

Metropolitan Water Reclamation District of Greater Chicago

*100 East Erie Street
Chicago, IL 60611*



Regular Board Meeting Minutes

Thursday, October 15, 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 David J. Walsh, 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.*

Call Meeting to Order

President Mariyana T. Spyropoulos presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 8 - Frank Avila; Timothy Bradford; Barbara J. McGowan; Cynthia M. Santos; Debra Shore; Kari K. Steele; David J. Walsh; and Mariyana T. Spyropoulos
Absent: 1 - Michael A. Alvarez

Approval of Previous Board Meeting Minutes

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

Recess and Convene as Committee of the Whole

A motion was made by Cynthia M. Santos, seconded by Debra Shore, to recess and convene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 11:25 a.m., President Mariyana T. Spyropoulos reconvened the regular board meeting to order

Finance Committee

Report

- 1 [15-1160](#) Report on Cash Disbursements for the Month of September 2015, in the amount of \$43,482,762.01

Attachments: [September 2015 Cash Disbursements Summary](#)

Published and Filed

Procurement Committee

Report

- 2 [15-1136](#) Report on advertisement of Request for Expression of Interest, Beneficial Use of Biosolids and Composted Biosolids

Published and Filed

- 3 [15-1157](#) Report of bid opening of Tuesday, September 29, 2015

Published and Filed

- 4 [15-1166](#) Report on rejection of bids for Contract 14-811-21, Furnish, Deliver and Install a Boiler System at the 125th Street Pumping Station, estimated cost \$455,400.00 (*As Revised*)

Deleted by the Executive Director

- 5 [15-1168](#) Report of bid opening of Tuesday, October 6, 2015

Published and Filed

Authorization

- 6 [15-1133](#) Authorization for payment to National Association of Clean Water Agencies (NACWA) for 2016 membership dues in the amount of \$62,700.00, Account 101-15000-612280

Approved

- 7 [15-1134](#) Authorization to amend Board Order of September 3, 2015, regarding Issue Purchase Order for Contract 15-605-21, Furnish and Deliver Two Windrow Turners and One Screener to LASMA and CALSMA, Item 1 to Ecoverve Industries, Ltd., in an amount not to exceed \$738,000.00, and Item 2 to Neustarr Equipment, LLC, in an amount not to exceed \$373,900.00, Account 201-50000-634650, Requisition 1398950, Agenda Item No. 40, File No. 15-1017

Approved

- 8 [15-1137](#) Authorization for payment to the City of Chicago Department of Revenue for participation in underground project coordination, in an amount not to exceed \$24,498.88, Account 101-50000-601170

Approved

- 9 [15-1143](#) Authorization to amend Board Order of September 17, 2015, regarding Authority to award Contract 10-883-AF, Flood Control/Streambank Stabilization Project on Tinley Creek, Crestwood, Illinois, to Industria, Inc., in an amount not to exceed \$7,222,220.00, plus a five (5) percent allowance for change orders in an amount of \$361,111.00, for a total amount not to exceed \$7,583,331.00. Account 501-50000-645620, Requisition 1398261 (Deferred from the Board meeting of September 3, 2015), Agenda Item No. 27, File No. 15-1071

Approved

- 10 [15-1144](#) Authorization to amend Board Order of February 5, 2015, for Authority to advertise Contract 15-701-21, Furnish and Deliver a Turbo Blower and Accessories to the Hanover Park Water Reclamation Plant, estimated cost \$175,000.00, Account 201-50000-634650, Requisition 1389219, Agenda Item No. 11, File No. 15-0143

Approved

- 11 [15-1155](#) Authorization to amend Board Order of October 1, 2015, regarding authority to increase Contract 13-859-11, Agricultural Maintenance at Fulton County, Illinois, in an amount of \$100,000.00 from an amount of \$1,403,416.53 to an amount not to exceed \$1,503,416.53, Account 101-68000-612420, Purchase Order 5001397, Agenda Item No. 26, File No. 15-1085

Approved

- 12 [15-1159](#) Authorization to amend Board Order of August 6, 2015, regarding authority to advertise Contract 15-905-11, Furnish and Deliver Oxygen Analyzers for the Central Heat Facility at the Stickney Water Reclamation Plant, estimated cost \$44,300.00, Account 101-69000-623070, Requisition 1399993, Agenda Item No. 20, File No. 15-0875

Approved

- 13 [15-1161](#) Authorization to amend Board Order of September 17, 2015, regarding Issue purchase order to Mesirow Insurance Services, Inc., for furnishing Fiduciary Liability Insurance for the Deferred Compensation Plan and Trust, in an amount not to exceed \$9,110.00, and for furnishing Fiduciary Liability Insurance for the Retiree Health Care Trust (OPEB), in an amount not to exceed \$6,074.00, Accounts 101-25000-612290 and P802-11000-798200 respectively, Requisition 1404338 , Agenda Item No. 20, File No. 15-1036

Approved

Authority to Advertise

- 14 [15-1130](#) Authority to advertise Contract 15-450-11 Furnishing and Delivering SKM Powertools Software Licenses to the MWRDGC, estimated cost \$38,388.00, Account 101-27000-623800, Requisition 1405135

Approved

- 15 [15-1135](#) Authority to advertise Contract 15-364-11 for public tender of bids a 39-year lease on 22.81 acres of District real estate located at 16050 Des Plaines River Road in Lemont, Illinois; Main Channel Parcel 23.01. The minimum initial rental bid shall be established at \$215,000.00 *(As Revised)*

Attachments: [Aerial Map.Parcel 23.01.pdf](#)

Approved

- 16 [15-1139](#) Authority to advertise Contract 10-882-DF, Flood Control/Streambank Stabilization Project for Tinley Creek, estimated cost \$793,375.00, Account 501-50000-645620, Requisition 1404306

Attachments: [Streambank Flood Control](#)

Approved

Issue Purchase Order

- 17 [15-1122](#) Issue purchase order to Governmentjobs.com, Inc., D.B.A. NEOGOV, for Annual Maintenance and Support of the AMS 5 Enterprise Software (Sigma 5), in an amount not to exceed \$13,430.00, Account 101-27000-612820, Requisition 1400767

Approved

- 18 [15-1131](#) Issue purchase order to CDW-Government LLC to Furnish and Deliver VMware Software, Support and Subscription, in an amount not to exceed \$96,549.82, Accounts 101-27000-612820, 623800, Requisition 1401483

Approved

Award Contract

- 19 [15-1158](#) Authority to award Contract 15-009-11, Furnish and Deliver Cloths, Paper Towels and Toilet Tissue to Various Locations for a One (1) Year Period, Group A to The Standard Companies, in an amount not to exceed \$4,770.00, and Groups B and C to Inlander Brothers Inc., in an amount not to exceed \$100,543.20, Account 101-20000-623660

Attachments: [Items 15-009-11.pdf](#)

Approved

- 20 [15-1162](#) Authority to award Contract 15-032-11, Furnish and Deliver Coveralls, Rainwear and Boots to Various Locations, for a One (1) Year Period, Group A to Thomas Scientific, Inc., in an amount not to exceed \$18,714.62, Group B to Kaul Glove & Manufacturing Company, in an amount not to exceed \$2,644.05, and Group C to Fairmont Supply Company, in an amount not to exceed \$23,065.07, Account 101-20000-623700

Attachments: [15-032.pdf](#)

Approved

- 21 [15-1165](#) Authority to award Contract 15-901-21, Furnish, Deliver and Install Four Sacrificial Deep Anode Ground Beds for the Cathodic Protection System Located at the Mainstream Pumping Station, to Cathodic Protection Management, Inc., in an amount not to exceed \$459,779.00, Account 201-50000-645700, Requisition 1396951

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

Approved

Increase Purchase Order/Change Order

- 22 [15-1138](#) Authority to increase Contract 06-212-3M Calumet TARP Pump Station Improvements, Calumet Water Reclamation Plant, to Sollit/Sachi/Alworth JV in an amount of \$21,402.00, from an amount of \$35,267,017.00, to an amount not to exceed \$35,288,419.00, Account 401-50000-645600, Purchase Order 5001404

Attachments: [CO LOG 06-212-3M, 10-15-15.pdf](#)

Approved

- 23 [15-1145](#) Authority to increase Contract 14-613-11, Scavenger Services at Various Service Areas, Groups B and C, to Waste Management of Illinois, Inc., in an amount of \$100,000.00 from an amount of \$1,387,004.00 to an amount not to exceed \$1,487,004.00, Accounts 101-67000/68000-612520, Purchase Order 5001441

Attachments: [14-613-11 093015.pdf](#)

Approved

- 24 [15-1146](#) Authority to increase Contract 13-614-11, Elevator Maintenance at Various Service Areas, Groups A & B to South West Industries, d/b/a Anderson Elevator Company, in an amount of \$30,900.00 from an amount of \$294,183.65 to an amount not to exceed \$325,083.65, Accounts 101-68000/69000-612600/612680, Purchase Order 5001427

Attachments: [13-614-11 093015.pdf](#)

Approved

Engineering Committee

Report

- 25 [15-1154](#) Report on change orders authorized and approved by the Director of Engineering during the month of September 2015

Attachments: [Attachment 1 CO October 2015.xls.pdf](#)
[Attachment 2 CO Contingency October 2015.pdf](#)

Published and Filed

Authorization

- 26 [15-1140](#) Authority to approve and execute an Air Rights Agreement with the Illinois Department of Transportation, for the Des Plaines Inflow Tunnel, SSA (ROW File No. 13, Contract 13-106-4F)

Approved

- 27 [15-1153](#) Authority to execute an agreement and make payment in an amount not to exceed \$9,980.00 to BNSF Railway Company for an engineering review of the impact of constructing the Des Plaines Inflow Tunnel, SSA (Contract 13-106-4F) on its facilities in McCook, Illinois, Account 401-50000-601410

Approved

Judiciary Committee

Authorization

- 28 [15-1147](#) Authority to settle Show Cause Action, Metropolitan Water Reclamation District of Greater Chicago v. Condominiums of Birch Manor Association, Violation Complaint No VC-01-36, and to approve the final order of the Hearing Officer setting forth the recommendation of settlement and dismissal of the Show Cause Action

Attachments: [10.15.15 Birch Manor Settlement Agreement.pdf](#)

Approved

- 29 [15-1149](#) Request for Order approving and adopting Hearing Officer's Report Consisting of Findings of Fact, Conclusions of Law, and Order to the Board of Commissioners for the Verified Show Cause Complaint and Motion for Default Judgment in the matter of Metropolitan Water Reclamation District of Greater Chicago v. DeNormandie Towel & Linen Supply Company a/k/a DeNormandie Towel & Linen, Inc., Enforcement Action No. 91652

Attachments: [aeab176c-6d48-4a65-bd73-5bf61358340f](#)

Approved

Maintenance & Operations Committee

Reports

- 30 [15-1156](#) Report on change orders authorized and approved by the Director of Maintenance and Operations during the month of September 2015

Attachments: [R-98 Report September 2015.pdf](#)

Published and Filed

Pension, Human Resources & Civil Service Committee

Authorization

- 31 [15-1151](#) Authority to amend health care benefits for pre-65 and Medicare-eligible retirees to be consistent with active employees

Approved

Real Estate Development Committee

Authorization

- 32 [15-1152](#) Authority to commence statutory procedures to lease 5.65± acres of District real estate located at 4101 South Cicero Avenue in Chicago, Illinois; Main Channel Parcel 40.01

Attachments: [Aerial Map.Parcel 40.01.pdf](#)

Approved

- 33 [15-1163](#) Authority to issue a 30-day permit to Cub Terminal, LLC to conduct soil borings on District real estate located east and west of Harlem Avenue and north and south of the Main Channel in Lyons and Forest View, Illinois; Main Channel Parcels 35.02, 35.03, 35.04, 37.03. Consideration shall be \$2,500.00

Attachments: [Aerial Map.Parcels 35.02, 35.03, 35.04, 37.03.pdf](#)

Approved

- 34 [15-1169](#) Authority to grant to the Northwest Suburban Municipal Joint Action Water Agency a 50-year, non-exclusive easement on 31,521+/- sq. ft. of District real estate and a one (1) year temporary construction easement on 11,668 +/- sq. ft. of District real estate within the Majewski Reservoir site located along the west side of Elmhurst Road and south of I-90 in unincorporated Elk Grove Village, Illinois to construct, reconstruct, operate, maintain, repair and remove a 72" water main. Consideration for the 50-year easement shall be an initial annual fee of \$36,250.00 and consideration for the one (1) year temporary easement shall be \$13,418.00.

Attachments: [Aerial Map.NSMJAWA Easement.pdf](#)

Approved

- 35 [15-1171](#) Authority to amend lease agreement dated January 1, 1954, with the Chicago Transit Authority on 9.66 acres of District real estate located north of the O'Brien Water Reclamation Plant and east and west of McCormick Boulevard in Skokie; North Shore Channel Parcels 6.13 and 6.14, extending the lease expiration date from October 31, 2015, to December 31, 2015. Consideration shall be \$10.00

Attachments: [Aerial Map.Parcels 6.13 and 6.14 10.15.15.pdf](#)

Approved

Stormwater Management Committee

Authorization

- 36 [15-1141](#) Authorization to amend Board Order of August 7, 2014, regarding Authority to enter into an Intergovernmental Agreement with and make payment to the Village of Willow Springs for construction, operation, and maintenance of the Ravine Avenue Watershed Improvements in Willow Springs, IL under Phase II of the Stormwater Management Program, with payment to the Village of Willow Springs in an amount not to exceed \$95,000.00, Agenda Item No. 82, File No. 14-0854

Approved

Miscellaneous and New Business

Motion

- 37 [15-1167](#) MOTION to appoint David J. Walsh to the current vacant Chairman and Vice-Chairman positions on the Standing Committees of the Board of Commissioners

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

Aye: 6 - Frank Avila, Cynthia M. Santos, Debra Shore, Kari K. Steele, David J. Walsh, Mariyana T. Spyropoulos

Absent: 3 - Michael A. Alvarez, Timothy Bradford, Barbara J. McGowan

Resolution

- 38 [15-1164](#) RESOLUTION sponsored by the Board of Commissioners authorizing an Intergovernmental Agreement between the Metropolitan Water Reclamation District of Greater Chicago and the Cook County Assessor's Office

Attachments: [IGA Exhibit A 10.15.15.pdf](#)

A motion was made by Frank Avila, seconded by Cynthia M. Santos, that this Resolution be Adopted. The motion carried by the following roll call vote:

Aye: 6 - Frank Avila, Cynthia M. Santos, Debra Shore, Kari K. Steele, David J. Walsh, Mariyana T. Spyropoulos

Absent: 3 - Michael A. Alvarez, Timothy Bradford, Barbara J. McGowan

Additional Agenda Items

- 39 [15-1148](#) Report on the Settlement of Workers' Compensation Claims and Miscellaneous Claims under \$10,000.00

Attachments: [Settlements 10.15.15.pdf](#)

Approved

- 40 [15-1172](#) Authority to increase Contract 04-128-3P Westside Primary Settling Tanks 1-9 and Aerated Grit Facility, Stickney Water Reclamation Plant, to IHC Construction and F.H. Paschen/S.N. Nielsen Joint Venture in an amount of \$1,147,500.00 from an amount of \$225,054,715.00 to an amount not to exceed \$226,202,215.00, Accounts 401-50000-645650, 401-50000-645780, 401-50000-645680, Purchase Order 4000020

Attachments: [04-128-3P CO Log.pdf](#)
[04-128-3P CO Log Contingency Extra 10-15-15.pdf](#)

Approved

- 41 [15-1173](#) Authority to decrease Contract 04-203-4F Final Reservoir Preparation, Thornton Composite Reservoir, Calumet Service Area, to Walsh/II in One, Joint Venture in an amount of \$1,412,746.99, from an amount of \$50,483,367.95, to an amount not to exceed \$49,070,620.96, Account 401-50000-645600, Purchase Order 5001224

Attachments: [CO Log 04-203-4F.pdf](#)
[Change Order Costs Updated 10-07-2015.pdf](#)

Approved

- 42 [15-1174](#) RESOLUTION sponsored by the Board of Commissioners recognizing Breast Cancer Awareness Month

A motion was made by Cynthia M. Santos, seconded by David J. Walsh, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays

- 43 [15-1175](#) Authority to increase Contract 15-070-9P, Emergency Investigation relating to Skokie, IL Embankment Collapse, to Construction Technology Laboratories, Inc., in an amount of \$66,000.00 from an amount of \$100,000.00 to an amount not to exceed \$166,000.00, Account 901-30000-667220, Purchase Order 3086230

Approved

- 44 [15-1176](#) Authorization to execute a partnership agreement with the City of Chicago and provide a letter of financial commitment for implementation of stormwater management projects in connection with the Community Development Block Grant National Disaster Resilience Competition

Approved

- 45 [15-1177](#) Authorization to execute a partnership agreement with Cook County and provide a letter of financial commitment for implementation of stormwater management projects in connection with the Community Development Block Grant National Disaster Resilience Competition

Attachments: [Exhibit.pdf](#)

Approved

Approval of the Consent Agenda with the exception of Items: 4, 37, 38 and 42

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

Aye: 8 - Frank Avila, Timothy Bradford, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Kari K. Steele, David J. Walsh, Mariyana T. Spyropoulos

Absent: 1 - Michael A. Alvarez

Meeting Summary**Speakers**

Maggie Bahler, Director of Marketing, Gilda's Club Chicago, accepted the resolution recognizing Breast Cancer Awareness Month (Re: Miscellaneous and New Business Item #43)

Karen Roothaan, Green Party, addressed the Board regarding the Community Development Block Grant National Disaster Resilience Competition (Re: Stormwater Management Items #44 & #45)

George Blakemore, concerned citizen, voiced concerns on various items (Re: Judiciary Item #29) (Re: Stormwater Management Items #44 & #45)

Summary of Requests

David St. Pierre will provide a map of all project areas to the Board (Re: Stormwater Management Items #44 & #45)

Study Session

A Public Hearing is scheduled on Thursday, October 29, 2015 at 10:00 a.m. The purpose of the public hearing is to discuss the Capital Improvement Program.

Announcements

None

Board Letter Submission Dates

The next regular board meeting is scheduled for November 5, 2015, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: October 23, 2015.

Date all agenda items are due to the Executive Director: 1:00 p.m., October 28, 2015.

Adjournment

A motion was made by Timothy Bradford, seconded by Barbara J. McGowan, that when the Board Adjourns, it adjourns to meet again on Thursday, November 5, 2015 at 10:00 a.m. and also move that today's meeting be Adjourned. The motion carried by the following roll call vote: /s/ Jacqueline Torres, Clerk

Aye: 8 - Frank Avila, Timothy Bradford, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Kari K. Steele, David J. Walsh, Mariyana T. Spyropoulos

Absent: 1 - Michael A. Alvarez

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this October 15, 2015 are hereby approved.

APPROVED:

/s/ Mariyana T. Spyropoulos
President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

October 15, 2015