



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 10-1366, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 4, 2010

COMMITTEE ON PROCUREMENT

Mr. Richard Lanyon, Executive Director

Authority to increase purchase order for the Agreement Between Metropolitan Water Reclamation District of Greater Chicago and Hinshaw & Culbertson LLP for Legal Services in the Matter of Jill Horist, Civil Service Board Case No. 10-05, to Hinshaw & Culbertson LLP, in an amount of \$40,000.00, from an amount of \$40,000.00, to an amount not to exceed \$80,000.00, Account 101-30000-601170, Purchase Order 3063989

Dear Sir:

On May 20, 2010, the Board of Commissioners authorized the Director of Procurement and Materials Management to issue a purchase order and enter into an agreement with Hinshaw & Culbertson LLP, in an amount not to exceed \$40,000.00.

There have been no prior change orders.

On June 8, 2010, the District filed charges with the Civil Service Board against Jill Horist, Public Affairs Manager, seeking her termination under Personnel Rule 11.041 (4) and (9) for procurement related violations. Mr. Tom Luetkemeyer of Hinshaw & Culbertson LLP, has represented the District in this matter before the Civil Service Board, including extensive preparation for the filing of charges and the presentation of witnesses and exhibits within an accelerated time frame. Discovery issues and the respondent's identification of 34 potential witnesses necessitated additional intensive pre-hearing preparation. In addition to the monthly Civil Service Board meetings, three days of evidentiary hearings have been held, on September 15, 22, and 27, 2010, and further evidence is expected to be taken on October 26, 2010, followed by the submission of post-hearing briefs. The requested increase is to cover the cost of time that Mr. Luetkemeyer has incurred as well as the projected time needed to complete the proceedings before the Civil Service Board.

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 for the Agreement between the Metropolitan Water Reclamation District of Greater Chicago and Hinshaw & Culbertson LLP, in an amount of \$40,000.00 (100% of the current contract value), from an amount of \$40,000.00, to an amount not to exceed \$80,000.00.

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 November 4, 2010