



Metropolitan Water Reclamation District of Greater Chicago

Errata Correction

100 East Erie Street
Chicago, IL 60611

File Number: 20-0668

File Key: 20-0668

Type: Agenda Item

Status: PC Issue Purchase
Order

Version: 1

Reference:

Controlling Body: Procurement
Committee

File Created Date : 08/17/2020

File Name:

Final Action:

Title label: Issue a purchase order and enter into an agreement with the law firm of Neal & Leroy, LLC, to represent the District in acquiring certain property rights in connection with the construction, operation and maintenance of the Flood Control Project on Midlothian Creek (Contract 14-253-5F) in Robbins, Illinois, in an amount not to exceed \$300,000.00, Account 501-50000-612430, Requisition 1546922 (As Revised)

Notes: ERRATA CORRECTION

At the end of paragraph 7, a sentence is added to read, "Neal & Leroy, LLC is a Minority-owned firm."

Sponsors:

Enactment Date:

Attachments:

Enactment Number:

Contact:

Hearing Date:

Drafter:

Effective Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 20-0668

Issue a purchase order and enter into an agreement with the law firm of Neal & Leroy, LLC, to represent the District in acquiring certain property rights in connection with the construction, operation and maintenance of the Flood Control Project on Midlothian Creek (Contract 14-253-5F) in Robbins, Illinois, in an amount not to exceed \$300,000.00, Account 501-50000-612430, Requisition 1546922 (As Revised)

Dear Sir:

Authorization is requested to issue a purchase order and enter into an agreement with the law firm of Neal & Leroy, LLC, to represent the District in acquiring certain property rights in connection with the construction, operation and maintenance of the Flood Control Project on Midlothian Creek in Robbins,

Illinois, in an amount not to exceed \$300,000.00.

On March 15, 2018, the District adopted Ordinance R18-002 establishing the right-of-way for the construction, operation, and maintenance of the Flood Control Project on Midlothian Creek (Contract 14-253-5F) ("Project"). The Project will reduce flooding along Midlothian Creek within the Village of Robbins by providing flood storage and increasing channel conveyance. This project is expected to provide significant flood relief to the general area and eliminate flooding damage to approximately 92 structures.

The right-of-way for the Project requires the District to acquire in fee simple approximately 14 parcels of land consisting of 22 Property Identification Numbers (PINs) or portions thereof. These properties are mainly vacant with complex ownership, encumbered title, and extensive tax delinquencies. Additionally, the District must acquire permanent and temporary easements over approximately 60 additional properties owned by the Village of Robbins. Close coordination with the Village and other entities is essential; the Cook County Land Bank Authority, for example, holds the back taxes on certain properties in the right-of-way.

Based on the complexity of the ownership of these properties and the high likelihood of multiple condemnation proceedings, it is recommended that an eminent domain attorney be retained to ensure that the acquisitions are handled in accordance with the statutory requirements of the Illinois Eminent Domain Act and that the District obtains clear title to the properties.

The District solicited three (3) law firms possessing the expertise to provide the requested legal services. These services will involve working collaboratively with the District to negotiate offers for the right-of-way properties; and preparing, filing, and prosecuting condemnation actions including rights of entry for environmental testing, as may be necessary.

The firms were interviewed by an evaluation committee comprised of staff from the Engineering, Law, and Procurement and Materials Management Departments. Based on evaluation criteria, including the firm's legal expertise, resources, experience with the relocation process, and cost proposals, a composite evaluation score was calculated from the committee's individual evaluations.

The law firm of Neal & Leroy, LLC, received the highest composite score from the evaluation committee. Neal & Leroy, LLC, is nationally recognized for its experience in real estate law, including condemnation actions, and has extensive expertise representing public bodies in large scale acquisition projects. The firm has agreed to an hourly rate of \$250.00 for legal services. Neal & Leroy, LLC is a minority-owned firm.

As the law firm of Neal & Leroy, LLC, possesses a high degree of professional experience and skill, such action may be taken without advertising in accordance with Section 11.4 of the MWRD Purchasing Act.

Therefore, it is requested that the Director of Procurement and Materials Management be authorized to issue a purchase order and enter into an agreement with the law firm of Neal & Leroy, LLC, to represent the District in acquiring certain property rights in connection with the construction, operation and maintenance of the Flood Control Project on Midlothian Creek in Robbins, Illinois, in an amount not to exceed \$300,000.00.

Funds for the 2020 expenditures in the amount of \$100,000.00 are available in Account 501-50000-612430. The estimated expenditures for 2021 are \$200,000.00. Funds for 2021 expenditures are contingent on the Board of Commissioners' approval of the District's budget for that

year.

Requested, Susan M. Morakalis, General Counsel, STM:EMA:JMP:CN:vp

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 September 3, 2020



Metropolitan Water Reclamation District of Greater Chicago

Errata Correction

100 East Erie Street
Chicago, IL 60611

File Number: 20-0689

File Key: 20-0689

Type: Agenda Item

Status: PC Authority to
Advertise

Version: 1

Reference:

Controlling Body: Procurement
Committee

File Created Date : 08/20/2020

File Name:

Final Action:

Title label: Authority to advertise Contract 14-253-AF Diversion Channel for Flood Control Project on Midlothian Creek in Robbins, CSA, estimated cost between \$7,582,033.00 and \$9,187,250.00, Account 501-50000-645620, Requisition 1547234 (*As Revised*)

Notes: ERRATA CORRECTION

The attachment titled, "Contract 14-253-AF 98% Review and Goals Report" is replaced.

Sponsors:

Enactment Date:

Attachments: Contract 14-253-AF Project View, Contract 14-253-AF
98% Review and Goals Report

Enactment Number:

Contact:

Hearing Date:

Drafter:

Effective Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 20-0689

Authority to advertise Contract 14-253-AF Diversion Channel for Flood Control Project on Midlothian Creek in Robbins, CSA, estimated cost between \$7,582,033.00 and \$9,187,250.00, Account 501-50000-645620, Requisition 1547234 (*As Revised*)

Dear Sir:

Contract documents and specifications have been prepared for Contract 14-253-AF Diversion Channel for Flood Control Project on Midlothian Creek in Robbins, CSA.

The purpose of this contract is to develop and install a diversion channel and culverts to divert flow through the future Robbins Stormwater Park from Midlothian Creek into the Calumet-Sag Channel in Robbins, Illinois. The proposed work includes construction of approximately 1,300 feet of diversion channel, installation of three culverts below the intersection of 135th Street and Claire Boulevard,

replacement of existing stormwater infrastructure, and a new outfall to the Cal-Sag Channel.

It is estimated that 80 jobs will be created or saved as a result of award of this contract, with 21,175 man-hours of skilled trades utilized.

The engineers estimated cost for this contract is between \$7,582,033.00 and \$9,187,250.00. The estimated cost range will be stated in the advertisement for bids.

The bid deposit for this contract is \$367,000.00.

The contract specifications require that all work commence 30 calendar days after approval of the contractor's bond and shall be completed within 540 calendar days after approval of the contractor's bond.

The Multi-Project Labor Agreement (MPLA) will be included in this contract.

The Affirmative Action Ordinance, Revised Appendix D will be included in this contract. The type of work to be performed under the contract is within the "General and Heavy Construction" category for establishing Minority-owned Business Enterprises (MBE), Women-owned Business Enterprises (WBE), Small Business Enterprises (SBE), and Veteran-owned Business Enterprises (VBE) utilization goals. The MBE, WBE, SBE, and VBE utilization goals for this contract are: 20 percent MBE, 10 percent WBE, 10 percent SBE, and 3 percent VBE.

The tentative schedule for this contract is as follows:

Advertise	October 21, 2020
Bid Opening	December 1, 2020
Award	February 18, 2021
Completion	August 11, 2022

Funds are being requested in 2021 in the amount of \$4,175,080.00 and 2022 in the amount of \$3,806,007.00, in account 501-50000-645620, and are contingent on the Board of Commissioners' approval of the District's budget for those years.

In view of the foregoing, it is recommended that the Director of Procurement and Materials Management be authorized to advertise Contract 14-253-AF.

Requested, Catherine A. O'Connor, Director of Engineering, WSS: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 September 3, 2020

Attachments