



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

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TRANSMITTAL LETTER FOR BOARD MEETING OF MAY 19, 2016

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Authority to increase purchase order and amend agreement with Deutsch, Levy & Engel, LLC, for legal services in representing the District with respect to environmental remediation of property located at 3266 West Devon Avenue in Lincolnwood, Illinois; North Shore Channel Parcel 7.03, in an amount of \$25,000.00 from an amount of \$50,000.00, to an amount not to exceed \$75,000.00, Account 101-30000-612430, Purchase Order 8002358

Dear Sir:

On May 15, 2003, the Board of Commissioners authorized the Director of Procurement and Materials Management to issue a purchase order and enter into an agreement with Deutsch, Levy & Engel, LLC for legal services in representing the District in pursuing BP to perform environmental remediation on its former leasehold site located at 3266 West Devon Avenue in Lincolnwood, Illinois, in an amount not to exceed \$25,000.00. BP's predecessor, Standard Oil Company, previously occupied this site from 1955 to 1979 to operate a gasoline service station. BP agreed to re-enter its former leasehold to perform the appropriate environmental assessment and remediation work. To date, BP has conducted and analyzed soil borings, installed, sampled and analyzed monitoring wells and removed four (4) underground storage tanks, piping and contaminated soils. BP is now in the process of installing additional monitoring wells and performing additional soil remediation activities to ensure all contaminated soils have been removed so that a "No Further Remediation" ("NFR") letter can be received from the IEPA.

As of May 4, 2016, the attached list of change orders has been approved. The effect of these change orders results in an increase in an amount of \$25,000.00 from the original amount awarded of \$25,000.00. The current contract value is \$50,000.00.

An increase in the purchase order issued to Deutsch, Levy & Engel is being recommended to allow it to review the new work plan, negotiate an extension of the access permit, and to continue to oversee and negotiate with BP when the results do come back on the supplemental investigatory work and remediation to ensure that an NFR letter is obtained all over the next three (3) year period. Additional funds in the amount of \$25,000.00 are required for continued legal representation in the subject matter.

This change order is in compliance with the Illinois Criminal Code since the change is due to circumstances not reasonably foreseen 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 authorized the Director of Procurement and Materials Management to execute a change order to increase the purchase order and amend the agreement with Deutsch, Levy & Engel, LLC, in an amount of \$25,000.00 (50% of the current contract value), from an amount of \$50,000.00, to an amount of \$75,000.00.

Funds are available in account 101-30000-612430.

Requested, Ronald M. Hill, General Counsel, RMH:STM:TN:vp
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 May 19, 2016.

Attachment