



Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street
Chicago, IL 60611

Legislation Details (With Text)

File #: 22-1033 **Version:** 1

Type: Agenda Item **Status:** Adopted

File created: 11/8/2022 **In control:** Stormwater Management Committee

On agenda: 11/17/2022 **Final action:** 11/17/2022

Title: Authority to enter into an Intergovernmental Agreement with and make payment to the City of Evanston for the design, construction, operation, and maintenance of the Main Street Improvements Project in Evanston, NSA (21-IGA-06) in an amount not to exceed \$322,500.00, Account 501-50000-612400, Requisition 1561136.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 21-IGA-06 Evanston IGA Exhibit.pdf

Date	Ver.	Action By	Action	Result
11/17/2022	1	Board of Commissioners	Approved	Pass

TRANSMITTAL LETTER FOR BOARD MEETING OF NOVEMBER 17, 2022

COMMITTEE ON STORMWATER MANAGEMENT

Mr. Brian A. Perkovich, Executive Director

Authority to enter into an Intergovernmental Agreement with and make payment to the City of Evanston for the design, construction, operation, and maintenance of the Main Street Improvements Project in Evanston, NSA (21-IGA-06) in an amount not to exceed \$322,500.00, Account 501-50000-612400, Requisition 1561136.

Dear Sir:

Authorization is requested to enter into an Intergovernmental Agreement (IGA) with and make payment to the City of Evanston (City) for the design, construction, operation, and maintenance of the Main Street Improvements Project in Evanston, NSA (21-IGA-06), in an amount not to exceed \$322,500.00.

On December 3, 2020, the Board of Commissioners authorized the District to negotiate IGAs to assist various local municipalities and other governmental organizations with stormwater projects under the Green Infrastructure (GI) Program. Under this project, the City proposes constructing permeable parking lanes using permeable pavers as depicted in the attached exhibit. The project is expected to mitigate flooding in the project area and demonstrate to local residents the benefits of constructing GI. The project will reduce and attenuate stormwater runoff in the vicinity of the project area by providing an estimated 156,964 gallons of stormwater storage for which the District will include in its annual reporting to the United States Environmental Protection Agency for the GI portion of the District's consent decree.

The proposed permeable parking lanes are part of a full corridor improvement project through the Main Street business district in the City, including pavement rehabilitation, sidewalk and curb replacement, lighting and intersection upgrades, drainage improvements, landscaping, streetscaping, and green infrastructure installations. This overall project is partially funded by federal funds through the Illinois Transportation Enhancement Program, and as a result, the project will be bid, awarded, and constructed through the Illinois

Department of Transportation (IDOT), which will oversee contract administration and construction of the overall improvements project with a total estimated cost of \$4,980,559.00. In order to advance the project with IDOT managing its construction using federal funds, IDOT's contracting requirements would need to govern, including their provisions for Disadvantaged Business Enterprise (DBE) participation applied to the entire project. IDOT's tailored DBE participation goal for this project is 18 percent of the overall project, and not just the portion funded by the District. During the negotiations for this IGA, since IDOT's contracting requirements would be governing, the parties agreed on the need to modify our standard IGA language such that if the District determines that good faith efforts were not made by the contractor to reach the DBE goals, then the City may be responsible for repayment of a portion of the District's funds provided by District. In keeping with the Board's request to receive summary reports documenting the attainment of diversity goals across District stormwater partnerships, the City will be required to provide information on the attainment of the DBE utilization for this project, which will be included in the summary report to be submitted to the Board on an annual basis.

The District and City have agreed in principle to the terms of the IGA, which include payment by the District towards construction costs in an amount not to exceed \$322,500.00. The total project cost, including design and permitting, is \$4,980,559.00. A lump-sum payment to the City is expected to occur later this year (2022) in accordance with the joint funding agreement between IDOT and the City. The City has contributed to engineering and other design-related costs of the project, will assume responsibility operation and maintenance of the project, and be solely responsible for any change orders. The IGA contains provisions which allow the District to review the project's design, including the potential application of District biosolids, and perform inspections after construction.

Based on the foregoing, it is requested that the Board of Commissioners grant authority for the District to enter into an IGA with and make payment to the City in an amount not to exceed \$322,500.00. It is further requested that the Chairman of the Committee on Finance, Executive Director, and Clerk be authorized to execute said agreement on behalf of the District, as well as any documents necessary to effectuate the transaction and conveyance, upon approval by the Director of Engineering as to technical matters and by the General Counsel as to form and legality.

Funds are available in Account 501-50000-612400.

Requested, Catherine A. O'Connor, Director of Engineering, KMF:JK

Recommended, Brian A. Perkovich, Executive Director

Disposition of this agenda item will be documented in the official Regular Board Meeting Minutes of the Board of Commissioners for November 17, 2022

Attachment