



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 10-0673, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF May 20, 2010**

#### COMMITTEE ON PROCUREMENT

Mr. Richard Lanyon, Executive Director

Issue a purchase order and enter into an agreement with Hinshaw and Culbertson LLP for the Civil Service Board of the Metropolitan Water Reclamation District of Greater Chicago, in an amount not to exceed \$40,000.00, Account 101-30000-601170 Requisition 1305895

Dear Sir:

Authorization is requested to issue a purchase order and enter into an agreement with Hinshaw and Culbertson LLP for the Civil Service Board of the Metropolitan Water Reclamation District of Greater Chicago.

Effective May 10, 2010, the District suspended Jill Horist, Manager of Public Affairs, pending termination on account of alleged P-Card and Purchasing Act violations. Charges will be filed with the Civil Service Board within the thirty-day suspension period.

The Law Department recommends retention of outside counsel in this matter for these two reasons: 1) the duties of Ms. Horist's position place it within the managerial level that generally results in a privileged attorney-client relationship; and 2) the charges and defenses at issue raise the potential for individual District attorneys to provide testimony, discovery responses, or other evidence relating to the discharge proceedings.

The Law Department solicited proposals from four law firms to represent the District in this case. While the four individual attorneys who submitted proposals to handle the discharge hearing as lead counsel are all well-qualified employment attorneys, the Law Department recommends the retention of Hinshaw and Culbertson LLP based upon its experience in employment-related matters, the fee quoted, and the quality of work done by it for the District in the past. Mr. Thomas H. Luetkemeyer, who has extensive experience in the trial of employment cases, will take the lead role in this matter, and has agreed to bill the District at the rate of \$375.00 per hour.

In as much as the firm of Hinshaw and Culbertson possesses a high degree of professional skill, it is recommended that the Director of Procurement and Materials Management be authorized to issue a purchase order and enter into an agreement without advertising, per Section 11.4 of the Purchasing Act, in an amount not to exceed \$40,000.00.

Funds are available in Account 101-30000-601170.

Requested, Frederick M. Feldman, General Counsel, FMF:LAG:ldl

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 20, 2010