

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, November 1, 2012

10:00 AM

Board Room

Board of Commissioners

Commissioner Michael A. Alvarez, Commissioner Frank Avila, Commissioner Patricia Horton, Vice- President Barbara J. McGowan, Commissioner Kathleen Therese Meany, Chairman of Finance Cynthia M. Santos, Commissioner Debra Shore, Commissioner Mariyana T. Spyropoulos, President Terrence J. O'Brien

THE FOLLOWING PROCEDURES WILL GOVERN THE MEETING PROCESS:

- 1. Board Members who vote "Nay, Present, or Abstain" or have a question on any item may request the item be removed from the Consent Agenda.**
- 2. Citizens in the audience who address the Board on any item may request the item be removed from the Consent Agenda.**
- 3. Items removed from the Consent Agenda are considered separately.**
- 4. One roll call vote is taken to cover all Consent Agenda Items.**

Call Meeting to Order

President Terrence J. O'Brien presiding, called the meeting to order at 10:00 a.m.

Roll Call

Present: 9 - Michael A. Alvarez; Frank Avila; Patricia Horton; Barbara J. McGowan; Kathleen Therese Meany; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

Approval of Previous Board Meeting Minutes

A motion was made by Frank Avila, seconded by Debra Shore, that the minutes from the last meeting be approved without having to read them into the record. The motion carried by acclamation. Chorus of ayes - No nays

Recess and Reconvene as Committee of the Whole

A motion was made by Frank Avila, seconded by Barbara J. McGowan, to recess and reconvene as a committee of the whole. The motion carried by acclamation. Chorus of Ayes - No Nays

Recess and Reconvene as Board of Commissioners

At 11:00 a.m. President O'Brien reconvened the regular board meeting to order

Finance Committee

Report

- 1 [12-1444](#) Report on Cash Disbursements for the Month of September 2012, in the amount of \$46,889,455.90

Attachments: [September 2012 M003 FI_FM Report](#)

Published and Filed

- 2 [12-1455](#) Report on investments purchased during September 2012

Attachments: [Inv Purch 2012-09 att.pdf](#)

Published and Filed

- 3 [12-1457](#) Report on the investment interest income during September 2012

Attachments: [Inv Int Inc 2012-09 att.pdf](#)

Published and Filed

- 4 [12-1459](#) Report on investment inventory statistics at September 30, 2012

Attachments: [Inv Stat 2012 Q3 Inv.pdf](#)
 [Inv Stat 2012 Q3 Fin.pdf](#)

Published and Filed

- 5 [12-1460](#) Report on investments purchased during August 2012

Attachments: [Inv Purch 2012-08 att.pdf](#)

Published and Filed

- 6 [12-1461](#) Report on the investment interest income during August 2012

Attachments: [Inv Int Inc 2012-08 att.pdf](#)

Published and Filed

Procurement Committee

Report

- 7 [12-1473](#) Report of bid opening of Tuesday, October 16, 2012

Published and Filed

- 8 [12-1480](#) Report of bid opening of Tuesday, October 23, 2012

Published and Filed

- 9 [12-1498](#) Report on advertisement of Request for Proposal 12-RFP-34 Third-Party Administrator for Workers Compensation and Other Services for a one-year period with options to renew in years two and three, estimated cost \$500,000.00, Account 101-30000-601170 and 901-30000-601090, Requisition 1351261

Published and Filed

- 10 [12-1500](#) Report on advertisement of Request for Proposal 12-RFP-33, Consulting Services for a Public Awareness Campaign, estimated cost \$50,000.00, Account 101-15000-601170, Requisition 1348503 (*Deferred from October 18, 2012 Board Meeting*)

Deleted by the Executive Director

A motion was made by Debra Shore, seconded by Cynthia M. Santos, authorizing the Executive Director to delete this item. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Authorization

- 11 [12-1445](#) Authorization to amend Board Order of August 9, 2012, regarding Issue purchase order and amend an agreement with SAS Institute Inc. for renewal of SAS Software and SAS Software extensions licenses, Agenda Item No. 30, File No. 12-1126

Approved

- 12 [12-1447](#) Authorization to amend Board Order of October 4, 2012, regarding authority for award Contract 11-188-2M, Elevator Upgrades at North and South Pump Houses, Main Stream Pumping Station, to Parkway Elevators, Inc., in an amount not to exceed \$474,679.00, Account 201-50000-645750, Requisition 1341454, Agenda Item No. 22, File No. 11-1542

Approved

- 13 [12-1450](#) Authorization to amend Board Order of October 4, 2012, for Authority to advertise Contract 12-689-21 Furnish and Deliver Wheel Loaders to LASMA, estimated cost \$1,000,000.00, Account 201-50000-634760, Requisition 1348858, Agenda Item No. 14, File No. 12-1355

Approved

- 14 [12-1475](#) Authorization to decrease cost estimate for Contract 07-030-3D North Branch of Chicago River and North Shore Channel Restoration, NSA in an amount of \$3,200,000.00, from an amount of \$7,500,000.00 to an amount not to exceed \$4,300,000.00, under the Capital Improvements Program and the Capital Improvements Bond Fund, Account 401-50000-645720, Requisition 1296548

Approved

- 15 [12-1483](#) Authorization to amend Board Order of August 9, 2012, regarding issue purchase order and amend an agreement with SAP Public Services Inc. for SAP Software Maintenance, in an amount not to exceed \$716,252.02, Account 101-27000-612820, Requisition 1345868, Agenda Item No. 33, File No. 12-1159

Approved

- 16 [12-1486](#) Authorization to enter into an agreement with Microsoft, under the State of Illinois Master Microsoft Enterprise Agreement (CMS6003000) for Microsoft Software and Software Maintenance for a three-year period

Approved

Authority to Advertise

- 17 [12-1452](#) Authority to advertise Contract 13-693-11 Use of a Sanitary Landfill Site, estimated cost \$265,000.00, Account 101-66000-612520, Requisition 1349254

Approved

Issue Purchase Order

- 18 [12-1448](#) Issue a purchase order and enter into agreement with Siemens Industry, Inc., to Furnish and Deliver Parts and Labor to Repair Four Variable Frequency Drives for the TARP Raw Sewage Pumps at the Calumet Water Reclamation Plant, in an amount not to exceed \$50,000.00, Account 101-68000-612600, Requisition 1336839

Approved

- 19 [12-1451](#) Issue purchase orders and enter into agreement with Televent DTN, Inc., to Furnish and Deliver Weather Radar Information for a Three-Year Period, in an amount not to exceed \$31,108.00, Accounts 101-66000, 68000, 69000-601170, 612330, 612490, Requisitions 1346198, 1348485, and 1348227

Approved

- 20 [12-1456](#) Issue purchase order and enter into an agreement for Contract 12-RFP-17 Microfilming and Scanning Services for a Thirty-Six (36) Month Period, with Microsystems, Inc. in an amount not to exceed \$158,836.00, Account 101-15000-612090, Requisition 1334273

Approved

- 21 [12-1470](#) Issue purchase order for Contract 12-622-11, Furnishing and Delivering Radio Equipment to the Stickney Service Area, to Illinois Communications Sales, Inc., in an amount not to exceed \$39,421.00, Account 101-69000-623850, Requisition 1344661

Approved

- 22 [12-1482](#) Issue purchase order to Vulcan Industries, Inc., to Furnish and Deliver Parts for the Vulcan Coarse and Fine Screens at the North Side Water Reclamation Plant Area, in an amount not to exceed \$28,500.00, Account 101-67000-623270, Requisition 1347555

Approved

- 23 [12-1484](#) Issue purchase order and enter into an agreement with CommVault Systems, Inc., for maintenance renewal, software, and professional services for CommVault's Backup Software and Premier Maintenance Package, in an amount not to exceed \$183,342.25, Accounts 101-27000-612820, 623800, 601170, Requisition 1349932

Approved

- 24 [12-1487](#) Issue purchase order to CDW Government, LLC to furnish and deliver Microsoft Software and Software Maintenance for a three-year period, in an amount not to exceed \$1,377,758.79, Accounts 101-27000-612820, 623800, Requisition 1350911

Approved

- 25 [12-1495](#) Issue purchase order to Myers Briggs & Company, Inc. for Furnishing Excess Auto Liability Insurance Coverage for Automobiles, Trucks, Trailers, and Non-owned Automobiles in an amount not to exceed \$85,471.00, Account 101-30000-612290, Requisition 1350324

Approved

- 26 [12-1496](#) Issue purchase order to Myers Briggs & Company, Inc. for Furnishing Excess Marine Liability Insurance Coverage for District Marine Vessels in an amount not to exceed \$13,725.00, Account 101-30000-612290, Requisition 1350322

Approved

Award Contract

- 27 [12-1471](#) Authority to award Contract 73-161-DH, McCook Reservoir Expanded Stage 2 Overburden, Cook County, Illinois, to The Lane Construction Corporation, in an amount not to exceed \$18,657,142.00, Account 401-50000-645620, Requisition 1343688

Attachments: [APP D 73-161-DH.pdf](#)

Approved

- 28 [12-1472](#) Authority to award Contract 11-761-21, Building Restoration at the North Side and Calumet Water Reclamation Plants, to Restore Masonry, LLC, in an amount not to exceed \$964,605.00, Accounts 201-50000-645750, 645780, Requisitions 1331695 and 1338184

Attachments: [APP D 11-761-21.pdf](#)

Approved

- 29 [12-1485](#) Authority to award Contract 12-032-12 (Re-bid), Furnish and Deliver Coveralls, Rainwear and Boots to Various Locations, for a One (1) Year Period, Groups A and B, to Kaul Glove & Manufacturing Company, d/b/a Choctaw-Kaul Distribution Company, in an amount not to exceed \$27,033.30, Group C, to Safety Supply Illinois, LLC, in an amount not to exceed \$25,514.25, Account 101-20000-623700

Approved

Increase Purchase Order/Change Order

- 30 [12-1469](#) Authority to decrease purchase order and amend the agreement with Siemens Water Technologies Corporation, to Furnish and Deliver Bioxide to the Kirie Water Reclamation Plant, in an amount of \$40,098.40, from an amount of \$269,800.00, to an amount not to exceed \$229,701.60, Account 101-67000-623560, Purchase Order 3057133

Attachments: [Siemens Water Tech - 3057133.pdf](#)

Approved

- 31 [12-1476](#) Authority to decrease Contract 07-168-3P Scum Concentration, Centrifuge Building, Preliminary & Imhoff Tanks, Elevator Improvements, Diffuser Plates and Trailer Replacement, Stickney Service Area, LASMA, to IHC Construction Companies, LLC in an amount of \$70,506.93, from an amount of \$23,422,721.75, to an amount not to exceed \$23,352,214.82, Accounts 401-50000-645750 and 645780, Purchase Order 5001198

Attachments: [CO 07-168-3P.PDF](#)

Approved

- 32 [12-1477](#) Authority to decrease purchase order and amend the agreement with Klein & Hoffman, Inc., for professional engineering services related to Contract 05-814-2D, Civil, Structural and Architectural Engineering Consulting Services, in an amount of \$269.89, from an amount of \$2,797,963.00, to an amount not to exceed \$2,797,693.11, Account 201-50000-601420, Purchase Order 3043159

Attachments: [CO 05-814-2D.PDF](#)

Approved

- 33 [12-1488](#) Authority to increase Contract 09-176-3P Sludge Thickening Facilities, Stickney Water Reclamation Plant, to McHugh Construction, in an amount of \$596,464.80 from an amount of \$164,599,185.43, to an amount not to exceed \$165,195,650.23, Account 401-50000-645650, Purchase Order 5001115

Attachments: [CO 09-176-3P.PDF](#)

Approved

- 34 [12-1489](#) Authority to decrease Contract 12-691-11, Truck Hauling of Processed Solids for LASMA and CALSMA, to Gosia Cartage, Ltd., in an amount of \$135,000.00, from an amount of \$3,614,400.00, to an amount not to exceed \$3,479,400.00, Account 101-66000-612520, Purchase Order 5001327

Approved

- 35 [12-1490](#) Authority to increase Contract 12-022-11 Furnish and Deliver Diesel Grade Fuel Oil to Various Locations, for a One (1) Year Period, to Avalon Petroleum Company, in an amount of \$25,000.00 from an amount of \$462,000.00 to an amount not to exceed \$487,000.00, Account 101-66000-623820, Purchase Order 3070877

Attachments: [12-022-11.pdf](#)

Approved

- 36 [12-1491](#) Authority to increase purchase order and amend the agreement with LeasePlan USA for Fleet Vehicle Management Services, in an amount of \$80,000.00, from an amount of \$991,132.00, to an amount not to exceed \$1,071,132.00, Accounts 101-15000-612080 and 612860, Purchase Order 3070364

Attachments: [Attach 11-RFP-19.pdf](#)

Approved

- 37 [12-1493](#) Authority to increase Contract 06-023-3P Stop Logs and Diversion Pumps at Wilmette Pump Station and Evanston Pump Station Rehabilitation, North Service Area, to F.H. Paschen/S.N. Nielsen in an amount of \$49,556.15, from an amount of \$17,580,682.83, to an amount not to exceed \$17,630,238.98, Accounts 101-50000-612620, 401-50000-645620 and 645720, Purchase Order 5001266

Attachments: [CO 06-023-3P.PDF](#)

Approved

Budget & Employment Committee

Authorization

- 38 [12-1442](#) Authority to transfer 2012 departmental appropriations in the amount of \$10,500.00 in the Corporate Fund

Attachments: [11-01.12 Board Tranfer BF5.pdf](#)

Approved

Industrial Waste & Water Pollution Committee**Authorization**

- 39 [12-1478](#) Authority for the Board of Commissioners to review the request by Toyota Park for the Facility Located at 7000 South Harlem Avenue, Bridgeview, Illinois, for review by the Board of Commissioners of the 2007, 2008, 2009, and 2010 User Charge Liability Determination made by the Director of the Monitoring and Research Department under Appeal No. 11D-039.

Attachments: [11-1-12 Attach 1 - Letter dated 3-12-12 to Toyota Park 2007-2010 UC.rtf.PDF](#)
 [11-1-12 Attach 2 - Chronology of Events for Toyota Park 2007-2010 UC.rtf.PI](#)

Approved

Judiciary Committee**Authorization**

- 40 [12-1501](#) Authority to settle the Workers' Compensation claim of James Daly vs. MWRDGC, Case No. 09 WC 00884, Illinois Workers' Compensation Commission (IWCC), in the sum of \$54,656.60. Account 901-30000-601090

Approved

Real Estate Development Committee**Authorization**

- 41 [12-1462](#) Authority to issue a check payable to Material Service Corporation in the amount of \$189,336.92 as reimbursement of the District's pro rata share of the Second Installment of the year 2011 Real Estate Taxes paid by it for the Lower West Lobe of the Thornton Quarry, Thornton Composite Reservoir, Project 77-235-2F (401-50000-645620)

Approved

- 42 [12-1463](#) Authority to issue a six-month permit extension to LaBarge Propane, Inc. for the continued use of 1.5 acres of District real estate located at 15680 Canal Bank Road in Lemont, Illinois; part of Main Channel Parcel 23.01. Consideration shall be \$6,534.00

Attachments: [11-01-12 LaBarge.pdf](#)

Approved

- 43 [12-1464](#) Authority to issue a 46-day permit to Owens Corning Roofing & Asphalt, LLC for the continued use of approximately 4.6 acres of District real estate located near 7800 West 59th Street in Summit, Illinois; western part of Main Channel Parcel 34.02. Consideration shall be \$5,300.00

Attachments: [11-01-12 Owens Corning.pdf](#)

Approved

- 44 [12-1466](#) Authority to issue a 6-month permit to the Fulton County Lewistown Field Office of the United States Department of Agriculture, Natural Resources Conservation Service to conduct soil boring investigations at the District's Fulton County Prairie Plan site. Consideration shall be \$10.00

Attachments: [11-01-12 NRCS.pdf](#)

Approved

- 45 [12-1467](#) Authority to issue a 6-month permit extension to W.E. O'Neil Construction Company on 3 acres of District real estate located at 4100 West 41st Street in Forest View, Illinois, part of Main Channel Parcel 38.11. Consideration shall be \$40,000.00

Attachments: [11-01-12 O'Neil.pdf](#)

Approved

- 46 [12-1474](#) Authority to issue a 6-month permit to Owens Corning Roofing & Asphalt, LLC for the continued use of approximately 0.70 acres of District real estate located near 7800 West 59th Street in Summit, Illinois; eastern part of Main Channel Parcel 34.02. Consideration shall be \$4,300.00

Attachments: [11-01-12 Owens Corning 6M.pdf](#)

Approved

- 47 [12-1492](#) Authority to enter into a 39-year lease with the Chicago Park District on 1.87 acres of District real estate located at Devon Avenue and McCormick Boulevard in Chicago; North Shore Channel Parcel 8.06 for parking and possible park expansion purposes. Consideration shall be an annual rental of \$78,000.00

Attachments: [Map. CPD Lease-Devon & McCormick Parcel 8.06.pdf](#)

Deferred by Mariyana T. Spryopoulos

State Legislation & Rules Committee

Authorization

- 48 [12-1502](#) Adoption of Amendments to the Rules of the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago

Deleted by the Executive Director

Stormwater Management Committee

Authorization

- 49 [12-1494](#) Authorization to negotiate and enter into intergovernmental agreements with the Village of Palatine, the Palatine Park District, the Forest Preserve District of Cook County, and the Illinois Department of Transportation for Contract 10-884-AF, Upper Salt Creek Arlington Heights Branch Flood Control Project in Palatine, IL

Approved

Miscellaneous and New Business

Motion

- 50 [12-1499](#) MOTION to approve dates for the Regular Board Meetings of The Metropolitan Water Reclamation District of Greater Chicago to be held in the year 2013 (*Deferred from the October 18, 2012 Board Meeting, Revised and Resubmitted*)

A motion was made by Patricia Horton, seconded by Cynthia M. Santos, that this Motion be Adopted. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Additional Agenda Items

- 51 [12-1503](#) Authority to enter into a mutual settlement agreement with Keith Smith and make a one time payment in an amount not to exceed \$60,000.00, Account 901-30000-601090
- Approved

Approval of the Consent Agenda with the exception of Items: 10, 47, 48 and 50

A motion was made by Frank Avila, seconded by Patricia Horton, to Approve the Consent Agenda. The motion carried by the following roll call vote:

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

Meeting Summary

Speakers

None

Summary of Requests

David St. Pierre

- 1. Mariyana T. Spyropoulos inquired as to why there was a previous decrease to this contract (Re: Procurement Item #35)*
- 2. Mariyana T. Spyropoulos, Barbara J. McGowan and Debra Shore requested more information on this item including the Park District's plan to finance the project, the plan to reconstruct the area, whether a permeable surface will be used in the reconstruction, the potential fee that they will charge for use, and easement grants needed (Re: Real Estate Item #47)*

Study Session

James Dencek will survey the Board for a mutually convenient date to schedule a Study Session to discuss a public awareness campaign (Re: Procurement Item #10)

Announcements

None

Board Letter Submission Dates

The next regular board meeting is scheduled for November 15, 2012, please prepare and submit Board items before the following absolute cutoff dates.

Date agenda items are due to the Director of Procurement and Materials Management for signature and preparation: November 1, 2012

Date agenda items are due to the Executive Director for signature and preparation: November 5, 2012

Date all agenda items are due to the Executive Director: 1:00 p.m., November 7, 2012

Adjournment

A motion was made by Kathleen Therese Meany, seconded by Patricia Horton, that when the Board adjourns it adjourns to meet on Thursday, November 15, 2012, at 10:00 a.m. and that today's meeting be adjourned. The motion carried by the following roll call vote:

/s/ Jacqueline Torres, Clerk

Aye: 9 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Kathleen Therese Meany, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

APPROVAL:

In accordance with the provisions of 70ILCS 2605/4, each of the foregoing agenda items duly adopted by the Board of Commissioners of the Metropolitan Water Reclamation District of Greater Chicago this November 1, 2012, are hereby approved.

APPROVED:

/s/ Terrence J. O'Brien

President Board of Commissioners of the
Metropolitan Water Reclamation District of Greater Chicago

November 1, 2012