



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

File #: 10-0346 **Version:** 1

Type: Agenda Item **Status:** Adopted as Amended

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 Barnes & Thornburg, for legal services in the pending rulemaking before the Illinois Pollution Control Board entitled, *In the matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and the Lower Des Plaines River: Proposed Amendments to 35 Ill.App.Code Parts 301, 302, 303 and 304, R08-09 (Rulemaking-Water)*, in an amount of \$200,000.00, from an amount of \$800,000.00, to an amount not to exceed \$1,000,000.00, Account 101-30000-601170, Purchase Order 3049607 "AS AMENDED BY FILE #10-0346A, APRIL 1, 2010. VOTE RECONSIDERED AND DEFERRED TO APRIL 15, 2010"

Sponsors:

Indexes:

Code sections:

Attachments: 1. Change Order Att. Barnes & Thornburg 3.18.10

Date	Ver.	Action By	Action	Result
3/18/2010	1	Committee of the Whole	Recommended	Pass
3/18/2010	1	Board of Commissioners	Amended	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 Barnes & Thornburg, for legal services in the pending rulemaking before the Illinois Pollution Control Board entitled, *In the matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and the Lower Des Plaines River: Proposed Amendments to 35 Ill.App.Code Parts 301, 302, 303 and 304, R08-09 (Rulemaking-Water)*, in an amount of \$200,000.00, from an amount of \$800,000.00, to an amount not to exceed \$1,000,000.00, Account 101-30000-601170, Purchase Order 3049607 "AS AMENDED BY FILE #10-0346A, APRIL 1, 2010. VOTE RECONSIDERED AND DEFERRED TO APRIL 15, 2010"

Dear Sir:

On January 3, 2008, the Board of Commissioners authorized the Director of Procurement and Materials Management to issue a purchase order and enter into an agreement with Barnes & Thornburg, for legal services in the pending rulemaking before the Illinois Pollution Control Board entitled, *In the matter of: Water Quality Standards and Effluent Limitations for the Chicago Area Waterway System and the Lower Des Plaines River: Proposed Amendments to 35 Ill.App.Code Parts 301, 302, 303 and 304, R08-09 (Rulemaking-Water)*, in an amount not to exceed \$300,000.00. The contract expires at the conclusion of all matters concerning the rulemaking.

As of March 1, 2010, the attached list of change orders has been approved. The effect of these change orders

is an increase in the amount of \$500,000.00 from the original purchase order. The current contract value is \$800,000.00. The prior approved change orders reflect a 166.67% increase in the original contract value.

To date, the Illinois Pollution Control Board has held 37 days of hearings since commencement of the proceedings in early 2008. Additional funds are necessary to continue utilizing the legal services of Barnes & Thornburg in the on-going rulemaking.

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, is germane to the contract 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 \$200,000.00 (25% of the current contract value), from an amount of \$800,000.00, to an amount not to exceed \$1,000,000.00.

Funds are available in Account 101-30000-601170.

Requested, Frederick M. Feldman, General Counsel, FMF:RMH:MTC:jys
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

Attachment