

Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611



Regular Board Meeting Minutes

Thursday, October 15, 2009

10:00 AM

Board Room

Board of Commissioners

*Commissioner Frank Avila, Commissioner Patricia Horton, Chairman of Finance
Gloria Alitto Majewski, Commissioner Barbara J. McGowan, Vice-President Kathleen
Therese Meany, Commissioner 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 - Frank Avila; Patricia Horton; Gloria Alitto Majewski; 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 Gloria Alitto Majewski, seconded by Patricia Horton, 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 Board of Commissioners

At 11:30 a.m. President O'Brien reconvened the regular board meeting to order

Finance Committee

Report

- 1 [09-1448](#) Report on investments purchased during September 2009

Attachments: [Inv Purch 2009-09 att.pdf](#)

Published and Filed

Procurement Committee

Report

- 2 [09-1407](#) Report of bid opening of Tuesday, September 29, 2009

Published and Filed

- 3 [09-1406](#) Report of bid opening of Tuesday, October 6, 2009

Published and Filed

Authorization

- 4 [09-1385](#) Authorization for payment to National Association of Clean Water Agencies (NACWA) for 2010 membership dues and contribution to NACWA's Wet Weather Advocacy Fund (WWAF), in an amount not to exceed \$53,893.00, Account 101-15000-612280

Approved

- 5 [09-1440](#) Authorization to increase cost estimate for Contract 09-764-11 Pavement Repairs in the North Service Area, estimated cost from \$75,000.00 to \$93,000.00, Account 101-67000-612420, Requisition 1263282

Attachments: [09-764-11.pdf](#)

Deleted by the Executive Director

Authority to Advertise

- 6 [09-1404](#) Authority to advertise Contract 09-464-11 Furnishing and Delivering Three-Year Software Maintenance Renewal of Symantec Anti-Virus Software to the MWRDGC, estimated cost \$45,316.00, Account 101-27000-612820, Requisition 1279287

Approved

- 7 [09-1405](#) Authority to advertise Contract 09-053-11 Furnish and Deliver Lamps to Various Locations for a One (1) Year Period, estimated cost \$60,000.00, Account 101-20000-623070

Approved

- 8 [09-1409](#) Authority to advertise Contract 10-101-11 to Furnish and Deliver Contract Laboratory Technicians for various locations, estimated cost \$375,000.00, Account 101-16000-612490, Requisition 1287578 (*As Revised*)

Approved

- 9 [09-1410](#) Authority to advertise Contract 10-105-11 for Helicopter Service for a Two-Year Period, estimated cost \$41,400.00, Account 101-16000-612330, Requisition 1284991 (*As Revised*)

Approved

- 10 [09-1419](#) Authority to advertise Contract 10-770-11 Janitorial Services at the Egan Water Reclamation Plant, estimated cost \$89,000.00, Account 101-67000-612490, Requisition 1286849

Approved

- 11 [09-1425](#) Authority to advertise Contract 10-027-11 Furnish and Deliver Glass and Plastic Labware to Various Locations, for a One (1) Year Period, estimated cost \$300,000.00, Account 101-20000-623570

Approved

- 12 [09-1433](#) Authority to advertise Contract 08-171-3P Westside Imhoff Battery A and Skimming Tank Demolition at Stickney Water Reclamation Plant, estimated cost \$59,663,000.00, Account 401-50000-645650, Requisition 1287619
Approved
- 13 [09-1434](#) Authority to advertise Contract 06-154-3S, Summit Conduit Rehabilitation, Stickney Service Area, estimated cost \$1,830,000.00, Account 401-50000-645700, Requisition 1282811
Approved
- 14 [09-1442](#) Authority to advertise Contract 10-677-11 Overhead and Exterior Door Maintenance Services at Various Service Areas, estimated cost \$346,000.00, Accounts 101-67000/68000/69000-612680, Requisitions 1255010, 1269392 and 1271310
Approved
- 15 [09-1443](#) Authority to advertise Contract 10-693-11 Use of a Sanitary Landfill Site, estimated cost \$235,000.00, Account 101-66000-612520, Requisitions 1285672, 1285652
Approved

Issue Purchase Order

- 16 [09-1387](#) Issue purchase order and enter into an agreement with Geneva Scientific, LLC, to furnish, deliver and install three Prometco BMT Steam Sterilizers, in an amount not to exceed \$148,380.00, Account 101-16000-634970, Requisition 1285042
Approved
- 17 [09-1422](#) Issue purchase order for Contract 10-423-11 Provide Bus Transportation Services for a Twelve (12) Month Period, Group A, to Walls Transportation, Inc., in an amount not to exceed \$10,000.00, and Group B, to Olson Transportation, Inc., in an amount not to exceed \$10,000.00, Account 101-15000-612330, Requisition 1279921
Approved
- 18 [09-1423](#) Issue purchase order for Contract 10-427-11, Semi-Annual Inspection, Repairing, Recharging, and Hydrostatic Pressure Testing of Various Fire Suppression Systems District-Wide for a Period of Three Years, to Surefire Protection, Inc., in an amount not to exceed \$162,175.00, Account 101-15000-612780, Requisition 1275727
Approved

- 19 [09-1424](#) Issue purchase orders for Contract 09-430-11 Furnish and Deliver Twenty-Five (25) Fleet Vehicles for Use by Various District Facilities, Groups B and H, to Joe Rizza Ford, Inc., in a total amount not to exceed \$211,946.09, Groups C, E, F and G, to Ottawa Ford Lincoln-Mercury, Inc., in a total amount not to exceed \$225,936.00, and Group D, to Sutton Ford, Inc., in an amount not to exceed \$54,000.00, Account 101-15000-634860, Requisition 1261918

Approved

- 20 [09-1437](#) Issue a purchase order and enter into an agreement with Mr. Toby Frevert for Consulting Engineering Services with respect to Regulatory Issues with the Lemont Water Reclamation Plant and Collection System Infiltration/Inflow Program Contract 09-715-2P, in an amount not to exceed \$18,000.00, Account 201-50000-601170, Requisition 1287644

Approved

Award Contract

- 21 [09-1427](#) Authority to award Contract 09-032-11, Furnish and Deliver Coveralls, Rainwear and Boots to Various Locations, for a One (1) Year Period, Group A, to HP Products Corporation, in an amount not to exceed \$38,223.84, Groups B and C, to Fairmont Supply Company, in a total amount not to exceed \$47,785.08, Account 101-20000-623700

Approved

- 22 [09-1428](#) Authority to award Contract 09-760-11, Fence Repairs at Various Locations in the North Service Area, to GFS Fence, Guardrail & Signage, Inc., in an amount not to exceed \$40,000.00, Account 101-67000-612420, Requisition 1271983

Approved

- 23 [09-1438](#) Authority to award Contract 09-657-11, Television Inspection and Videotaping of Sewers and Manholes at Various Service Areas, to National Power Rodding Corporation, in an amount not to exceed \$1,162,000.00, Accounts 101-67000, 68000, 69000-612600, Requisitions 1256321, 1257462 and 1255705

Attachments: [APP D 09-657-11.pdf](#)

Approved

- 24 [09-1439](#) Authority to award Contract 09-036-11, Furnish and Deliver Salt and Calcium Chloride to Various Locations for a One (1) Year Period, to Atlas & Associates, Inc., in an amount not to exceed \$59,472.00, Account 101-20000-623130

Approved

Increase Purchase Order/Change Order

- 25 [09-1414](#) Authority to decrease purchase order with Pinnacle Towers, Inc., for Lease Schedule 390400987N0019 for Site License and Lease Fees of Radio Equipment at Sears Tower, in an amount of \$16,939.74, from an amount of \$54,107.70, to an amount not to exceed \$37,167.96, Account 101-69000-612330, Purchase Order 3029606
- Attachments:** [Pinnacle Towers Inc. 3029606-decrease.pdf](#)
- Approved**
- 26 [09-1415](#) Authority to decrease Contract 08-881-13 Painting Services for the Battery B Final Settling Tanks at the Calumet Water Reclamation Plant, to CL Coatings, LLC, in an amount of \$17,300.00, from an amount of \$494,000.00, to an amount not to exceed \$476,700.00, Account 101-68000-612650, Purchase Order 5000953
- Attachments:** [08-881-13.pdf](#)
- Approved**
- 27 [09-1416](#) Authority to increase purchase order and amend agreement with PMA Consultants of Illinois LLC for trial preparation and expert witness trial testimony, in the amount of \$20,000.00, from an amount of \$95,000.00, to an amount not to exceed \$115,000.00, Account 201-50000-601170, Purchase Order 3045609
- Attachments:** [Change Order 3045609](#)
- Approved**
- 28 [09-1417](#) Authority to increase purchase order with Hussmann Corporation for maintenance and repair of kitchen appliances at 100 East Erie Street, in an amount of \$3,500.00, from an amount of \$9,500.00, to an amount not to exceed \$13,000.00, Account 101-15000-612490, Purchase Order 8005782
- Approved**
- 29 [09-1429](#) Authority to increase Contract 02-009-3S, Evanston Intercepting Sewer Rehabilitation, Lake Street Leg, to Kenny Construction Company, in an amount of \$25,114.00, from an amount of \$8,394,452.00, to an amount not to exceed \$8,419,566.00, Account 401-50000-645600, Purchase Order 5000618
- Attachments:** [C.O. 02-009-3S](#)
- Approved**

- 30 [09-1430](#) Authority to increase Contract 00-473-1D (Re-bid) Replace Casework, Fume Hoods, and Miscellaneous Work, John E. Egan Water Reclamation Plant, to IHC/KED, a Joint Venture, in an amount of \$23,691.12, from an amount of \$7,796,613.10, to an amount not to exceed \$7,820,304.22, Accounts 101-50000-612680, 201-50000-645680 and 401-50000-645780, Purchase Order 5000624

Attachments: [C.O. 00-473-1D](#)

Approved

- 31 [09-1431](#) Authority to decrease purchase order and amend the agreement with STV Incorporated, for professional engineering services for Contract 05-837-2P Mechanical and Electrical Consulting Support Services, in an amount of \$400,000.00, from an amount of \$2,100,000.00, to an amount not to exceed \$1,700,000.00, Account 201-50000-601420, Purchase Order 3044002

Approved

- 32 [09-1432](#) Authority to increase purchase order with Standard Equipment Company for a Quick View portable video inspection kit, in an amount of \$15,619.00, from an amount of \$15,619.00, to an amount not to exceed \$31,238.00, Account 101-50000-634600, Purchase Order 3059515

Approved

- 33 [09-1435](#) Authority to increase Contract 04-294-3M Calumet TARP Isolation and Pump Station Improvements, Calumet Water Reclamation Plant, to Kenny Construction Company, in an amount of \$33,944.40, from an amount of \$60,136,354.22, to an amount not to exceed \$60,170,298.62, Account 401-50000-645600, Purchase Order 5000309

Attachments: [C.O. 04-294-3M](#)

Approved

- 34 [09-1436](#) Authority to decrease purchase order and amend the agreement for Emergency Contract 08-900-05, Dewater, Inspect and Otherwise Recommission the Racine Avenue Pumping Station, to Independent Mechanical Industries, Inc., in an amount of \$23,651.48, from an amount of \$812,500.00, to an amount not to exceed \$788,848.52, Account 901-30000-667220, Purchase Order 5000923

Attachments: [PO 5000923 Contract 08-900-05.pdf](#)

Approved

- 35 [09-1441](#) Authority to increase purchase order and amend the agreement with CH2M Hill, Inc. for additional engineering services for developing the Calumet-Sag Channel Detailed Watershed Plan - Phase B, in an amount of \$86,553.00, from an amount of \$2,235,260.00, to an amount not to exceed \$2,321,813.00, Account 501-50000-601410, Purchase Order 3044706

Attachments: [07-713-5c_change_log_0001.pdf](#)

Approved

- 36 [09-1444](#) Authority to increase purchase order to Vulcan Industries, Inc., to furnish and deliver parts for Vulcan equipment for a period of 12 months from purchase order issue date, in an amount of \$14,054.00, from an amount of \$8,000.00, to an amount not to exceed \$22,054.00, Account 101-67000-623270, Purchase Order 3050090

Approved

Budget & Employment Committee

Authorization

- 37 [09-1421](#) Authority to transfer 2009 departmental appropriations in the amount of \$305,100.00 in the Corporate Fund (*As Revised*)

Attachments: [10.15.09 BF5.pdf](#)

Approved

Engineering Committee

Report

- 38 [09-1418](#) Report on change orders authorized and approved by the Director of Engineering during the month of September 2009

Attachments: [Sept. CO](#)

Published and Filed

Authorization

- 39 [09-1446](#) Authority to approve and execute permanent subterranean and temporary easements from the Village of South Holland for the Tollway Dam, Grout Curtain and Quarry Plug, Thornton Composite Reservoir, Calumet Service Area (04-201-4F, ROW File 3), consideration shall be ten dollars (\$10.00), Account 401-50000-667340

Attachments: [South Holland](#)

Approved

Judiciary Committee

Authorization

- 40 [09-1383](#) Authority to settle the Workers' Compensation Claim of Charles Bravo vs. MWRDGC, Claim No. 0200003685, Illinois Workers' Compensation Commission, in the sum of \$13,683.59, Account 901-30000-601090

Approved

- 41 [09-1389](#) Authority to settle the Workers' Compensation Claim of Ronald Kelty vs. MWRDGC, Case No. 08 WC 9943, Illinois Workers' Compensation Commission, in the sum of \$56,331.08, Account 901-30000-601090

Approved

- 42 [09-1390](#) Authority to settle the Workers' Compensation Claim of George Noble vs. MWRDGC, Case No. 07 WC 31342, Illinois Workers' Compensation Commission, in the sum of \$245,000.00, Account 901-30000-601090

Approved

- 43 [09-1391](#) Authority to settle the lien of Kenneth Lawrence v. Vincent Palacios and Fire Science Techniques, Ltd., Case No. 08 L 001006, in the sum of \$17,000.00, Account 901-30000-601090

Approved

Maintenance & Operations Committee

Report

- 44 [09-1401](#) Report on change orders authorized and approved by the Director of Maintenance and Operations during the month of September 2009

Attachments: [Change orders for Sept 2009.pdf](#)

Published and Filed

Real Estate Development Committee

Authorization

- 45 [09-1395](#) Authority to amend the lease agreement with ACL Transportation Services, LLC for approximately 30.1 acres of improved real estate including Barge Slip 4 located at 16100 Des Plaines River Road in Lemont, Illinois, and known as part of Main Channel Atlas Parcel 23.01, to allow the outdoor storage of steel and shipping containers, consideration shall be a \$2,000.00 document preparation fee

Attachments: [10-15-09 ACL Parcel 23.01_Map.pdf](#)

Approved

- 46 [09-1396](#) Authority to amend the lease agreement with ACL Transportation Services, LLC for approximately 28 acres of vacant real estate including Barge Slip 3 located at 15900 Des Plaines River Road in Lemont, Illinois, and known as part of Main Channel Atlas Parcel 22.03, to allow the outdoor storage of steel and shipping containers, consideration shall be a \$2,000.00 document preparation fee

Attachments: [10-15-09 ACL MCP 22.03-Map.pdf](#)

Approved

- 47 [09-1397](#) Authority to issue a 2-year permit extension to Illinois Mining Corporation to mine, remove, and purchase channel excavation rock from approximately 41.22 acres of District real estate located south of the Cal-Sag Channel between Cicero and Kostner Avenues in Crestwood, Illinois, and known as Cal-Sag Channel Atlas Parcel 12.05, consideration shall be \$0.25 per ton of rock removed from the permit premises paid after Illinois Mining has used a credit of up to \$360,000.00 for the removal of spoil from the site, including approximately 12,000 cubic yards of broken concrete previously dumped on the premises

Attachments: [10-15-09 IL Mining Corp-Map.pdf](#)

Approved

- 48 [09-1398](#) Authority to amend permit issued to Chevron Environmental Management Company for the use of approximately 60 acres of District real estate located east of the Main Channel in unincorporated Will County, Illinois, and known as Main Channel Atlas Parcels 16.01, 16.02, 16.05, and the southernmost portion of 16.03 to include Main Channel Parcel 15.07 comprising an additional 43.90 acres for a total of 103.9 acre permit area, consideration shall be an additional \$8,840.00 a month

Attachments: [10-15-09 Chevron-Map.pdf](#)

Approved

- 49 [09-1447](#) Consent to Noramco-Chicago, Inc.'s assignment to Illinois Marine Towing, Inc. of two leases totaling approximately 54 acres of District land located along the south bank of the Main Channel in and adjacent to the Village of Lemont c/k/a Main Channel Atlas Parcel Nos. 21.09, 21.11, and 22.01. Consideration shall be a document preparation fee of \$2,000.00

Approved

Stormwater Management Committee

Authorization

- 50 [09-1400](#) Authority for the Executive Director to execute rental agreements with five (5) high schools within the watershed planning areas of Cook County for the purpose of conducting Cook County Watershed Management Ordinance Study Sessions

Approved

- 51 [09-1420](#) Authority for payment to Wheeling Park District for land rights for the construction of the Heritage Park Flood Control Facility in an amount not to exceed \$3,600,000.00, Accounts 501-50000-656010 and 667340, Stormwater Management Fund

Approved

Miscellaneous and New Business

Motion

- 52 [09-1392](#) MOTION to approve dates for the Regular Board Meetings of the Metropolitan Water Reclamation District of Greater Chicago to be held in the year 2010

Adopted

Resolution

- 53 [09-1412](#) RESOLUTION sponsored by the Board of Commissioners declaring October 18 - 24, 2009 as National Save For Retirement Week

A motion was made by Gloria Alitto Majewski, seconded by Cynthia M. Santos, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays

- 54 [09-1426](#) RESOLUTION sponsored by the Board of Commissioners congratulating Black Contractors United in recognition of its 28th Annual Award Gala to be held on October 29, 2009

A motion was made by Barbara J. McGowan, seconded by Kathleen Therese Meany, that this Resolution be Adopted. The motion carried by acclamation. Chorus of ayes - No nays

Approval of the Consent Agenda with the exception of Items: 5, 53 and 54

A motion was made by Gloria Alitto Majewski, seconded by Cynthia M. Santos, to Approve the Consent Agenda. The motion carried by the following roll call vote:

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

Meeting Summary**Speakers**

Kevin Shafer, President of NACWA and Executive Director of the Metropolitan Milwaukee Sanitary District, presented the following NACWA Awards to the District for excellence in consistently achieving compliance with its NPDES permit limits:

- *Platinum Award to the Stickney Plant*
- *Platinum 12 Award to the Lemont Plant*
- *Platinum 17 Award to the Calumet Plant*
- *Gold Awards to the North Side, Kirie, Egan and Hanover Park Plant*

Tim True and Jeff Cook, accepted the Resolution declaring October 18-24, 2009 as National Save for Retirement Week (Re: Miscellaneous and New Business Item: 53)

Edward McKinney, President and Florence Cox, Executive Director of Black Contractors United accepted the resolution recognizing its 28th Annual Award Gala (Re: Miscellaneous and New Business Item: 54)

George Blakemore, a concerned citizen, addressed the Board regarding the following:

- 1) Inquired on the frequency and need for bus service to the District (Re: Procurement & Material Management Item #17)*
- 2) Suggested all District vehicles be equipped with tracking devices (Re: Procurement and Material Management Item #19)*
- 3) Suggested we combine with other government agencies when negotiating a contract to furnish and deliver salt and calcium chloride to various District locations (Re: Procurement and Material Management Item #24)*
- 4) Asked what criteria was used to select the 5 high schools. (Re: Stormwater Management Item 50)*

Leticia Rausch, representing Rausch Construction, asked the Board for a review on the request to increase contract and also requested release of the liquidated damages (Re: Procurement Item 27)

Summary of Requests

Louis Kollias

Frank Avila requested a report be provided to the Board with the names of the firms and laboratory technicians the District contracted with in the past few years (Procurement Item 8)

Edmund Cook

President O'Brien requested a report be prepared on the cost, purchasing time and savings to use all Hybrid vehicles. Cynthia M. Santos asked the report include the price the District receives from auction versus trade-in of vehicles. Barbara J. McGowan requested a report on the expense to the District for all vehicles to have a tracking mechanism (Procurement Item 19)

Osoth Jamjun

Debra Shore requested an update on the Metropolitan Water Reclamation District of Greater Chicago Pandemic Action Plan (Re: Miscellaneous and New Business)

Richard Lanyon

Debra Shore requested a Study Session be scheduled to discuss measures to reduce infiltration/inflow in local sanitary sewer systems and to receive a presentation on what the District is doing to mitigate and adapt to climate change (Re: Miscellaneous and New Business)

Richard Lanyon

Patricia Horton asked that the Standing Committee for Information Technology be identified (Re: Miscellaneous & New Business)

Study Session

There will be a Study Session on Wednesday, October 21, 2009, at 7:00 p.m. at the Thornton Township High School, 15001 Broadway Avenue, Harvey, Illinois to discuss the dissolution of the Calumet Union Drainage District No.1 (Stormwater Management)

Board Letter Submission Dates

The next regular board meeting is scheduled for November 5, 2009 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: October 26, 2009

Date Board letters are due to the Executive Director: 1:00 p.m., October 29, 2009

Adjournment

A motion was made by Cynthia M. Santos, seconded by Patricia Horton, that when the Board adjourns it adjourns to meet on Thursday, November 5, 2009, 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 - Frank Avila, Patricia Horton, Gloria Alitto Majewski, 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 October 15, 2009, are hereby approved.

APPROVED:

/s/ Terrence J. O'Brien

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

October 15, 2009