



# Metropolitan Water Reclamation District of Greater Chicago

100 East Erie Street  
Chicago, IL 60611

## Legislation Details (With Text)

**File #:** 23-0138 **Version:** 1  
**Type:** Agenda Item **Status:** Adopted  
**File created:** 1/24/2023 **In control:** Procurement Committee  
**On agenda:** 2/2/2023 **Final action:** 2/2/2023  
**Title:** Authority to increase Contract 14-253-AF Diversion Channel for Midlothian Creek in Robbins, to F.H. Paschen, S.N. Nielsen & Associates LLC in an amount of \$980,000.00, from an amount of \$9,539,500.00, to an amount not to exceed \$10,519,500.00, Account 501-50000-645620, Purchase Order 4000089

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Change Order Log - Purchase Order 4000089

Date	Ver.	Action By	Action	Result
2/2/2023	1	Board of Commissioners	Approved	Pass

### TRANSMITTAL LETTER FOR BOARD MEETING OF FEBRUARY 2, 2023

#### COMMITTEE ON PROCUREMENT

Mr. Brian A. Perkovich, Executive Director

Authority to increase Contract 14-253-AF Diversion Channel for Midlothian Creek in Robbins, to F.H. Paschen, S.N. Nielsen & Associates LLC in an amount of \$980,000.00, from an amount of \$9,539,500.00, to an amount not to exceed \$10,519,500.00, Account 501-50000-645620, Purchase Order 4000089

Dear Sir:

On April 21, 2022, the Board of Commissioners authorized the Director of Procurement and Materials Management to award Contract 14-253-AF Diversion Channel for Midlothian Creek in Robbins to F.H. Paschen, S.N. Nielsen & Associates LLC, in an amount not to exceed \$9,543,000.00, plus a five (5) percent allowance for change orders in an amount of \$477,150.00, for a total amount not to exceed \$10,020,150.00. The contract expires on November 28, 2023.

As of January 20, 2023, the attached list of change orders has been approved.

Original Contract Amount	\$9,543,000.00
Date of Board Approval	4/21/2022
Cumulative Change Order (1/20/2023)	(\$3,500.00)
% Change of Original Contract Value	(0.04%)
Current Contract Value	\$9,539,500.00
Requested Increase or Decrease	\$980,000.00
New Contract Value	\$10,519,500.00
% Change of Current Contract Value	10.27%
Total % Change of Original Contract Value	10.23%

During ongoing excavation work in late November 2022, contaminated material including lead-acid battery casing fragments was encountered within the northeast limits of the project site. On December 16, 2022, the District conducted an environmental investigation to quantify and delineate the extent of the contamination for remediation purposes. The testing identified lead-impacted soils in areas where battery casings were visibly present, and assessed the extent of contamination. Based on the findings of this investigation, remediation work outside the original scope of the project is necessary.

On January 23, 2023, the District issued a Change Order (COR-6) proposal to the contractor in an amount not to exceed \$980,000.00, to remediate the contaminated soil and associated waste based on the testing conducted by the District. The proposed scope of work includes the implementation of a site-specific health and safety plan, air monitoring and dust management plan, and excavation, removal, and disposal of the hazardous material at an approved disposal facility. Excavation of the contaminated area will continue until soil samples show that the residential site remediation objective for total lead has been achieved, and after the remediation work is completed, a cleanup summary report will be prepared for review by the Illinois Environmental Protection Agency under their Site Remediation Program. The contractor was further advised that this Change Order is contingent upon approval by the Board of Commissioners.

This change order is in compliance with the Illinois Criminal Code since the change is due to circumstances not reasonably foreseeable at the time the contract was signed and is in the best interest of the District.

It is hereby recommended that the Board of Commissioners authorize the Director of Procurement and Materials Management to execute a change order to increase Contract 14-253-AF in an amount of \$980,000.00 (10.27% of the current contract value), from an amount of \$9,539,500.00, to an amount not to exceed \$10,519,500.00.

Funds are available in Account 501-50000-645620.

Requested, Catherine A. O'Connor, Director of Engineering, KMF:JK  
Recommended, Darlene A. LoCascio, Director of Procurement and Materials Management  
Respectfully Submitted, Marcelino Garcia, 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 February 2, 2023

Attachment