



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 10-0418, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF APRIL 1, 2010

COMMITTEE ON PROCUREMENT

Mr. Richard Lanyon, Executive Director

Authority to increase purchase order and amend the agreement with DLA Piper US LLP (DLA Piper) to represent the District's interest in the ComEd delivery rate proceeding before the Illinois Commerce Commission (ICC) as a member of the REACT Coalition, and conduct a workshop per ICC Proposed Order to remedy the estimation method used by ComEd in their Embedded Cost of Service Study (ECOSS), in an amount of \$36,000.00, from an amount of \$150,000.00, to an amount not to exceed \$186,000.00, Accounts 101-67000/68000/69000-612150, Purchase Order 3051424 (*As Revised*)

Dear Sir:

On April 3, 2008, the Board of Commissioners authorized the Director of Procurement and Materials Management to issue purchase order and enter into an agreement with DLA Piper US LLP (DLA Piper), to represent the District's interest in the ComEd delivery rate proceeding before the Illinois Commerce Commission (ICC) as a member of the REACT Coalition, in an amount not to exceed \$75,000.00. Subsequently, the purchase order was increased and agreement amended on February 5, 2009, March 19, 2009 and October 1, 2009. The Proceedings are continuously ongoing, and our current knowledge is that there is no established end date for the hearings. The contract expired on December 31, 2009.

As of March 22, 2010, the attached list of change orders has been approved. The effect of these change orders resulted in an increase in an amount of \$75,000.00 from the original amount awarded of \$75,000.00. The current contract value is \$150,000.00. The prior approved change orders reflect a 100.00% increase to the original contract value.

An increase is being requested at this time to cover additional costs related to conducting an unanticipated workshop per ICC Proposed Order to remedy the estimation method used by ComEd in their Embedded Cost of Service Study (ECOSS), Dockets Nos 07-0566 and 08-0532. REACT must remain engaged in the workshop process to prevent ComEd from returning to the original rate increase. Due to the intervention of the REACT Coalition, the District has saved approximately \$800,000.00 annually due to the delayed rate increase.

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, 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 agreement in an amount of \$36,000.00 (approximately 24.00% of the current contract value) from an amount of \$150,000.00, to an amount not to exceed \$186,000.00.

Funds are available in Accounts 101-67000/68000/69000-612150.

Requested, Osoth Jamjun, Director of Maintenance and Operations, OJ:MPS:SO'C:MAG:LSC:MW
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 April 1, 2010

Attachment