



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Text

File #: 10-1348, **Version:** 1

TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 4, 2010

COMMITTEE ON PROCUREMENT

Richard Lanyon, Executive Director

Increase purchase order and amend agreement with the law firm of Neal & Leroy, LLC and Mr. Michael D. Leroy to represent the District in acquiring certain land rights in connection with the construction, operation and maintenance of the Heritage Park Flood Control Facility in an amount of \$50,000.00, from an amount of \$35,000.00, to an amount not to exceed \$85,000.00, Account 501-50000-601170, Purchase Order 3063344

Dear Sir:

On November 6, 2008, the Board of Commissioners ("Board") authorized the District to enter into an Intergovernmental Agreement ("IGA") with the Wheeling Park District ("Park District") and the Village of Wheeling ("Village") for the construction of a flood control facility and site improvements at Heritage Park. The proposed project, known as the Heritage Park Flood Control Facility, will provide compensatory storage required by the Illinois Department of Natural Resources for Levee 37, a United States Army Corps of Engineers project located on the Des Plaines River.

On October 15, 2009, the Board authorized the payment of \$3,600,000.00 to the Park District for land rights for the construction of the Heritage Park Flood Control Facility.

The project is located at Heritage Park and bounded by Dundee Road to the north, Wolf Road to the east, and Jeffery Road to the south in the Village of Wheeling.

The IGA was signed on April 1, 2010, and the transaction to effectuate the acquisition of the land rights from the Village and Park District closed in July 2010. Three additional privately owned parcels necessary for the project are located along Wolf Road.

On May 6, 2010, the Board authorized a purchase order to Neal & Leroy, LLC and Mr. Michael D. Leroy to represent the District in acquiring the three additional privately owned parcels. In the event condemnation is required for any of these privately owned parcels, it was recommended that an eminent domain attorney be retained at the outset so that staff can benefit from the counsel of the attorney to ensure that the initial negotiations are handled in accordance with the statutory requirements of the Illinois eminent domain statute.

As of October 25, 2010, there have been no change orders to this Purchase Order.

Under the initial purchase order, Mr. Leroy retained Integra Realty Resources, Inc. to perform a fair market value appraisal on each of the three privately owned sites and retained Relocation Consulting Services, Inc. to assist in relocating the homeowners. The Federal Relocation Assistance Act requires a condemning agency to pay certain relocating expenses and provide assistance in locating suitable replacement property. To date, these expenses paid out of the initial \$35,000.00 have amounted to approximately \$10,000.00. An increase in this Purchase Order is requested to cover additional work in closing the three parcels, supervising relocation and related work, and to also cover relocation consultant fees and closing costs.

It is requested that the Executive Director recommend to the Board of Commissioners that the Chairman of the Committee on Finance, the Clerk, the Director of Procurement and Materials Management, and the Executive Director be authorized and directed to execute said purchase order increase and amend the agreement with the law firm of Neal & Leroy, LLC after same is approved by the General Counsel as to form and legality. Said purchase order increase may be issued without competitive bidding (Section 11.4 of the Purchasing Act), in an amount of \$50,000.00, from an amount of \$35,000.00, to an amount not to exceed \$85,000.00. Funds are available in 501-50000-601170.

Requested, Frederick M. Feldman, General Counsel and Kenneth A. Kits, Director of Engineering
FMF:KAK:CL:STM:rg

Recommended, Darlene A. LoCascio, Director of Procurement & 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