



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Text

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**File #:** 10-1351, **Version:** 1

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### **TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 4, 2010**

#### COMMITTEE ON PROCUREMENT

Mr. Richard Lanyon, Executive Director

Authority to increase purchase order and amend the agreement with DLA Piper US LLP 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 \$75,000.00, from an amount of \$186,000.00, to an amount not to exceed \$261,000.00, Accounts 101-67000/68000/69000-601170/ 612150, Purchase Order 3051424

Dear Sir:

On April 3, 2008, the Board of Commissioners authorized the Director of Procurement and Materials Management to issue a 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. The contract expires on December 31, 2010. A contract extension is currently being processed because the ongoing proceedings currently have no established end date.

As of October 19, 2010, the attached list of change orders has been approved. The effect of these change orders resulted in an increase in an amount of \$111,000.00 from the original amount awarded of \$75,000.00. The current contract value is \$186,000.00. The prior approved change orders reflect a 148% increase to the original contract value.

The previous increase was to cover the costs of a workshop proposed by the ICC to resolve issues identified at an evidentiary hearing for rate case 07-655. The ICC later directed ComEd to include these issues in a new rate case, 10-0467. The intervention of REACT and DLA Piper has thus far delayed the rate increase and has resulted in approximately \$800,000.00 in annual savings for the District.

An increase is being requested at this time for REACT and DLA Piper to intervene in the replacement rate case hearings and to continue the savings resulting from the resulting rate increase delay.

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 the agreement, in an amount of \$75,000.00 (approximately 40.3% of the current contract value), from an amount of \$186,000.00, to an amount not to exceed \$261,000.00.

Funds are available in Accounts 101-67000/68000/69000-601170/612150.

Requested, Manju Prakash Sharma, Director of Maintenance and Operations, MPS:SO'C:MAG:LSC:JK  
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

Attachment