request for renewal of an existing DA, the person may continue to cause or allow the discharge of process wastewater into the sewerage system under the jurisdiction of the District only in conformance with all terms and conditions of this Ordinance and the DA previously issued to said person.

Section 7. Reissuance of Discharge Authorization to Another Person

Discharge Authorizations issued pursuant to this Ordinance shall be issued to the specific person, as defined in Article II of this Ordinance, and for the specific location identified in the Discharge Authorization Request submitted to the District. Such Discharge Authorization shall remain in full force and effect until expiration thereof, or until non-renewal or revocation by the District.

No Discharge Authorization may be reissued to another person if the person to whom the Discharge Authorization was issued is the subject of an unresolved enforcement action taken by the District, or if the person has failed to pay, within 30 days of the payment due date, all monies owed to the District under this Ordinance and the District's User Charge Ordinance, unless the following occurs prior to the effective date of the transfer:

1. The person seeking to transfer the Discharge Authorization has resolved the outstanding enforcement action to the satisfaction of the District and has paid all monies owed to the District, or,
2. In the event of an unresolved enforcement action, the transferee has submitted a plan and schedule for resolving the outstanding enforcement action within a period acceptable to the District. Such plan and schedule must be certified by a Registered Professional Engineer licensed by the state of Illinois and an authorized representative of the transferee and shall be incorporated as an enforceable Special Condition in the Discharge Authorization reissued to the transferee, and,
3. In the event of monies owed to the District, the transferee has submitted an affidavit to the District assuming full responsibility for payment of all monies owed to the District. The affidavit shall also be signed by the transferor and acknowledge that assumption of liability by the transferee shall not release the transferor from any outstanding monies owed to the District at the time of the transfer until said amounts are paid-in-full. This provision neither abrogates any existing rights nor conveys any additional rights which the transferor or transferee may otherwise have to appeal the District's assessment of charges or fees.

No Discharge Authorization for the commencement of a discharge at a new location shall be issued to any person if said person has failed to comply with an Order of the Board issued pursuant to this Ordinance; has failed to comply with a substan-

tive Order of the Court issued in litigation initiated by the District, the Office of the State's Attorney or the United States Attorney, against such person for noncompliance with this Ordinance; has failed to promptly pay all civil penalties, late filing fees or other costs assessed against such person in any action taken by the District; or has failed to pay any User Charges owed to the District by said person.

Any change in the person to whom a Discharge Authorization has been issued must be reported to the Director of Monitoring and Research not less than 30 days prior to such change, together with the effective date of the change and the identity of the person to whom the Discharge Authorization should be reissued. Not less than 20 days prior to the effective date of the change, the District will advise all parties of any unresolved enforcement actions and monies owed to the District. The parties shall have ten days to resolve these matters in accordance with the terms of this section. Not less than five days prior to the effective date of the change, the District will advise all parties whether the Discharge Authorization may be reissued. If the District does not object to reissuance of the Discharge Authorization, the person to whom the Discharge Authorization was originally issued must submit to the District, before the effective change date, an affidavit verifying delivery of a copy of the existing Discharge Authorization to the person to whom the Discharge Authorization is to be reissued. The District will reissue the Discharge Authorization to the person, as identified in the above notification, within 30 days of receipt of said notification, if there has been compliance with the terms of this section of the Ordinance.

Continued discharge of process wastewater into a sewerage system under the jurisdiction of the District, in the absence of a current and valid Discharge Authorization, will be considered a knowing and willful violation of this Ordinance, the applicable statutes of the state of Illinois and applicable federal pretreatment regulations.

The Executive Director may refer such violation to the Office of State's Attorney or the Office of the United States Attorney, for such action as they may deem appropriate.

Section 8. Revocation of Discharge Authorization

In addition to the provisions for administrative and legal proceedings contained in Article VI and Article VII of this Ordinance, whenever the Executive Director determines that a person to whom a Discharge Authorization has been issued has failed to comply with a Cease and Desist Order issued pursuant to Article VI of this Ordinance, or whenever a person has failed to comply with an Order of the Board

issued pursuant to this Ordinance; has failed to comply with a substantive Order of the Court issued in litigation initiated by the District, the Office of the State's Attorney or the United States Attorney, against such person for noncompliance with this Ordinance; has failed to promptly pay all civil penalties, late filing fees or other costs assessed against such person in any action taken by the District; or has failed to pay all User Charges owed to the District by such person, the Executive Director may order such person to show cause before the Board why the Discharge Authorization should not be revoked, except that actions subject to a pending and properly filed appeal taken pursuant to the provisions set forth in this Ordinance, the Rules Governing the Proceedings, Assessment of Civil Penalties, and Issuance of Orders Under the Sewage and Waste Control Ordinance of the Metropolitan Water Reclamation District of Greater Chicago, or the User Charge Ordinance, shall not be considered sufficient cause for the District to revoke such person's Discharge Authorization until said appeal has been finally resolved by the District. The show cause proceeding so ordered shall comply with the provisions of Article VI, Section 3 and Appendix D, Section 5 of this Ordinance.

Section 9. Continued Discharge in Absence of Current and Valid Discharge Authorization to be Considered a Violation

Whenever a person to whom a notification of applicability of this Appendix has been transmitted fails to submit a DAR as required under this Appendix, or whenever a person whose DA has been revoked pursuant to an order of the Board of Commissioners, or whose DA has expired, continues to cause or allow the discharge of process wastewater into a sewerage system under the jurisdiction of the District, the Executive Director shall, by Registered or Certified Mail or by personal service by any employee of the District, notify such person that continued discharge in the absence of a valid DA may be considered a knowing and willful violation of this Ordinance, the applicable statutes of the state of Illinois and applicable federal pretreatment regulations.

The Executive Director may refer such violation to the Office of State's Attorney in and for the county in which the District is located, or the Office of the United States Attorney, for such action as they may deem appropriate.

APPENDIX E to the SEWAGE AND WASTE CONTROL ORDINANCE

RULES GOVERNING CONFIDENTIALITY AND PUBLIC ACCESS TO INFORMATION

Section 1. Confidentiality and Information Available to the Public

All information submitted to the District pursuant to the reporting provisions of this Ordinance, with the exception of data as described below, may be claimed as confidential by the submitter and may not be released to the public without prior written approval of the person submitting such information. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions, or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, the District may make the information available to the public without further notice.

Information and data provided to the District relative to Article V, Sections 3 and 4, Appendix C, and Appendix D of this Ordinance, which describe the concentration and/or mass loading of pollutants discharged, physical characteristics of discharge, general description of the location and nature of the source of pollutants, and analyses of samples of discharge, shall be available to the public in accordance with 40 CFR 403.14. Cease and Desist Orders, Notices of Show Cause, and other notices of enforcement action taken by the District pursuant to this Ordinance shall be available to the public upon written request to the Director of Monitoring and Research. Information regarding enforcement actions taken against persons in violation of this Ordinance is routinely provided to officials of municipalities in which the persons in violation are located or have indicated they plan to relocate.

All information regarding industrial users shall be made available to the USEPA, the IEPA and any other unit of government subject to the confidentiality provisions found at 40 CFR 2.302 and 40 CFR 403.14.

Section 2. Annual Publication of Persons in Significant Noncompliance

In accordance with the public participation requirements of 40 CFR 403.8(f)(2)(viii), the District, at least annually, will publish the identity of each person in significant noncompliance with this Ordinance, along with the nature of such significant noncompliance, in a newspaper of general circulation that provides meaningful public notice within the

jurisdiction of the District. Prior to publication, each such person will be advised in writing of the District's intent to publish the identity of the person and will be granted an opportunity to provide comment to the District regarding the appropriateness of such publication.

For purposes of publication, a person will be deemed in significant noncompliance of this Ordinance if such person exhibits any of the following:

- a. Chronic violations of wastewater Discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(1);
- b. Technical Review Criteria (TRC) violations (Acute violations), defined here as those in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(1) multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oils, and greases, and 1.2 for all other pollutants except pH);
- c. Any violation of an effluent discharge standard or prohibition which causes or contributes to pass-through or interference, the imminent threat of fire, explosion or other damage to the sewerage system, imminent endangerment to human health or the environment or which results in the District exercising its emergency authority to halt such violation;
- d. Failure to submit a completed and certified report within 45 calendar days of a report due date;
- e. Failure to meet, within 90 calendar days after the schedule date, a compliance milestone date or final compliance date contained in a compliance schedule or Discharge Authorization;
- f. Failure to provide access to the industrial user's premises to representatives of the District for the purposes of inspection and sampling;
- g. Failure to comply with the spill containment and notification requirements regarding spills, malfunctions, bypasses, and slug loadings contained in Article V, Sections 4 and 15 of this Ordinance;
- h. Failure to report any instance of noncompliance of which the person becomes aware by self-monitoring, as required under Article V, Section 8 of this Ordinance; or

- i. Noncompliance with any of the terms or conditions of the Ordinance, upon the determination of the Executive Director.

APPENDIX F

to the

SEWAGE AND WASTE CONTROL ORDINANCE

ENFORCEMENT RESPONSE PROCEDURE

This appendix represents the Enforcement Response Procedure (ERP) of the Metropolitan Water Reclamation District of Greater Chicago (District) for the enforcement of the terms and conditions of the District's Sewage and Waste Control Ordinance (Ordinance).

As recommended by the United States Environmental Protection Agency in "Pretreatment Compliance Monitoring And Enforcement Guidance", published July 25, 1986, the ERP has been developed to include a range of enforcement responses available to the District to effectively enforce the terms and conditions of its Ordinance. The ERP establishes a framework, the Response Option Matrix (ROM), in which the District will assess the degree of noncompliance by an Industrial User (IU) and in which the District may consider both mitigating and aggravating circumstances in determining the appropriate enforcement response. The ERP also establishes minimum response levels for incidents of noncompliance which are deemed critical in nature, including interference and pass-through.

TYPES OF ENFORCEMENT RESPONSES

Industrial Users (IU) found in noncompliance with any of the terms or conditions of the Ordinance are subject to enforcement action under the ERP. Enforcement actions such as Notices of Noncompliance and Cease and Desist Orders are determined by the District's Executive Director and are administered through the office of the Director of Monitoring and Research (Director). Show Cause proceedings and legal actions are administered by the District's General Counsel upon recommendation from the Director.

Incidents of noncompliance with the Ordinance will be evaluated in accordance with the ROM as to the type of enforcement response necessary to attain prompt compliance with the Ordinance.

The following types of enforcement responses are available to the District in response to incidents of noncompliance with its Ordinance.

A. Notice of Noncompliance – Appendix B (NONB)

A NONB is a written notification, sent via Certified Mail, Return Receipt Requested, which is directed to an authorized representative of an IU found to be in minor noncompliance (not in Significant Noncompliance as herein defined) with an applicable effluent discharge standard of Appendix B (local limits) of the Ordinance. The NONB advises the IU of the nature of the noncompliance, requires the IU to investigate the incident and take measures to remediate the condition of noncompliance, and to execute, within ten days of receipt of the NONB, a Declaration of Corrective Action, indicating that compliance has been achieved.

The Declaration of Corrective Action and statement of compliance will be subject to verification by District inspection and sampling within 90 days. Failure to achieve compliance will result in the issuance of a Cease and Desist Order.

B. Notice of Noncompliance – Appendix C (NONC)

A NONC is a written notification, sent via Certified Mail, Return Receipt Requested, which is directed to an authorized representative of an IU found to be in minor noncompliance (not in Significant Noncompliance as herein defined) with an applicable effluent discharge standard of Appendix C (categorical pretreatment standards) of the Ordinance. The NONC advises the IU of the nature of the noncompliance, requires the IU to investigate the incident and take measures to remediate the condition of noncompliance, and to execute, within 45 days of receipt of the NONC, a Declaration of Corrective Action, indicating that compliance has been achieved. The IU is also required to conduct a minimum of three days of sampling to verify that compliance has been achieved and to submit all supporting analytical data with the Declaration of Corrective Action.

The Declaration of Corrective Action and statement of compliance will be subject to verification by District inspection and sampling within 90 days. Failure to achieve compliance will result in the issuance of a Cease and Desist Order.

C. Notice of Noncompliance – Baseline Monitoring Report Verification (NONBMR)

A NONBMR is a written notification, sent via Certified Mail, Return Receipt Requested, which is directed to an authorized representative of an IU found to be in noncompliance with an applicable effluent discharge standard of Appendix C (categorical pretreatment standards) of the Ordinance, during the initial Baseline Monitoring Report verification inspection and sampling. The NONBMR advises the IU of the nature of the noncompliance and requires the IU

to achieve compliance within 90 days of the date of the NONBMR. The IU is also advised that the District will inspect and sample the IU within 90 days of the date of the NONBMR and that the IU will be recommended for Show Cause action if the IU is again found in noncompliance. These NONBMRs are not issued to those companies who exceed a return-to-compliance period of 90 days. Companies who exceed the 90 day period are recommended for Show Cause action.

D. Cease and Desist Order – Reporting Requirements (C&DR)

A C&DR is written notification, sent via Certified Mail, Return Receipt Requested, directed to an authorized representative of an IU which failed to submit a report within 45 days of the report due date. The C&DR advises the IU of the nature of the noncompliance and requires the IU to comply with the applicable reporting requirement within 30 days of the date of the C&DR.

In the event of failure to comply with pretreatment system malfunction, bypass or accidental spill notification requirements, the IU will be required to submit, within 30 days of the date of the C&DR, a fully implemented Spill Prevention, Control and Countermeasure Plan, including specific provisions for proper notification to the District of any pretreatment system malfunction, bypass or accidental spill incident.

Failure of an IU to supply any report or other information required by the District, as required under a C&DR, will result in Show Cause action being recommended.

E. Cease and Desist Order (C&D)

A C&D is written notification, sent via Certified Mail, Return Receipt Requested, directed to an authorized representative of an IU found to be in noncompliance with an applicable effluent discharge standard of the Ordinance or with any terms or conditions of the Ordinance, with the exception of reporting requirements. The C&D advises the IU of the nature of the noncompliance and requires the IU to attain compliance with the Ordinance within 90 days of the date of the Order and to submit to the District a report regarding its investigation into the incident of noncompliance and a Compliance Schedule. The Compliance Schedule must be certified by an authorized representative of the IU, notarized, and must contain major milestone dates for implementation of remediation measures as well as a compliance date. The compliance date indicated in the Compliance Schedule cannot extend greater than 90 days beyond the date of the C&D.

The IU will be required to submit to the District, not more than 15 days after the compliance date specified in the Compliance Schedule, a Final

Compliance Report, certified by an authorized representative of the IU, and notarized, indicating that compliance has been achieved.

The IU's Final Compliance Report will be subject to verification by District inspection and sampling within 90 days of the District's receipt of the Final Compliance Report.

Failure to achieve compliance within 90 days from the date of the C&D or failure to submit a properly executed Final Compliance Report, indicating that compliance has been achieved, will result in Show Cause action being recommended.

F. Show Cause Proceedings (SC)

When it has been determined that any person has failed to comply with a Cease and Desist Order, the Executive Director of the District may order an IU who engages in activity or conduct prohibited by the Ordinance to Show Cause before the District's Board of Commissioners (Board), or its hearing officer designee, why such prohibited activity or conduct should not be discontinued.

A Notice of Show Cause, directed to an authorized representative of the IU, is served personally or by Registered or Certified Mail, specifying the time and place of a hearing to be held by the Board, and directing the IU to Show Cause before the Board why an order should not be entered directing discontinuance of such prohibited activity or conduct.

The Board may, itself, conduct the hearing and take evidence, or may designate any of its members or any officer or employee of the District or any other person to issue, in the name of the Board, notices of hearings requesting attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearing, to take evidence, and to transmit a report of the evidence and hearing, including transcripts and other evidence, together with recommendations to the Board for action thereon. At any public hearing, testimony taken before the Board or any person designated by it must be under oath and recorded stenographically. The transcript so recorded will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefor.

After the Board has reviewed the evidence, it may issue a Board Order (BO) to the IU directing that within a specified time period, the prohibited activity or conduct be discontinued unless adequate pretreatment facilities are properly installed and operated to ensure compliance, recommending penalties in the amount of not less than \$1,000.00 nor more than \$10,000.00 for each violation of the Ordinance. If a person violates the terms of a Board Order, the District will seek to recover, in a civil action, the fines recommended by the Board of Commis-

sioners for violations which are recited in the Board Order.

G. Court Proceedings (CT)

Any activity or conduct of an IU which is in violation of or prohibited by the Ordinance, or failure of an IU to comply with an Order of the Board, shall be considered a nuisance. The District may commence an action or proceeding in the Circuit Court for the purpose of having such activity or conduct stopped either by mandamus or injunction.

The District shall seek penalties in the amount of not less than \$1,000.00 nor more than \$10,000.00 for each violation of the Ordinance, together with reasonable attorney's fees, court costs, and other expenses of litigation. The District shall also seek recovery of all inspection, monitoring, and administrative costs incurred after the issuance of a Cease and Desist Order relative to an IU found in violation of the Ordinance.

H. Civil or Criminal Referrals (CR)

If an IU engages in any activity or conduct in apparent violation of a statute of the state of Illinois or a federal regulation, the District may refer such matters to the Office of the State's Attorney, the Illinois Environmental Protection Agency, the United States Environmental Protection Agency or any other appropriate agency for investigation and civil and criminal enforcement action. Any such referral will be made in addition to an appropriate enforcement action taken pursuant to this ERP and will not reduce the District's responsibility to aggressively pursue such enforcement action.

The District will seek, through the appropriate agency, the maximum civil and criminal penalty assessable under statute or regulation and will supply evidence and testimony as deemed necessary by the agency in the prosecution of any such matters.

I. Noncompliance Enforcement (NCE) Activities

The cost for administering the noncompliance enforcement (NCE) activities of this Ordinance shall be recovered from persons who are found in noncompliance with this Ordinance. NCE activities include, but are not limited to the following: preparation of Notices of Noncompliance, Cease and Desist Orders, Show Cause recommendations, legal action recommendations, noncompliance referrals to the District's Law Department, enforcement action amendments, compliance date revisions, compliance meeting notifications, delinquent report notifications, late filing fee invoicing and acceptable compliance report notifications; preparing for and participating in meetings and hearings; review and processing of Compliance Schedules (RD-112), non-compliance follow-up sampling; laboratory analysis

and review; and frequent or continuous sampling and analysis for extended significant noncompliance. Where the cost for any NCE activity is recovered through assessment of late filing fees against the person pursuant to Article V, Section 10 of this Ordinance or through a civil action taken by the District against a person pursuant to Article VII, Section 3 of this Ordinance, such cost shall be segregated from the NCE cost to be recovered. The NCE cost shall be recovered through charges based on enforcement and monitoring activities, as set forth below.

Noncompliance Enforcement (NCE) Charges

Effective January 1, 2012

Enforcement Level	Sampling Charge	Administrative Cost
Notice of Noncompliance	\$712	\$843
Cease & Desist Order (Single-sample SNC)	\$1,643	\$843
Cease & Desist Order (Chronic/Acute SNC)	\$4,158	\$843
Recurring Cease & Desist Order (Per each C&D Order)	\$4,158	\$843
Show Cause or Legal Action	To be addressed in resolution of the enforcement action	

The NCE charges, where applicable, will be assessed by invoice issued to the person found in noncompliance. If the person disputes the NCE charges, the person must notify the Director of Monitoring and Research, in writing, of such dispute within 30 days of receipt of the NCE invoice, together with the reasons why the person disputes the charges. All disputes regarding NCE charges will be handled in accordance with Article V, Section 10 of this Ordinance.

COMPLIANCE SCREENING / REVIEW

All IU self-reports and reports generated by District inspection and sampling of IUs will be reviewed by the Industrial Waste Division, Enforcement Section for incidents of noncompliance with applicable standards. Reports will be reviewed and enforcement actions will be taken in response to any incidents of noncompliance in accordance with the following schedule.

A. IU Self-reports

All IU self-reports will be reviewed within 45 days of receipt of said self-report. Enforcement action will

be initiated within 60 days of receipt of the report, if required.

B. District Inspection and Sampling Reports

In conformance with 40 CFR 403.8(f)(2), the District will inspect and sample each SIU at least annually. The District will inspect and sample each IU found in noncompliance to verify the IU's claims that compliance has been attained. For instances of significant noncompliance, verification inspection and sampling will be performed within 60 days of the IU's compliance date. For nonsignificant instances of noncompliance, certification inspection and sampling will be performed within 90 days of the IU's final compliance date. Sample collection and analysis shall be performed in accordance with 40 CFR 136.

All District inspection and sampling reports will be reviewed within 45 days of the receipt of said District inspection or sampling report and complete analytical data by the Industrial Waste Division, Enforcement Section. Enforcement action will be initiated within 60-days of receipt of the complete report, if required.

C. Enforcement Actions by Director

All enforcement response actions taken by the Director (NONB, NONC, NONBMR, C&DR, C&D) shall be initiated within the time periods indicated in Paragraphs A and B above.

D. Enforcement Actions by General Counsel

All enforcement responses which require action by the General Counsel (SC, CT, CR) will be recommended to the General Counsel by the Director within the time periods indicated in Paragraphs A and B above. The General Counsel will take action on all recommendations from the Director within 30 days of receipt of said recommendation.

SIGNIFICANT NONCOMPLIANCE

For the purpose of determining an appropriate enforcement response, incidents of noncompliance will be deemed Significant Noncompliance in accordance with the following evaluations:

A. Effluent Discharge Standards

An IU exhibiting chronic (occurring repeatedly as evidenced by District and/or self-reported sampling analysis) incidents of noncompliance will be deemed in Significant Noncompliance if 50 percent or more of all effluent discharge analyses for samples taken during a six month period exceed the daily maximum limit or the average limit for the same parameter.

An IU exhibiting acute (occurring occasionally or intermittently as evidenced by District and/or self-reported sampling analysis) incidents of noncompliance will be deemed in Significant Noncompliance if

33 percent or more of all available effluent discharge analyses for samples taken during a six month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the following Technical Review Criteria (TRC).

1. For biochemical oxygen demand, total suspended solids, and fats, oils, and greases excursions of Appendix B (local limits) the TRC will be 1.4.
2. For all other pollutants (heavy metals, cyanide, phenols, toxic organic compounds or fats, oils, and greases utilized as a surrogate parameter), the TRC will be 1.2.
3. For pH, the TRC will be less than 3.5 pH units or greater than 11.5 pH units.

An IU may also be deemed in Significant Noncompliance if any single effluent discharge analysis exceeds the product of the maximum daily limit multiplied by 5.0 or if pH falls below 3.0 or above 12.0.

An IU discharging an effluent in noncompliance with any applicable effluent discharge limit will be deemed in Significant Noncompliance whenever the Director determines that the IU, either alone or in combination with any other IU, has caused or contributed to any incident of pass-through or interference. An IU contributing to the threat of fire, explosion or other damage to the sewerage system, or causing a hazard to life or the environment, or contributing to any other incident in response to which the District must exercise its emergency authority to halt such activity shall also be deemed in Significant Noncompliance.

B. Reporting Requirements

An IU in noncompliance with any applicable reporting requirement, more than 45 days after the report due date, will be deemed in Significant Noncompliance.

C. Compliance Schedule

An IU subject to a compliance schedule executed in response to any enforcement action taken by the District, or to a compliance schedule executed pursuant to any applicable categorical pretreatment standard, which fails to meet, within 90 days after the schedule date, a compliance milestone or final compliance date contained in its compliance schedule, will be deemed in Significant Noncompliance.

D. Failure to Report Noncompliance

An IU who, through self-monitoring or other means, becomes aware of an incident of noncompliance, and who fails to report such incident of noncompliance with the terms and conditions of the Ordinance, will be deemed in Significant Noncompliance.

E. Other Conditions

An IU who is in noncompliance with any of the terms and conditions of the Ordinance, upon the determination of the Executive Director, shall be deemed in Significant Noncompliance.

TEST OF GOOD FAITH EFFORT

When determining an appropriate enforcement response to an incident of noncompliance, the District will consider the apparent attitude of the IU toward the effort required to achieve and maintain compliance with the Ordinance. If an IU appears to be acting in good faith to comply with the Ordinance, the District may choose an enforcement action on a more conciliatory level than if an IU does not appear to be acting in good faith to comply with the Ordinance. For the purpose of establishing a good faith effort on the part of an IU, the District will measure the IU's effort against the following standard, as stated in Legislative History of the Clean Water Act, No. 95-14, Vol. 3, p.463: "The Act requires industry to take extraordinary efforts if the vital and ambitious goals of the Congress are to be met. This means that business-as-usual is not enough. Prompt, vigorous, and in many cases, expensive pollution control measures must be initiated and completed as promptly as possible. In assessing the good faith of a discharger, the discharger is to be judged against these criteria. Moreover, it is an established principle, which applies to this act, that administrative and judicial reviews are sought on the discharger's own time."

RESPONSE OPTION MATRIX

A. IU Reporting and Self-monitoring

<u>Noncompliance</u>	<u>Circumstances</u>	<u>Response</u>
Failure to submit Facility Classification Questionnaire (FCQ)	Initial occurrence	C&DR
Failure to submit FCQ	Repeated occurrence; failure to comply with C&DR	C&DR or SC*
Failure to submit initial Baseline Monitoring Report (BMR) or Discharge Authorization Request (DAR), or to submit amended BMR or DAR upon significant change in operation	Initial occurrence	C&DR
Failure to submit initial BMR or DAR or to submit amended BMR or DAR upon significant change in operation	Repeated occurrence	SC or CT
Failure to conduct self-monitoring and to submit periodic reports	Isolated occurrence	C&DR
Failure to conduct self-monitoring and to submit periodic reports	Repeated occurrence; failure to comply with C&DR	SC or CT
Minor deficiencies in periodic reports	Isolated occurrence	C&DR
Minor deficiencies in periodic reports	Repeated occurrence; failure to comply with C&DR	C&DR or SC
Major deficiencies in periodic reports, late reports	Isolated occurrence	C&DR
Major deficiencies in periodic reports, late reports	Repeated occurrence; failure to comply with C&DR	SC or CT
Failure to report effluent limit violation, pretreatment system malfunction, bypass or slug discharge (spill)	Isolated occurrence; no interference of pass-through	C&DR
Failure to report effluent limit violation, pretreatment system malfunction, bypass or slug discharge (spill)	Repeated occurrence; failure to comply with C&DR; no interference or pass-through	C&DR or SC
Failure to report effluent limit violation, pretreatment system malfunction, bypass or slug discharge (spill)	Isolated occurrence; interference or pass-through	C&DR or CT or CR
Failure to report effluent limit violation, pretreatment system malfunction, bypass or slug discharge (spill)	Repeated occurrence; interference or pass-through	SC or CT or CR
Failure to report effluent limit violation, pretreatment system malfunction, bypass or slug discharge (spill)	Any incident with known POTW or environmental Damage	CT or CR
Failure to report new or increased pollutant loading or change in flow	Isolated occurrence	C&DR
Failure to report new or increased pollutant loading or change in flow	Repeated occurrence	C&DR or SC

Noncompliance

Failure to submit schedule of batch or infrequent discharges

Failure to submit schedule of batch or infrequent discharges

Failure to report batch or infrequent discharge

Failure to report batch or infrequent discharge

Willful submission of false information

Circumstances

Isolated occurrence

Repeated occurrence;
failure to comply with C&DR

Isolated occurrence

Repeated occurrence

Any incident

Response

C&DR

C&DR or SC

C&DR

C&DR or
SC or CT

CR

B. Compliance Schedules**Noncompliance**

Willful submission of false information

Missed interim date

Missed interim date

Missed interim date

Missed interim date

Missed final date

Missed final date

Missed final date

Circumstances

Any incident

No impact on final date
For C&D
For SC
For CTDelay of final date less than
90 days, good cause
For C&D
For SC
For CTDelay of final date greater than
90 days, good cause
For C&D
For SC
For CTDelay of final date,
Lacking good cause
For C&D
For SC
For CTGood cause, non-SNC
For C&D
For SC
For CTGood cause, SNC
For C&D
For SC
For CTNo good cause
For C&D
For SC
For CT**Response**

CR

C&D
SC
CTC&D
SC
CTSC
SC
CTSC or CT
SC or CT
CTC&D or SC
SC or CT
CTSC
CT
CTSC or CT
CT
CT

C. Effluent Limits

<u>Noncompliance</u>	<u>Circumstances</u>	<u>Response</u>
Non-SNC, local limits	Isolated occurrence	NONB
Non-SNC, categorical pretreatment limits	Isolated occurrence except BMR verification sampling	NONC
Non-SNC	Repeated occurrence	C&D or SC
Categorical pretreatment standards	BMR verification sampling	NONBMR
Categorical pretreatment standards	NONBMR compliance Sampling	C&D
SNC	Isolated occurrence	C&D or SC
SNC	Repeated occurrence; failure to comply with C&D	C&D or SC or CT
Any limit	Isolated occurrence; interference or pass-through	C&D or CT
Any limit	Repeated occurrence; interference or pass-through	SC or CT
Any limit	Any incident with known POTW or environmental Damage	CT or CR
Slug load (spill)	Isolated occurrence; no interference or pass-through	C&D or SC or CT or CR
Slug load (spill)	Repeated occurrence; no interference or pass-through	C&D or SC or CT or CR
Slug load (spill)	Isolated occurrence; interference or pass-through	C&D or CT or CR
Slug load (spill)	Repeated occurrence; interference or pass-through	SC or CT or CR
Slug load (spill)	Any incident with known POTW or environmental Damage	CT or CR
Any discharge from regulated categorical IU without approved BMR	Any incident	C&D or CT
Any discharge from IU in violation of BO	Any incident	SC or CT

D. Dilution

<u>Noncompliance</u>	<u>Circumstances</u>	<u>Response</u>
Dilution of an effluent to achieve compliance with an effluent limitation	Isolated occurrence	C&D
Dilution of an effluent to achieve compliance with an effluent limitation	Repeated occurrence; failure to comply with C&D	C&D or SC

E. Entry and Access to Sampling Facilities

<u>Noncompliance</u>	<u>Circumstances</u>	<u>Response</u>
Failure to allow entry for inspection	Isolated occurrence	C&D
Failure to allow entry for inspection	Repeated occurrence; failure to comply with C&D	C&D or SC
Failure to allow access for effluent sampling	Isolated occurrence	C&D
Failure to allow access for effluent sampling	Repeated occurrence; failure to comply with C&D	SC

F. Other Requirements

<u>Noncompliance</u>	<u>Circumstances</u>	<u>Response</u>
Failure to comply with any requirement of Ordinance or Order of ED	Isolated occurrence, no impact on POTW	C&D
Failure to comply with any requirement of Ordinance or Order of ED	Repeated occurrence, no impact on POTW; failure to comply with C&D	C&D or SC
Failure to comply with any requirement of Ordinance or Order of ED	Any incident, interference or pass-through	C&D or CT or CR
Failure to comply with any requirement of Ordinance or Order of ED	Any incident with known POTW or environmental Damage	CT or CR
Failure to comply with any BO	Any incident of SNC	SC or CT

G. Civil and Criminal Referral Considerations

<u>Noncompliance</u>	<u>Circumstances</u>	<u>Response</u>
Failure to comply with an applicable statute of state of Illinois or federal regulation, any incident with evidence of willful intent	Any incident	CR

*Whenever optional responses are stated, the office of the Director of Monitoring and Research will select the option based on the nature and severity of the incidents(s) and surrounding circumstances.

APPENDIX G

to the

SEWAGE AND WASTE CONTROL ORDINANCE

**PROVISIONS APPLICABLE TO NATIONAL
INDUSTRY SECTOR
INITIATIVES AND XL PROJECT**

This Appendix deleted effective November 4, 2004.

~~Dated: August 9, 2012, to become effective August 9, 2012~~

Dated: April 9, 2015, to become effective April 9, 2015

Approved:

HON. TERRENCE J. O'BRIEN, President
HON. MARIYANA T. SPYROPOULOS, President
Board of Commissioners, Metropolitan Water
Reclamation District of Greater Chicago

Approved as to Form and Legality:

General Counsel

Attachment 2

Metropolitan Water Reclamation District of Greater Chicago

Monitoring and Research Department

Approved Best Management Practices (BMPs) for Fats, oils & greases (FOG) (total) in Leachate Effluent of Landfill Facilities Closed for the Acceptance of Wastes

1. Facilities must operate and maintain the necessary pretreatment equipment and devices to minimize concentrations of FOG in leachate effluent.
2. Facilities must train and educate staff on the importance of controlling FOG in light of potential obstructions of and damage to the local collection system, which increases maintenance and operations costs for the municipality. Staff training records shall be maintained and made available to regulatory authorities upon request.
3. Temperature of leachate effluent should be maintained below 140 degrees Fahrenheit to minimize FOG solubility and/or emulsification prior to entering the local collection system.
4. Facilities with leachate effluent FOG concentrations consistently less than the 250 mg/L local limit shall be subject to the current federal pretreatment program requirement of biannual self-monitoring, for a minimum of 3 consecutive days, for FOG.
5. Facilities with leachate effluent FOG concentrations consistently greater than the 250 mg/L local limit shall be subject to a more stringent self-monitoring schedule, above and beyond the federal pretreatment program requirement. Such facilities shall establish an annual historical FOG database by conducting a minimum of 4 quarterly sampling events, with 6 consecutive sampling days per event for a total of at least 24 FOG samples.
6. For those facilities subject to BMP no. 5 above, any leachate effluent sample concentration greater than or equal to 1,000 mg/L shall automatically trigger a requirement for the facility to conduct a formal investigation to determine the cause(s) of the elevated FOG and take whatever corrective actions are necessary to reduce FOG concentrations in leachate effluent.

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON INDUSTRIAL WASTE AND WATER POLLUTION

Mr. David St. Pierre, Executive Director

..Title

Request Authority to Amend the Sewage and Waste Control Ordinance of the Metropolitan Water Reclamation District of Greater Chicago

..Body

Dear Sir:

The Industrial Waste Division of the Monitoring and Research Department has become aware that fats, oils and greases (FOG) material in the effluent leachate discharges of landfills that are closed for the acceptance of wastes is often not amenable to conventional forms of pretreatment or pollution prevention strategies. As a result, such facilities have been unable to attain consistent compliance with the Sewage and Waste Control Ordinance (Ordinance) discharge concentration limit of 250 mg/L for FOG even after much good-faith effort and expense. The United States Environmental Protection Agency (USEPA) has given preliminary approval to a proposed Ordinance amendment that would exempt closed landfills from the FOG limit provided that specific Best Management Practices (BMPs) are implemented and maintained. In addition, because USEPA considers this proposed amendment to be a substantial modification of the Metropolitan Water Reclamation District of Greater Chicago's (District) industrial waste pretreatment program, a 30-day public notice period for review and comment was required. The public comment period expired on March 25, 2015, and no comments were received. The District is now approved by USEPA to complete the amendment implementation process.

The amendment to the Ordinance is summarized as follows:

1. Appendix B, Section 1: Exemption of landfills closed for the acceptance of wastes from the current FOG discharge concentration limit of 250 mg/L, provided that approved BMPs are implemented and maintained.

Attached is "An Ordinance to Amend the Sewage and Waste Control Ordinance of the Metropolitan Water Reclamation District of Greater Chicago, As Amended."

We recommend adoption of the proposed Ordinance amendment.

Requested, Thomas C. Granato, Director of Monitoring and Research, TCG:RMH:JT:MJ:GY:rg

Ronald M. Hill, General Counsel

Jacqueline Torres, Clerk/Director of Finance

Respectfully Submitted, Patrick D. Thompson, Chairman, Committee on Industrial Waste and Water Pollution

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for April 9, 2015

Attachments



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: R15-003, **Version:** 1

ORDINANCE FOR BOARD MEETING OF APRIL 9, 2015

Adopt Ordinance No. R15-003 Establishing the Right-of-Way for the Construction, Operation and Maintenance of the Des Plaines Inflow Tunnel (Contract 13-106-4F) connecting the existing Des Plaines tunnel system from 53rd Street and Joliet Road to the McCook Reservoir, in McCook, Illinois, in parts of Sections 11 and 14, Township 38 North, Range 12, East of the Third Principal Meridian in Cook County, Illinois

ORDINANCE R15-003

ORDINANCE ESTABLISHING THE RIGHT-OF-WAY FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE DES PLAINES INFLOW TUNNEL (CONTRACT 13-106-4F) CONNECTING THE DES PLAINES TUNNEL SYSTEM FROM 53RD STREET AND JOLIET ROAD TO THE MCCOOK RESERVOIR, IN MCCOOK, ILLINOIS, IN PARTS OF SECTIONS 11 AND 14, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS

WHEREAS, the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago, 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, it is necessary to obtain permanent and temporary easements or fee simple title as the right-of-way for the construction, operation and maintenance of the Des Plaines Inflow Tunnel (Contract 13-106-4F) connecting the Des Plaines tunnel system from 53rd Street and Joliet Road to the McCook Reservoir, in McCook, Illinois, in parts of Sections 11 and 14, Township 38 North, Range 12, East of the Third Principal Meridian in Cook County, Illinois, and appurtenances thereto.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago:

Section 1. That there be and is hereby laid out, located, created, and established a right-of-way for the construction, operation, and maintenance of the Des Plaines Inflow Tunnel (Contract 13-106-4F) connecting the Des Plaines tunnel system from 53rd Street and Joliet Road to the McCook Reservoir, in McCook, Illinois, in parts of Sections 11 and 14, Township 38 North, Range 12, East of the Third Principal Meridian in Cook County, Illinois, and legally described as follows, to wit:

(For Legal Description, See Exhibit, "A" which is attached hereto and made a part thereof.)

Section 2. That it is necessary, convenient, desirable and in the public interest to acquire fee simple title or such lesser interests as may be deemed appropriate in and to the real estate hereinafter described as a site for the construction, operation and maintenance of the Des Plaines Inflow Tunnel (Contract 13-106-4F) connecting the Des Plaines tunnel system from 53rd Street and Joliet Road to the McCook Reservoir, in McCook, Illinois, in parts of Sections 11 and 14, Township 38 North, Range 12, East of the Third Principal Meridian in Cook County, Illinois, which site is the following described real estate situated in the State of Illinois, to wit:

(For Legal Description, see Exhibit "A" which is attached hereto and made a part hereof.)

Section 3. That the construction, operation, and maintenance of the Des Plaines Inflow Tunnel (Contract 13-106-4F) connecting the Des Plaines tunnel system from 53rd Street and Joliet Road to the McCook Reservoir, in McCook, Illinois, in parts of Sections 11 and 14, Township 38 North, Range 12, East of the Third Principal Meridian in Cook County, Illinois,

together with all appurtenances thereto, within the right-of-way described in Sections 1 and 2 of this Ordinance, is hereby provided for and there shall be constructed, maintained, and operated within the limits of said right-of-way described in Sections 1 and 2 of this Ordinance, said Des Plaines Inflow Tunnel, Contract 13-106-4F together with all necessary appurtenances thereto, the same to be an adjunct of and addition to the drainage system of The Metropolitan Water Reclamation District of Greater Chicago.

Section 4. That it is necessary, convenient and desirable for the purposes of The Metropolitan Water Reclamation District of Greater Chicago to acquire fee simple title or such lesser interests as may be deemed appropriate in and to the real estate necessary to facilitate the construction, operation, and maintenance of the Des Plaines Inflow Tunnel (Contract 13-106-4F) connecting the Des Plaines tunnel system from 53rd Street and Joliet Road to the McCook Reservoir, in McCook, Illinois, in parts of Sections 11 and 14, Township 38 North, Range 12, East of the Third Principal Meridian in Cook County, Illinois, as described in Sections 1 and 2 of this Ordinance.

Section 5. That the Executive Director of The Metropolitan Water Reclamation District of Greater Chicago be and he is hereby authorized and directed to negotiate with the respective owners and parties in interest of the real estate described in Sections 1 and 2 of this Ordinance for the purposes of acquiring fee simple title or such lesser interests as may be deemed appropriate in and to the real estate described in Sections 1 and 2 of this Ordinance; and to endeavor to agree with said owners and parties in interest upon the price to be paid to them for said fee simple title or such lesser interests; and to engage the services of such appraisers as may be necessary, under the provisions of Section 11.4, Act 2605, Chapter 70, Illinois Compiled Statutes, for the purposes of such acquisition.

In the event that said Executive Director of The Metropolitan Water Reclamation District of Greater Chicago is unable to agree with the owners and parties in interest of any or all of said pieces or parcels of property described in Sections 1 and 2 of this Ordinance, or if said owners or parties in interest are incapable of consenting or their names or residences are unknown or they are non-residents of Illinois, the Executive Director of The Metropolitan Water Reclamation District of Greater Chicago shall report such fact to the General Counsel for The Metropolitan Water Reclamation District of Greater Chicago, and thereupon said General Counsel shall commence and prosecute condemnation proceedings in such courts as he may deem proper to acquire such fee simple title or lesser interests as he may deem proper by virtue of the Eminent Domain Laws of the State of Illinois as directed by the Executive Director and to pay all costs and expenses, including appraisal fees, incurred in connection therewith.

Section 6. This Ordinance shall be in full force and effect from and after its passage.

DATED: this 9th day of April, 2015

Approved as to Engineering:

CATHERINE A. O'CONNOR
Director of Engineering

APPROVED:

HON. MARIYANA T. SPYROPOULOS
President
Board of Commissioners of the
Metropolitan Water Reclamation
District of Greater Chicago

Approved as to Form and Legality:

SUSAN MORAKALIS
Head Assistant Attorney

Ronald M. Hill
General Counsel

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 9, 2015

COMMITTEE ON REAL ESTATE

Mr. David St. Pierre, Executive Director

..Title

Adopt Ordinance No. R15-003 Establishing the Right-of-Way for the Construction, Operation and Maintenance of the Des Plaines Inflow Tunnel (Contract 13-106-4F) connecting the existing Des Plaines tunnel system from 53rd Street and Joliet Road to the McCook Reservoir, in McCook, Illinois, in parts of Sections 11 and 14, Township 38 North, Range 12, East of the Third Principal Meridian in Cook County, Illinois

..Body

Dear Sir:

The District is preparing to construct a new inflow tunnel connecting the existing Des Plaines tunnel system from 53rd Street and Joliet Road to the McCook Reservoir in McCook, Illinois. This new tunnel project will provide a more efficient means of conveying water from the Des Plaines tunnel system to the McCook Reservoir resulting in reduced combined sewer overflows and greater flood prevention in the Des Plaines service area.

The project will require temporary and permanent easements located along the length of the tunnel from 53rd Street and Joliet Road to the McCook Reservoir in McCook, Illinois. The acquisition of this right-of-way requires the adoption of an ordinance authorizing the immediate acquisition of the right-of-way necessary for constructing the project, which is legally described in the attached documents.

It is requested that the Executive Director recommend to the Board of Commissioners that it adopt Ordinance No. R15-003 establishing the right-of-way for the construction, operation and maintenance of the Des Plaines Inflow Tunnel (Contract 13-106-4F) connecting the existing Des Plaines tunnel system from 53rd Street and Joliet Road to the McCook Reservoir, in McCook, Illinois, in parts of Sections 11 and 14, Township 38 North, Range 12, 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 it authorize and direct the Chairman of the Committee on Finance and the Clerk to execute said Ordinance after it 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 April 9, 2015

Attachment