



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

File #: 10-0379 **Version:** 1

Type: Agenda Item **Status:** Adopted

File created: 3/11/2010 **In control:** Procurement Committee

On agenda: 3/18/2010 **Final action:** 3/18/2010

Title: Authority to increase purchase order and amend the agreement with Hey and Associates, Inc. for developing the Poplar Creek Detailed Watershed Plan-Phase B, in an amount of \$94,779.00, from an amount of \$1,168,759.00, to an amount not to exceed \$1,263,538.00, Account 501-50000-601410, Purchase Order 3052930

Sponsors:

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Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
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| 3/18/2010 | 1 | Committee of the Whole | Recommended | Pass |
| 3/18/2010 | 1 | Board of Commissioners | Approved | Pass |

TRANSMITTAL LETTER FOR BOARD MEETING OF MARCH 18, 2010

COMMITTEE ON PROCUREMENT

Mr. Richard Lanyon, Executive Director

Authority to increase purchase order and amend the agreement with Hey and Associates, Inc. for developing the Poplar Creek Detailed Watershed Plan-Phase B, in an amount of \$94,779.00, from an amount of \$1,168,759.00, to an amount not to exceed \$1,263,538.00, Account 501-50000-601410, Purchase Order 3052930

Dear Sir:

On August 14, 2008, 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 the development of the Poplar Creek Detailed Watershed Plan (DWP)-Phase B, in an amount not to exceed \$1,168,759.00. The agreement called for the completion of all work by March 10, 2010. This agreement is still in progress.

There have been no prior change orders.

The original scope of the agreement included identification of existing regional stormwater management concerns, development of alternatives to address those concerns, and evaluation of the alternatives to determine those most effective in addressing the needs of the Poplar Creek watershed in northwest Cook County. Extensive Hydrologic and Hydraulic (H&H) modeling was developed to estimate the extent of overbank flooding that could be expected to occur during a 100-year recurrence interval storm event. Comprehensive H&H modeling is used for the identification of regional stormwater management concerns and to ensure potential solutions do not cause adverse impacts elsewhere in the watershed.

The H&H models also reflect the current state of the watershed, and as such, should be considered as best available data for regulatory purposes. The H&H model output was used to produce maps delineating a 100-year recurrence interval flood inundation area, which is analogous to the 100-year floodplain of Federal Emergency Management Agency Flood Insurance Rate Maps (FIRMs). In some areas, discrepancies were found between the inundation map boundaries and the FIRM floodplain limits. While the accuracy of the DWP modeling was considered sufficient for watershed planning purposes, the Engineering Department felt that further scrutiny of the models was warranted to ensure their accuracy should they be used for regulatory purposes. On November 6, 2008, the Board of Commissioners authorized an independent consulting engineering firm, Christopher B. Burke Engineering, Ltd. (CBBEL), to perform a technical review of the H&H models being developed for five of the Cook County watersheds, including Poplar Creek,

The CBBEL technical review was not included in Hey's original scope of work since the authorization for CBBEL's technical review was subsequent to the execution of the agreement with Hey. There are not sufficient funds or time available under the current terms of the agreement to incorporate CBBEL's recommendations, which included additional model calibration runs and extending the hydraulic models to include defined regional waterways that serve a minimum of 0.5 square mile.

In order to make the necessary changes to the DWP, Hey also will require a time extension of 113 days to complete the work. The new completion date would be June 30, 2010.

The Engineering Department has negotiated with Hey an increase in the amount of \$94,779.00 for the change in scope.

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 agreement 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 \$94,779.00 (8.11% of the current contract value), from an amount of \$1,168,759.00, to an amount not to exceed \$1,263,538.00, and to approve a time extension of 113 days.

Funds are available in Account 501-50000-601410.

Requested, Kenneth Kits, Acting 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 March 18, 2010