



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Details (With Text)

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**On agenda:** 7/14/2022      **Final action:** 7/14/2022

**Title:** Issue a purchase order and enter into an agreement with FluidClarity Ltd. for professional engineering services for Contract 14-065-5F Final Design for a Flood Control Project on Central Road from the Des Plaines River to Glenwood Lane, NSA, in an amount not to exceed \$3,007,951.00, Account 501-50000-612450, Requisition 1584022

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Contract 14-065-5F Appendix A Report - Fluid Clarity Ltd

Date	Ver.	Action By	Action	Result
7/14/2022	1	Board of Commissioners	Approved	Pass

### TRANSMITTAL LETTER FOR BOARD MEETING OF JULY 14, 2022

#### COMMITTEE ON PROCUREMENT

Mr. Brian A. Perkovich, Executive Director

Issue a purchase order and enter into an agreement with FluidClarity Ltd. for professional engineering services for Contract 14-065-5F Final Design for a Flood Control Project on Central Road from the Des Plaines River to Glenwood Lane, NSA, in an amount not to exceed \$3,007,951.00, Account 501-50000-612450, Requisition 1584022

Dear Sir:

Authorization is requested to issue a purchase order and enter into an agreement with FluidClarity Ltd. (FluidClarity) for professional engineering services for Contract 14-065-5F Final Design for a Flood Control Project on Central Road from the Des Plaines River to Glenwood Lane, NSA in an amount not to exceed \$3,007,951.00.

On September 19, 2013, the Board of Commissioners granted its approval to assist local communities and agencies with various projects to address flooding problems through the District's Phase II Stormwater Management program. Among the projects approved was a conceptual project submitted by the Illinois Department of Transportation (IDOT), which included an evaluation of potential flood mitigation measures to address flooding on Central Road and adjacent properties from Milwaukee Avenue to Dearlove Road.

On September 4, 2014, the Board of Commissioners authorized the District to enter into an agreement with FluidClarity to perform Preliminary Engineering for a Flood Control Project on Central Road from the Des Plaines River to Greenwood Road. In coordination with IDOT, the Preliminary Engineering phase involved the development and evaluation of potential flood mitigation alternatives as previously stated. FluidClarity has now completed the work for the first phase and recommended the installation of new sewers and a new detention area to address flooding in the project area. The Engineering Department has reviewed the recommended

project and believes that it is economically justified and technically feasible, and local stakeholders, including IDOT and the Northfield Township Road District have provided strong support for this project. Additionally, a letter requesting financial support has been submitted to IDOT for the final design efforts for the agreed upon improvements.

The extensive coordination with IDOT on this project is consistent with the collaborative approach outlined a Memorandum of Understanding (MOU) between the District and IDOT for coordination on various stormwater improvements throughout Cook County. The MOU identified projects that could be approached more effectively, economically, and comprehensively with the District and IDOT cooperating and using their joint efforts and resources, including the Flood Control Project on Central Road between the Des Plaines River and Glenwood Lane. As noted in the March 15, 2018 authorization, further approval by the Board of Commissioners will be sought prior to entering intergovernmental agreements with IDOT to establish roles and obligations of financial and personnel resources for specific projects. Accordingly, intergovernmental agreements with IDOT for the design and construction of the captioned project will be presented to the Board of Commissioners at a future meeting.

FluidClarity was recommended to perform the final design of the captioned project because the firm completed the preliminary engineering for the captioned project and due to the firm's knowledge and experience with stormwater management projects. The Engineering Department stated in the Board Letter authorizing preliminary engineering that an agreement with FluidClarity for Final Design of the Flood Control Project on Central Road from the Des Plaines River to Glenwood Lane would be forthcoming after completion of the Preliminary Engineering Phase.

The proposed project will address known flooding along Central Road that causes structure flooding and inhibits access on Central Road. The project included the construction of a new sewer in Central Road, lateral sewers in the township right-of-way, and a new stormwater detention facility. The proposed improvements will reduce flooding that impacts approximately 114 single and multi-family residential structures as well as several roadways in the project area located in Maine and Northfield Townships. The construction cost estimate for this project is approximately \$20,000,000.00. IDOT previously provided a letter of intent for their cost participation on the construction efforts.

The time allowed for services to be performed under this agreement is 720 days from the date the contract is awarded. There are no provisions in the agreement for extension of time except for such reasonable period as may be agreed upon between parties.

Deliverables to be provided under this agreement include:

- Project Management Reports
- Public Coordination Meetings (Presentations, Documents, and Exhibits)
- Technical Memorandums
- Geotechnical Reports
- Permit Applications
- Detailed Plans and Specifications
- Opinion of Probable Construction Cost
- Bid Phase Services

It is estimated that over 54 persons will be working on the contract at various times with an anticipated total of 14,971 man-hours. The average payroll rate will be approximately \$64.04.

FluidClarity shall be paid an hourly rate based on the direct labor rate in effect for the year the work is performed plus reimbursable direct costs, up to a total amount not to exceed \$3,007,951.00.

Item

Fee

1.	Prime Consultant Fee (MBE/SBE)		
A.	Direct Labor	\$	358,640.67
B.	Overhead and Profit	\$	<u>631,924.83</u>
C.	Total Labor Fee	\$	990,565.50
2.	Reimbursable Direct Costs	\$	55,000.00
3.	PCE Sub-Consultants		
A.	SBE Firms	\$	24,200.00
B.	WBE/SBE Firms	\$	308,396.00
C.	<u>VBE/SBE Firms</u>	\$	<u>78,655.50</u>
D.	Total PCE Sub-Consultants	\$	411,251.50
E.	Total PCE Participation	\$	1,401,817.00
4.	Non PCE Sub-Consultants	\$	1,551,134.00
	Total Fee (Not to Exceed)	\$	3,007,951.00

The firm FluidClarity, Ltd. is a Minority-owned Business Enterprise/Small Business Enterprise (MBE/SBE). The firm Infrastructure Engineering is a Small Business Enterprise (SBE). The firms Terra Engineering, Kabbes Engineering, and Raimonde Drilling are Women-owned Business Enterprises/Small Business Enterprises (WBE/SBE). The firm Orion Engineering is a Veteran-owned Business Enterprise/Small Business Enterprise (VBE/SBE). All MBE/SBE, SBE, WBE/SBE, and VBE/SBE firms will actively participate in providing services for the core elements required by the agreement.

The Diversity Section has reviewed the agreement and has concluded that the MBE/SBE, WBE, and VBE firms are in accordance with the District's Affirmative Action Policy. The agreement shall be subject to the approval of the Law Department as to form and legality.

Inasmuch as the firm of FluidClarity possesses a high degree of professional skill, it is recommended that the Director of Procurement and Materials Management be authorized to issue a purchase order and enter into an agreement without advertising, per Section 11.4 of the Purchasing Act, in an amount not to exceed \$3,007,951.00.

Funds for the 2022 expenditure, in the amount of \$500,000.00, are available in Account 501-50000-612450. The estimated expenditure for 2023 is \$1,000,000.00, 2024 is \$1,000,000.00, and 2025 is \$507,951.00. Funds for the 2023, 2024, and 2025 expenditures are contingent on the Board of Commissioners' approval of the District's budget for those years.

Requested, Catherine A. O'Connor, Director of Engineering, KMF: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 July 14, 2022