

# **Metropolitan Water Reclamation District of Greater Chicago**

100 East Erie Street  
Chicago, IL 60611



## **Regular Board Meeting Minutes**

**Thursday, November 17, 2011**

**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:** 8 - Michael A. Alvarez; Frank Avila; Patricia Horton; Barbara J. McGowan; Cynthia M. Santos; Debra Shore; Mariyana T. Spyropoulos; and Terrence J. O'Brien

**Absent:** 1 - Kathleen Therese Meany

## Approval of Previous Board Meeting Minutes

A motion was made by Debra Shore, 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 Committee of the Whole

A motion was made by Debra Shore, 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 1:40 p.m. President O'Brien reconvened the regular board meeting to order

## Finance Committee

### Report

- 1     [11-1439](#)     Report on Cash Disbursements for the Month of September 2011, in the amount of \$41,600,320.37

**Attachments:**     [11-1439 September 2011 M003 FM](#)

Published and Filed

### Authorization

- 2     [11-1405](#)     Authority to add Project 11-702-21, Furnish and Deliver a Four-Inch Hydraulic Submersible Pump to the North Side Water Reclamation Plant, to the Construction Fund, estimated cost of the project is \$35,000.00.

Approved

## Procurement Committee

### Report

- 3      [11-1414](#)      Report of bid opening of Tuesday, November 1, 2011

**Published and Filed**

- 4      [11-1430](#)      Report on advertisement of Request for Proposal 12-RFP-06 Consulting Services for Selection of a Pharmacy Benefits Manager, estimated cost \$50,000.00, Account 101-25000-601170, Requisition 1333489

**Published and Filed**

- 5      [11-1432](#)      Report of bid opening of Tuesday, November 8, 2011

**Published and Filed**

### Authorization

- 6      [11-1460](#)      Authorization to amend the Board Order of September 1, 2011, for Authority to Advertise Project 08-530-3P, Digester Facility Improvements at Hanover Park and Egan WRPs, Account 401-50000-645750, Requisition Number 1328463, Agenda Item No. 16, File Number 11-1053

**Approved**

- 7      [11-1465](#)      Authorization to amend Board Order of October 6, 2011, issue a purchase order and enter into agreement for Contract 10-RFP-22 (RE-BID) appraisal services for real estate with Realty Consultants, d/b/a Integra Realty Resources Chicago Metro in an amount not to exceed \$99,000.00 and Woodland Valuation Services, LLC d/b/a Appraisal Associates, Inc. in an amount not to exceed \$99,000.00, Account 101-30000-601170. Requisition 1314099 and 1314100 (As Revised), Agenda Item No. 25, File No. 11-1249

**Approved**

### Authority to Advertise

- 8      [11-1419](#)      Authority to advertise Contract 12-930-11 Elevator Maintenance in the Stickney Service Area, estimated cost \$228,000.00, Account 101-69000-612680, Requisition 1329589

**Approved**

- 9      [11-1426](#)      Authority to advertise Contract 12-400-11 Furnish and Deliver Police Uniforms for a Thirty-Six (36) Month Period, estimated cost \$90,000.00, Account 101-15000-623700, Requisition 1329187

**Approved**

- 10      [11-1428](#)      Authority to advertise Contract 12-813-11 Furnishing and Delivering Air Filters to the Calumet Water Reclamation Plant, estimated cost \$168,000.00, Account 101-68000-623270, Requisition 1331699  
**Approved**
- 11      [11-1429](#)      Authority to advertise Contract 11-702-21 Furnish and Deliver a Four-Inch Hydraulic Submersible Pump to the North Side Water Reclamation Plant, estimated cost \$35,000.00, Account 201-50000-645650, Requisition 1331707  
**Approved**
- 12      [11-1434](#)      Authority to advertise Contract 12-602-11 Furnishing and Delivering Chain, Sprockets and Appurtenances to Various Service Areas, estimated cost \$573,600.00, Account 101-67000/69000-623030/623270, Requisitions 1328818 and 1322379.  
**Approved**
- 13      [11-1441](#)      Authority to advertise Contract 11-805-11 Furnish and Deliver a Structural Steel Shaft Cover for the Thornton Valve Structure, estimated cost \$40,000.00, Account 901-30000-667220, Requisition 1330047  
**Approved**
- 14      [11-1444](#)      Authority to advertise Contract 12-938-11 Contingent Repair Services to Uninterruptible Power Systems in the Stickney Water Reclamation Plant Area and Waterways Control Room, estimated cost \$48,750.00, Accounts 101-66000/69000-612650/612680, Requisitions 1325954 and 1328446  
**Approved**
- 15      [11-1447](#)      Authority to advertise Contract 12-629-11 Furnishing, Delivering and Rental of Arc Flash Personal Protective Equipment for the Calumet Water Reclamation Plant, estimated cost \$132,000.00, Account 101-68000-612330, Requisition 1332563  
**Approved**

**Issue Purchase Order**

- 16      [11-1437](#)      Issue purchase order and enter into an agreement with Granicus, Inc. for Software Maintenance and Support for a three year period, in an amount not to exceed \$37,488.60, Account 101-27000-612820, Requisition 1333133  
**Approved**

- 17      [11-1449](#)      Issue purchase orders and enter into agreements for Contract 11-RFP-14 Legal Services for Workers' Compensation Defense, with Noble & Associates, P.C. in an amount not to exceed \$120,000.00, Neuson Law, P.C. in an amount not to exceed \$120,000.00, and Scopelitis, Garvin, Light, Hanson & Feary, P.C. in an amount not to exceed \$60,000.00, Account 101-30000-601170. Requisition 1332102, 1332103, 1332104

**Approved**

- 18      [11-1450](#)      Issue purchase order and enter into an agreement with Granicus, Inc. to Furnish, Deliver, Install and Maintain the Granicus Open Platform and Government Transparency Suite, in an amount not to exceed \$29,650.00, Account 101-40000-601170, Requisition 1332556

**A motion was made by Mariyana T. Spyropoulos, seconded by Barbara J. McGowan, that the Executive Director be given the authorization to Delete this Agenda Item. The motion carried by the following roll call vote:**

**Aye:** 8 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:** 1 - Kathleen Therese Meany

#### **Award Contract**

- 19      [11-1423](#)      Authority to award Contract 11-030-13 (Re-bid), Furnish and Deliver Miscellaneous Lubricants to Various Locations, for a One (1) Year Period, Items 1 & 2 to Chicago United Industries, LTD., in an amount not to exceed \$128,054.00, Item 3 to Palm Petroleum, LLC, in an amount not to exceed \$8,241.75, and Items 4 & 5 to Parent Petroleum, Inc., in an amount not to exceed \$22,384.25, Account 101-20000-623860

**Approved**

- 20      [11-1425](#)      Authority to award Contract 10-049-3S, North Side Plant Drain Rehabilitation, NSWRP, to Kenny Construction Company, in an amount not to exceed \$449,200.00, Accounts 401-50000-645700, Requisition 1326909 (As Revised)

**Attachments:**      [APP D 10-049-3S.pdf](#)

**Approved**

- 21      [11-1435](#)      Authority to award Contract 10-051-3D, North Shore Channel Restoration Near Main Street, to Lakes & Rivers Contracting, Inc., Terrell Materials Corporation, Joint Venture, in an amount not to exceed \$2,967,500.00, Account 401-50000-645720, Requisition 1322652

**Attachments:**      [Contract 10-051-3D Appendix D Report.pdf](#)

**Approved**

**Increase Purchase Order/Change Order**

- 22      [11-1418](#)      Authority to decrease Contract 08-988-13, Services to Maintain Crossing Signal Systems at the HASMA and Ridgeland Crossings to Railworks Track Systems, Inc. (dba Railworks Signals & Communications, Inc.), in an amount of \$55,000.00, from an amount of \$87,000.00, to an amount not to exceed \$32,000.00, Account 101-69000-612670, Purchase Order 5001063

**Approved**

- 23      [11-1420](#)      Authority to decrease purchase order and amend the agreement with Hewlett Packard Corporation for Computer Maintenance and Recover-All Services for the District's VAX, HP Servers, and HP SAN-TS in an amount of \$10,696.12, from an amount of \$1,200,000.00, to an amount not to exceed \$1,189,303.88, Accounts 101-27000-612810, 612820, Purchase Order 3044147

**Attachments:**      [PO 3044147 C.O. Log.PDF](#)

**Approved**

- 24      [11-1421](#)      Authority to decrease purchase order to Allied Electronics, Inc, to Furnish and Deliver Communications Cables and Supplies in an amount of \$1,784.32, from an amount of \$5,001.00, to an amount not to exceed \$3,216.68 Account 101-27000-623810, Purchase Order 8006453

**Attachments:**      [PO 8006453 CO Log.PDF](#)

**Approved**

- 25      [11-1422](#)      Authority to decrease purchase order and amend agreement with Schuyler, Roche & Crisham, P.C. for legal services in the matter of Kayomارش Mehta and Nergish Mehta, Guardians, on behalf of The Estate of Rashni Mehta, a Disabled Person v. MWRDGC and Blue Cross Blue Shield of Illinois, Case No. 08 CH 35380, in an amount of \$75,938.60, from an amount of \$200,000.00 to an amount not to exceed \$124,061.40. Account 101-30000-601170, Purchase Order 3058165

**Approved**

- 26      [11-1427](#)      Authority to decrease Contract 08-633-11 Furnishing and Delivering Polymer to the Stickney and Egan Water Reclamation Plants, to Polydyne, Inc., in an amount of \$174,395.26 from an amount of \$16,215,000.00 to an amount not to exceed \$16,040,604.74, Accounts 101-67000/69000-623560, Purchase Orders 3052045 and 3052046

**Attachments:**      [08-633-11.pdf](#)

**Approved**

- 27      [11-1436](#)      Authority to decrease purchase order and amend the agreement with Life Insurance Company of North America, a subsidiary of CIGNA, to Provide Group Term Life Insurance for Metropolitan Water Reclamation District Employees for a Three-Year Period, in an amount of \$26,444.21, from an amount of \$291,888.00 to an amount not to exceed \$265,443.79, Accounts 101-25000-601250, 201-50000-601250, 401-50000-601250, 501-50000-601250, Purchase Order 3052349
- Approved**
- 28      [11-1438](#)      Authority to increase Contract 10-676-11 Pest and Rodent Control and Termite Eradication at Various Locations in the Stickney and Calumet Service Areas, the Main Office Building and Main Office Building Annex, Group B, to The Smithereen Company, in an amount of \$15,000.00 from an amount of \$38,800.00 to an amount not to exceed \$53,800.00, Account 101-66000-612420, Purchase Order 3063998
- Approved**
- 29      [11-1440](#)      Authority to increase purchase order and amend the agreement with the firm of Beveridge & Diamond, P.C. to represent the District in negotiations and probable litigation with the United States Environmental Protection Agency in an amount of \$150,000.00, from an amount of \$1,650,000.00, to an amount not to exceed \$1,800,000.00, Account 101-30000-601170, Purchase Order 3045395
- Attachments:**      [B&D PO 3045395.pdf](#)
- Approved**
- 30      [11-1445](#)      Authority to increase Contract 10-692-11, Utilization and Transportation of Air Dried Biosolids from LASMA and CALSMA, Option C, Group A, (Item 1) to Synagro Central, LLC, in an amount of \$193,550.00, from an amount not to exceed \$386,091.14, to an amount not to exceed \$579,641.14, Account 101-66000-612520, Purchase Order 5001116
- Attachments:**      [10-692-11 pdf.pdf](#)
- Approved**
- 31      [11-1452](#)      Authority to increase Contract 04-201-4F Tollway Dam, Grout Curtain and Quarry Plugs, Thornton Composite Reservoir, Calumet Service Area, to F.H. Paschen, S.N. Nielsen and Associates LLC, and Cabo Construction Corporation, Joint Venture, in an amount of \$437,150.00, from an amount of \$71,015,717.76, to an amount not to exceed \$71,452,867.76, Account 401-50000-645620, Purchase Order 5001105
- Attachments:**      [CO 04-201-4F.pdf](#)
- Approved**

- 32      [11-1454](#)      Authority to increase Contract 07-220-3P Primary Settling Tanks and Grit Removal Facilities, Calumet Water Reclamation Plant, to F.H. Paschen/S.N. Nielsen/IHC Construction Joint Venture, in an amount of \$62,017.03, from an amount of \$232,528,778.17, to an amount not to exceed \$232,590,795.20, Account 401-50000-645650, Purchase Order 5000954

**Attachments:**      [CO 07-220-3P.pdf](#)

**Approved**

- 33      [11-1455](#)      Authority to increase Contract 93-232-2M Hydraulic Improvements at the Calumet Water Reclamation Plant, to IHC Construction/FHP Tectonics, Joint Venture, in an amount of \$31,008.31, from an amount of \$123,707,738.30, to an amount not to exceed \$123,738,746.61, Accounts 401-50000-645650 and 645750, Purchase Order 5000623

**Attachments:**      [CO 92-232-2M.pdf](#)

**Approved**

- 34      [11-1456](#)      Authority to increase Contract 01-353-2M Rehabilitation of the Existing Influent Pumping Station at Kirie Water Reclamation Plant, to Rausch Construction Company, in an amount of \$14,756.01, from an amount of \$21,896,976.38, to an amount not to exceed \$21,911,732.39, Accounts 401-50000-645650 and 645750, Purchase Order 5000394

**Attachments:**      [CO 01-353-2M.pdf](#)

**Approved**

- 35      [11-1458](#)      Authority to increase Contract 01-198-AD Demolition of Sludge Disposal Building and Rehabilitation of Pump and Blower House and Coarse Screen Building at the Stickney Water Reclamation Plant, to IHC Construction Companies, LLC, in an amount of \$15,943.42, from an amount of \$30,903,323.46, to an amount not to exceed \$30,919,266.88, Accounts 101-50000-612680, 401-50000-645680 and 645780, Purchase Order 5000961

**Attachments:**      [CO 01-198-AD.pdf](#)

**Approved**

- 36      [11-1464](#)      Authority to increase 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 \$18,104.52, from an amount of \$22,517,732.03, to an amount not to exceed \$22,535,836.55, Accounts 401-50000-645750 and 645780, Purchase Order 5001198

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

**Approved**



## Engineering Committee

### Report

- 37      [11-1466](#)      Report on change orders authorized and approved by the Director of Engineering during the month of October 2011

Attachments:      [CO October 2011.pdf](#)  
                                 [CO Status.pdf](#)

Published and Filed

## Judiciary Committee

### Authorization

- 38      [11-1442](#)      Authority to enter into a consent decree with the United States and the State of Illinois to settle alleged violations of the Clean Water Act and the District's NPDES Permits

Attachments:      [Draft Consent Decree 4 21 11 Transmittal Letter](#)

Approved

## Labor & Industrial Relations Committee

### Authorization

- 39      [11-1463](#)      Authority to extend until December 1, 2011, the terms of the collective bargaining agreements between the Metropolitan Water Reclamation District of Greater Chicago and 1) SEIU Local 1, Firemen and Oilers Division; 2) the Building Trades Coalition; 3) the Teamsters Local Union 700; 4) the International Brotherhood of Electrical Workers, Local Union No. 9 (Electrical Instrumentation and Testing); 5) the International Brotherhood of Electrical Workers, Local Union No. 9 (Electrical Operations); and 6) the International Union of Operating Engineers, Local Union No. 399

Approved

## Real Estate Development Committee

### Authorization

- 40      [11-1453](#)      Authority to issue a 21-day permit to Lakes & Rivers Contracting, Inc. to access District real estate known as Main Channel Parcel 35.02 located west of Harlem Avenue in Forest View, Illinois to improve the Harlem Avenue Bridge. Consideration shall be a document preparation fee of \$2,500.00

**Attachments:**      [11-17-11 Lakes & Rivers.pdf](#)

**Approved**

- 41      [11-1459](#)      Authority to issue an 18-month permit to F.H. Paschen, S.N. Nielsen & Associates, LLC, on a 1,240 sq. ft. area of District land along with a 150 ft. access route located at the entrance to the District's SEPA Station No. 1, located along the north bank of the Calumet River at Torrence Avenue, in Chicago, Illinois, as a construction staging area. Consideration shall be a document preparation fee of \$2,500.00

**Attachments:**      [11-17-11 F. H. Paschen.pdf](#)

**Approved**

- 42      [11-1461](#)      Authority to issue a 2-year permit to Dunnet Bay Construction on approximately 1.0 acre of District real estate located south of the Main Channel and east of Central Avenue and known as Main Channel Parcel 39.01 for a construction staging area and access along 41st Street, between Central Avenue and Cicero Avenue, in Forest View, Illinois. Consideration shall be an annual fee of \$7,530.00

**Attachments:**      [11-17-11 Dunnet Bay Construction.pdf](#)

**Approved**

## State Legislation & Rules Committee

### Authorization

- 43      [11-1417](#)      Requesting Policy Direction to implement live or on-demand video streaming of the public meetings of the Board of Commissioners (*Deferred from the November 3, 2011 Board Meeting*)(*As Revised*)

**A motion was made by Patricia Horton, seconded by Mariyana T. Spyropoulos, that this Agenda Item be Approved. The motion carried by the following roll call vote:**

**Aye:**    8 -    Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:**    1 -    Kathleen Therese Meany

## Miscellaneous and New Business

**Memorial Resolution**

- 44      [11-1415](#)      MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Emmanuel Whitley Simmons  
  
                 **Adopted**

**Additional Agenda Items**

- 45      [11-1467](#)      Report on advertisement of Request for Proposal 12-RFP-07 GRC and Security Role Redesign Audit and Remediation, estimated cost \$75,000.00, Account 101-40000-601170, Requisition 1333511  
  
                 **Published and Filed**
- 46      [11-1469](#)      Authority to advertise Contract 12-915-11 Services to Repair SCADA and DCS Systems at Various Locations in the Stickney Service Area, estimated cost \$75,000.00, Account 101-69000-612650, Requisition 1330892  
  
                 **Approved**
- 47      [11-1470](#)      MEMORIAL RESOLUTION sponsored by the Board of Commissioners extending sympathy and condolences to the family of Kyle C. Matthews  
  
                 **Adopted**

**Approval of the Consent Agenda with the exception of Items: 18, 43 and 48**

**A motion was made by Mariyana T. Spyropoulos, seconded by Patricia Horton, to Approve the Consent Agenda. The motion carried by the following roll call vote:**

**Aye:** 8 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:** 1 - Kathleen Therese Meany

- 48      [11-1471](#)      MOTION expressing opposition to Senate Bill 02525 pending in the Illinois General Assembly

**A motion was made by Patricia Horton, seconded by Debra Shore, that this Motion be Adopted. The motion carried by the following roll call vote:**

**Aye:** 7 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Terrence J. O'Brien

**Present:** 1 - Mariyana T. Spyropoulos

**Absent:** 1 - Kathleen Therese Meany

## Meeting Summary

### Speakers

*George Blakemore, concerned citizen, voice concerns on various items. (Labor & Industrial Relations Item #39 and State Legislation & Rules Item #43)*

### Summary of Requests

*Ronald M. Hill*

*Mariyana T. Spyropoulos requested that the Law Department consider designating in-house attorneys to handle workmans' compensation cases. (Re: Procurement Item #17)*

*Ken Kits*

*Frank Avila and Debra Shore inquired about design specification. (Re: Procurement Item #21)*

*Denice Korcal*

*Barbara J. McGowan requested a list of the job titles that provide examination study guides.*

### Study Session

*None*

### Announcements

*None*

### Board Letter Submission Dates

**The next regular board meeting is scheduled for December 1, 2011, 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: Noon, November 18, 2011**

**Date Board letters are due to the Executive Director: 1:00 p.m., November 22, 2011**

### Adjournment

**A motion was made by Frank Avila, seconded by Patricia Horton, that when the Board adjourns it adjourns to meet on Thursday, December 1, 2011, 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:** 8 - Michael A. Alvarez, Frank Avila, Patricia Horton, Barbara J. McGowan, Cynthia M. Santos, Debra Shore, Mariyana T. Spyropoulos, Terrence J. O'Brien

**Absent:** 1 - Kathleen Therese Meany

**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 17, 2011, are hereby approved.

**APPROVED:**

/s/ Terrence J. O'Brien

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

November 17, 2011