



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 17-0584, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF JUNE 1, 2017

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 property rights in connection with the construction, operation and maintenance of the Addison Creek Channel Improvements Project (Contract 11-187-3F) in the municipalities of Northlake, Stone Park, Melrose Park, Bellwood, Westchester, and Broadview, Illinois, in an amount not to exceed \$400,000.00, Account 501-50000-612430, Requisition 1465071

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 property rights in connection with the construction, operation and maintenance of the Addison Creek Channel Improvements Project in the municipalities of Northlake, Stone Park, Melrose Park, Bellwood, Westchester, and Broadview, Illinois, in an amount not to exceed \$400,000.00.

On August 6, 2015, the District adopted Ordinance R15-006 establishing the right-of-way for the construction, operation and maintenance of the Addison Creek Channel Improvements Project (Contract 11-187-3F) ("Project"). The Project, in conjunction with the District's Addison Creek Reservoir Project in the Village of Bellwood (Contract 11-186-3F), will reduce flooding along Addison Creek from the City of Northlake to the Village of Broadview by providing flood storage and increasing channel conveyance. These two projects combined are expected to provide \$116 million in flood relief benefits to the area, with approximately 2,200 properties receiving relief from flooding damages.

The right-of-way for the Project requires the District to acquire approximately 175 parcels of land consisting of 271 PINs, including both residential and commercial properties, across six municipalities: Northlake, Stone Park, Melrose Park, Bellwood, Westchester, and Broadview. The needed property interests include a combination of fee simple takings and permanent or temporary easements.

Based on the complexity of the acquisitions and the prospect of condemnation proceedings, it is recommended that an eminent domain attorney be retained to ensure that negotiations with property owners are handled in accordance with the statutory requirements of the Illinois Eminent Domain Act.

The District solicited three (3) law firms possessing the expertise to provide the requested legal services. These services will involve working collaboratively with the District to negotiate offers for the right-of-way properties; procuring a relocation expert under this purchase order and overseeing the relocation assistance program for eligible property owners; and preparing, filing and prosecuting condemnation actions, as may be necessary. It is anticipated that the relocation expert, which is required under Illinois law, will account for approximately 20% of the fees sought herein.

The firms were interviewed by an evaluation committee comprised of staff from the Engineering, Law, and

Procurement and Materials Management Departments. Based on evaluation criteria, including the firm's legal expertise, resources, experience with the relocation process, and cost proposals, a composite evaluation score was calculated from the committee's individual evaluations.

The law firm of Neal & Leroy, LLC, received the highest composite score from the evaluation committee. Neal & Leroy, LLC, is nationally recognized for its experience in real estate law, including condemnation actions, and has extensive expertise representing public bodies in large scale acquisition projects, such as the O'Hare Modernization Project for the City of Chicago. The firm has agreed to an hourly rate of \$295.00 for legal services, which is the firm's 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 advertising in accordance with Section 11.4 of the MWRD Purchasing Act.

Therefore, it is requested that the Director of Procurement and Materials Management be authorized 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 property rights in connection with the construction, operation and maintenance of the Addison Creek Channel Improvements Project in the municipalities of Northlake, Stone Park, Melrose Park, Bellwood, Westchester, and Broadview, Illinois, in an amount not to exceed \$400,000.00.

Funds for the 2017 expenditures in the amount of \$300,000.00 are available in Account 501-50000-612430. The estimated expenditures for 2018 is \$100,000.00. Funds for 2018 expenditures are contingent on the Board of Commissioners approval of the District's budget for that year.

Requested, Susan T. Morakalis, Acting General Counsel, STM:CMM: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 June 1, 2017

Attachments