



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 16-0513, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF MAY 19, 2016

COMMITTEE ON PROCUREMENT

Mr. David St. Pierre, Executive Director

Issue a purchase order and enter into an agreement with the law firm of Neal & Leroy, LLC to represent the District in acquiring certain land rights in connection with the construction, operation and maintenance of the Melvina Ditch Reservoir Improvements in Burbank, Illinois in an amount not to exceed \$400,000.00, Account 401-50000-612430, Requisition 1427016

Dear Sir:

Authorization is requested to issue a purchase order and enter into an agreement with the law firm of Neal & Leroy, LLC to represent the District in acquiring certain land rights in connection with the construction, operation and maintenance of the Melvina Ditch Reservoir Improvements in Burbank, Illinois, in an amount not to exceed \$400,000.00.

On May 7, 2015, the District adopted Ordinance R15-004 establishing the right-of-way for the construction, operation and maintenance of the vertical and horizontal expansion of the Melvina Ditch Reservoir (Contract 14-263-3F) ("Project"). The Project requires the District to acquire 15 residential properties adjacent to the reservoir. Staff has initiated negotiations with the property owners in an effort to acquire the properties without filing condemnation actions; however, in the event that condemnation is required, it is recommended that an eminent domain attorney be retained immediately to ensure that negotiations are handled in accordance with the statutory requirements of the Illinois Eminent Domain Act.

The Law Department solicited three (3) law firms possessing the expertise to provide the requested services, which will involve working collaboratively with the District to negotiate offers for the properties; procure a relocation expert under this purchase order and oversee the provision of relocation costs and services that homeowners may be eligible for; and to prepare, file and prosecute condemnation actions, as may be necessary. It is anticipated that the relocation expert, which is required under law, will account for 25% - 50% of the fees sought herein.

The firms were interviewed by members of the Law Department. While the firms all submitted qualified proposals, the law firm of Neal & Leroy, LLC, is uniquely qualified to handle the project and offers a competitive hourly fee structure. Mr. Michael D. Leroy of Neal & Leroy, LLC, has extensive experience counseling and litigating on issues arising under the Illinois Eminent Domain Act. Mr. Leroy has been practicing with the firm for over 25 years and has represented numerous public bodies in complex acquisition projects, serving as lead trial counsel for the City of Chicago, the Illinois Medical District Commission and the District, among others. Mr. Leroy has agreed to work at an hourly rate of \$295.00, which is his reduced fee for governmental clients.

As the law firm of Neal & Leroy, LLC possesses a high degree of professional experience and skill, such action may be taken without competitive bidding in accordance with Section 11.4 of the MWRD Purchasing Act.

Therefore, it is requested that the Director of Procurement and Materials Management be authorize to issue a purchase order and enter into an agreement with the law firm of Neal & Leroy, LLC to represent the District in acquiring certain land rights in connection with the construction, operation and maintenance associated with the Melvina Ditch Reservoir Improvements in Burbank, Illinois, in an amount not to exceed \$400,000.00.

Funds are available in Account 401-50000-612430.

Requested, Ronald M. Hill, General Counsel, RMH:STM:BJD:TN:vp

Requested, Catherine A. O'Connor, Director of Engineering, CAO

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