



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 10-1566, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF DECEMBER 16, 2010

COMMITTEE ON PROCUREMENT

Mr. Richard Lanyon, Executive Director

Authority to increase purchase order and amend agreement with Chapman & Cutler LLP and Tim McGree and Richard Wohlleber to represent the District in connection with the SEC Inquiry of 2009 Build America Bonds Issue in an amount of \$8,175.94 from an amount of \$9,975.00, to an amount not to exceed \$18,150.94, Account 401-50000-601170, Purchase Order 3063442

Dear Sir:

In connection with an inquiry being conducted by the Securities and Exchange Commission ("SEC") regarding the issuance and sale of \$600,000,000.00 Taxable General Obligation Capital Improvement Bonds, Limited Tax Series of August 2009 (Build America Bonds) by the Metropolitan Water Reclamation District of Greater Chicago, the Executive Director authorized the retention of Chapman and Cutler LLP and Tim McGree and Richard Wholeber as special counsel for legal services. An hourly rate of \$300.00 was established with a total cost not to exceed \$9,975.00. The SEC's Document Production Request of April 29, 2010 was voluminous, detailed and encompassing. It should be noted that the task of reviewing thousands of documents retrieved by the District in both hard copy and electronic form was demanding and time consuming for all the involved parties.

There have been no prior change orders to this Purchase Order as of November 29, 2010.

A final invoice in the amount of \$18,150.94 has been presented for payment by Chapman and Cutler LLP. In order to make payment, the Law Department is requesting authorization for an increase in the amount of \$8,175.94 to process payment as the initial SEC document production submission response is complete.

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 and amend the agreement in an amount of \$8,175.94, (81.96% of the current contract value) from an amount of \$9,975.00 to an amount not to exceed \$18,150.94.

Funds are available in Account 401-50000-601170.

Requested, Alan J. Cook, Acting General Counsel and Kenneth A. Kits, Director of Engineering AJC:HSW:crb
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 December 16, 2010