



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

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Title: Authority to enter into a Project Partnership Agreement (13-199-3F) with the Department of the Army, represented by the United States Army Corps of Engineers (Corps), to collaborate on flood control improvements to the Lyons Levee and to make payment to the United States Army Corps of Engineers in an amount not to exceed \$2,550,000.00, Account 401-50000-645630

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Date	Ver.	Action By	Action	Result
2/2/2017	1	Board of Commissioners	Approved	Pass
2/2/2017	1	Committee of the Whole	Recommended	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF FEBRUARY 2, 2017

COMMITTEE ON STORMWATER MANAGEMENT

Mr. David St. Pierre, Executive Director

Authority to enter into a Project Partnership Agreement (13-199-3F) with the Department of the Army, represented by the United States Army Corps of Engineers (Corps), to collaborate on flood control improvements to the Lyons Levee and to make payment to the United States Army Corps of Engineers in an amount not to exceed \$2,550,000.00, Account 401-50000-645630

Dear Sir:

During April 18-19, 2013, severe flooding occurred when the Lyons Levee was overtopped by the Des Plaines River in the Village of Forest View. Nearly 270 homes and numerous businesses located along Harlem Avenue sustained flood damages as a result of this event. After this event, due to significant concerns associated with the condition of the Lyons levee, the District completed several temporary repair measures in 2014, to minimize future flooding. The District also initiated and completed preliminary engineering, and is presently performing final design of long-term flood control improvements to the levee.

On October 1, 2015, the Board of Commissioners granted authority to collaborated with the Corps on a study under Section 205, Flood Control Act of 1948 (Section 205) to investigate measures to address flood risks in the communities of Forest View and Stickney, Illinois. Section 205 authorizes the Secretary of the Army, in cooperation with non-Federal interests, to plan and construct flood risk management projects costing up to \$10,000,000.00.

A Section 205 study, Detailed Project Report was approved by the Great Lakes and Ohio River Division of the Corps on January 5, 2017. Under this approval, the Corps is authorized to proceed with the design of the project immediately upon entering into a Project Partnership Agreement (PPA) with a non-federal sponsor of

the project. Construction funding will be authorized upon conclusion of the design and preparation of contract documents

The Corps wishes to enter into a PPA with the District for design and construction, whereby pending project costs at the time of the agreement would be shared as follows: 65 percent Federal and 35 percent non-Federal. Such an agreement would be consistent with the ongoing collaboration between the District and the Corps.

The PPA will define the collaborative responsibilities of both the Corps and the District, for design, construction and funding of the project. The Corps intends to utilize any in-progress design documents that the District would have produced prior to the execution of the agreement. As the non-Federal local sponsor, the District's responsibilities will include the acquisition of required rights-of-way and easements for the construction and maintenance of the levee improvements. The District will also be responsible for maintaining the structural components of the levee, upon construction of the levee improvements.

On January 5, 2017, the Board of Commissioners granted authority to negotiate a PPA with the Corps. Design and construction costs of the project are estimated not to exceed \$7,285,000.00, of which the District's share would not exceed \$2,550,000.00. Payments to the Corps will be made in installments, as determined by the Corps. The Corps anticipates awarding a construction contract by December 31, 2017.

The Engineering Department has reviewed the request from the Corps and considers it reasonable. The Corps and the District have agreed in principle on the PPA. Based on the foregoing, it is respectfully requested that the Board of Commissioners grant authority to enter into a PPA with the Corps, for design and construction, and to authorize payment, by direct voucher, in an amount not to exceed \$2,550,000.00 to the Corps for the District's local cost-share participation. Final amount of payment will be determined considering any credit for in-kind services provided by the District. It is further requested that the Chairman of the Committee on Finance, the Executive Director and the Clerk be authorized to execute said agreement on behalf of the District, as well as any documents necessary to effectuate the transaction and conveyance, upon approval by the Director of Engineering as to technical matters and by the General Counsel as to form and legality.

Funds are available in account 401-50000-645630.

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

Recommended, David St. Pierre, Executive Director

Respectfully Submitted, Debra Shore, Chairman Committee on Stormwater Management

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for February 2, 2017