



# 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 MARCH 5, 2020

#### COMMITTEE ON STORMWATER MANAGEMENT

Mr. Brian A. Perkovich, Executive Director

Authority to enter into an Intergovernmental Agreement with and make payment to the Village of Tinley Park for the construction and perpetual maintenance of the Streambank Stabilization Project (19-IGA-21) along Midlothian Creek in an amount not to exceed \$866,500.00, Account 501-500000-612400, Requisition 1538723

Dear Sir:

Authorization is requested to enter into an Intergovernmental Agreement (IGA) with and make payment to the Village of Tinley Park (Village) for the construction and perpetual maintenance of Streambank Stabilization along Midlothian Creek.

On July 11, 2019, the Board of Commissioners authorized the District to negotiate a new IGA with the Village for a streambank stabilization project on Midlothian Creek. Previously the District entered into an IGA with the Village for a streambank stabilization project along Midlothian Creek, which was to be constructed by the District under Contract 10-882-CF. The proposed project consisted of natural channel design and bio-engineering to stabilize approximately 500 linear feet of Midlothian Creek near 66<sup>th</sup> Court, north of 173<sup>rd</sup> Street. The project would protect structures and infrastructure in imminent danger of failure from active streambank erosion. The terms of the original IGA with the Village included the design and construction of the project by the District, with ownership and future maintenance by the Village. This project was advertised for bid by the District under Contract 10-882-CF and a bid opening was held on September 25, 2018. The responsive bids from this advertisement were approximately 54 percent over the high end of the engineer's estimate for this contract. After evaluating the available options and through discussions with the Village, the District's Engineering Department determined the project would best proceed under a new partnership with the Village.

Under this new partnership the District would provide the completed design of the project along with funding for construction to the Village, which would combine this design with work at another location along Midlothian Creek. The Village would also stabilize approximately 80 linear feet of Midlothian Creek near Scott Court. This work would also protect structures in imminent danger of failure from active streambank erosion. The District and the Village have agreed in principle to the terms of the IGA, which include payment by the District towards construction costs of the project in an amount not to exceed \$866,500.00. Partial payments to the Village will be made at predefined intervals during construction, which is anticipated to commence in 2020. The Village will also contribute approximately \$117,500.00 towards total construction costs, including construction inspection. The IGA requires the Village to advertise and award the construction contracts in conformance with the District's Purchasing Act, Multi-Project Labor Agreement, and Affirmative Action Requirements. The Affirmative action goals to be applied to the total amount of reimbursement provided by the District for this project are 20 percent for Minority-owned Business Enterprises, 10 percent for Women-owned Business Enterprises, 10 percent for Small Business Enterprises and 3 percent for Veteran-owned Business Enterprises. The Village will assume responsibility for design, construction, and perpetual maintenance of the project and be solely responsible for any change orders to the project. The IGA also contains provisions which allow the District to review the project's design and perform inspections after the

project is constructed.

Based on the foregoing, it is requested that the Board of Commissioners grant authority to enter into an IGA with and make payment to the Village in an amount not to exceed \$866,500.00. It is further requested that the Chairman of the Committee on Finance, Executive Director and 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.

The estimated expenditures for 2020, 2021, 2022, and 2023 are \$779,850, \$28,883, \$28,883, and \$28,883 respectively. Funds for 2021, 2022, and 2023 are contingent on the Board of Commissioners' approval of the District's budget for those years.

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

Recommended, Brian A. Perkovich, Executive Director

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for March 5, 2020