



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

✓ WILLIAM BILLER, Chairman
Governor's Appointment

✓ ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

✓ ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

✓ DR. MARK RESHKIN, Secretary
Governor's Appointment

✓ GEORGE CARLSON
Mayor's of Hammond Appointment

✓ STEVE DAVIS
Dept. of Natural Resources Appointment

✓ R. KENT BURLEY
Lake County Commissioners' Appointment

✓ ROBERT MARSZALEK
Governor's Appointment

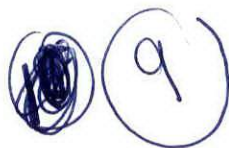
✓ JOHN MROCKOWSKI
Governor's Appointment

✓ CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney



MEETING NOTICE

THERE WILL BE A MEETING OF THE
LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION
AT 6:00 P.M. WEDNESDAY, OCTOBER 4, 2006
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
PORTAGE, IN

ONE-HALF HOUR WORK STUDY SESSION – 5:30 P.M.

AGENDA

1. Call to order by Chairman Bill Biller
2. Pledge of Allegiance
3. Recognition of Visitors and Guests
4. Approval of Minutes of September 6, 2006
5. Action Required:

Finance: Approval of claims for September 2006
Approval of O&M claims for September 2006

Land Acquisition: Any increased offers?
Any condemnations?

Land Management: Action of LAMAR proposal for permanent
easements for 2 current sign locations

6. Chairman's Report

- Flooding in northwest IN – September 13, 2006 storm event
 - Corps of Engineers Report
 - Recovery/Disaster Declaration Status

1-4
5-7
8

*minutes
given by
the committee*

*Dan
Lou
Jim
Sandy
Lorraine*

*+ Bill
Patterson*

*\$8 mil -
1st of July / Aug.*

7. Executive Director's Report

- Commission request to access needed West Reach funds committed in IEDC letter
- Corps request letter for full funding for Burr Street II – Little Cal
- Corps letter transmitting projected non-federal funding needs for FY2008-2009

9
10-11

8. Standing Committees

A. Finance Committee – Report by Treasurer Arlene Colvin

- Financial status report
- Received first request of payment to city of Gary for Burr St. II Gary –
- \$37,379.25 paid on 9/19/06
- Issues for discussion

12
13

B. Land Acquisition/Land Management Committee – Committee Chair Bob Marszalek

- Appraisals, offers, acquisitions
- Status of activity for Stage V-2, VII, and VIII

Land Management

- Status of LAMAR ADVERTISING easement proposals
- Meeting held with LEL to discuss disposal of 32 acres on Clay Street
- Issues for discussion

C. Project Engineering Committee – Committee Chair Bob Huffman

- Met with Corps Buffalo District on September 26 & 27 – They will do Stage VIII engineering
- Report on schedule of project construction
- Issues for discussion

D. Operation & Maintenance – Committee Chair Bob Huffman

- Pump Station turnover status
- Sluice gate & flap gate inspections held on Sept 19-21
- Issues for discussion

E. Environmental Committee – Committee Chair Mark Reshkin

- Scheduling of meeting with John Castrale, US & IDNR Fish & Wildlife; Army Corps; town of Highland; area Audubon members

F. Legislative Committee – Committee Chair George Carlson

- Budget request for \$8 million submitted to State Budget Agency for 2007-09 biennial budget - Follow-up to area officials for support

G. Recreational Development Committee – Committee Chair Bob Huffman

H. Policy Committee – Committee Chair Bob Marszalek

9. Other Issues / New Business

10. Statements to the Board from the Floor

11. Set date for next meeting; adjournment

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, SEPTEMBER 6, 2006
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairman William Biller called the meeting to order at 6:10 p.m. Six (6) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

Development Commissioners:

George Carlson
R. Kent Gurley
Robert Huffman
Robert Marszalek
Steve Davis
William Biller

Visitors:

Elizabeth Johnson – Congressman's Office
Bill Petrites – Highland resident
Imad Samara – Corps of Engineers
Steve Enger – CPWW, Munster resident

Staff:

Dan Gardner
Jim Pokrajac
Sandy Mordus
Lou Casale

The minutes of the August 2, 2006 meeting were approved by a motion from George Carlson; seconded by Bob Huffman; motion passed unanimously.

Action Required – In Treasurer Arlene Colvin's absence, Mr. Gardner referred to page 6 in the agenda packet listing the revised 2006 Operating Budget. The revision reflects the additional \$2 million that was received from the Budget Committee in early June. We received a total of \$3 million with \$1 million already reflected in the budget. A motion to approve the revised budget was made by Bob Marszalek; motion seconded by Steve Davis; motion passed unanimously.

- Mr. Gardner referred to the Financial Statement and presented the claims for August on pages 7 & 8 in the amount of \$133,619.19. A motion to approve the claims was made by Bob Huffman; motion seconded by Steve Davis; motion passed unanimously.

- Mr. Gardner then presented the O&M claims on page 9 for approval in the amount of \$1,408.00. A motion to approve the O&M claims was made by Bob Huffman; motion seconded by Steve Davis; motion passed unanimously.

- Discussion ensued on the budget request we will be making to the State Budget Agency for the 2007/09 biennial budget. The request letter must be submitted by September 15; a work sheet detailing upcoming costs was presented to the Board members for discussion. A previous letter has already been sent to IDNR seeking advice for obtaining access to the additional \$4 million needed to complete for Stage V-2 (\$6 million was committed but we have already received \$2 million). It was estimated that an additional \$7-8 million would be needed to finish out Stage VII and Stage VIII. After discussion, a motion was made by Bob Huffman authorizing staff to submit a budget request for the 2007/09 budget not to exceed \$8 million; motion was seconded by Steve Davis; motion passed unanimously. Mr. Gardner clarified that this \$8 million request does not include the \$4 million already submitted to IDNR. Mr. Gardner added that we are continuing talking to Hammond and Munster about donating

municipal properties for project easements. There is no formal commitment yet. Chairman Biller asked that staff keep an updated list of contributions, including the donations we've received recently from the city of Hammond, Hammond Parks & Rec, Hammond Sanitary District, town of Highland, Highland Parks & Rec. We also anticipate donations from North Township, Cabela's, WHITECO, and Lake County Visitor's Center.

- Land Acquisition/Land Management Committee Chairman Bob Marszalek made a motion to approve an increase offer not to exceed \$100,000 on DC1173; motion seconded by Bob Huffman; motion passed unanimously.
- Mr. Marszalek also made a motion to authorize condemnations on DC813, DC836, and DC1169, if necessary; motion seconded by Bob Huffman; motion passed unanimously.
- Mr. Marszalek presented the proposed agreement with View Outdoor for our approval of six sign locations allowing them to proceed with the permitting process with the city of Gary. All locations are on property that is owned in fee by the Commission. He made a motion to approve the locations for the signs; motion seconded by Kent Gurley; motion passed unanimously. Attorney Casale added that a few minor changes were made; View Outdoor has been very good to work with. Jim Pokrajac added that there are still three other locations to be identified that we own in order to fulfill our original agreement to provide a total of nine locations.
- O&M Committee Chairman Bob Huffman presented a recommendation that the Commission pay for the material cost and a one-year subscription for telemetry for the six pump stations in Gary. Staff feels that by us providing telemetry for these stations, it will improve the coordination for the emergency response operations. It also shows good faith effort that we are working with the city so they can identify a pump station problem immediately. The cost of the telemetry will be \$9,560 and a one-year subscription would be \$930. We will ask Gary to pay for and coordinate the installation. Mr. Huffman made a motion to approve paying for the cost of the telemetry and subscription for a total of \$10,490; motion seconded by Steve Davis; motion passed unanimously. Mr. Gardner added that he had recently talked to Arlene Colvin and she indicated that the Deputy Mayor and city attorney are anxious to proceed forward.

Chairman's Report – Chairman Biller reported on the "Committee of the Whole" meeting held August 29. Many items were discussed, including approved action items, outstanding O&M issues (Jim Pokrajac gave a current status report), coordination with the City to take over the pump stations, Griffith tie-back levee discussion, LAMAR proposal, etc. Discussion was also held on the 32 acre site that we own in Lake Station along Clay Street. LEL has an option on the property but has not done anything with it. We would like to be able to RFP the property to see what interest is out there. Staff's fear is that, if left unattended, it may revert to a wetland, which we do not want. Attorney Casale recommended that we meet with LEL to discuss the issue. Staff will pursue.

Executive Director's Report – Executive Director Dan Gardner gave a brief summary of meetings held. August 9 – meeting was held with the Army Corps, several city of Hammond officials, and Cabela's to discuss the construction schedule and design. Mr. Gardner added that Cabela's have the easement agreements, and are in the process of approving the easement agreements they plan on donating the needed property easements to the Commission. Jim Pokrajac added that a conference call is scheduled for September 7 to allow further discussion of the site design. August 14 – Mr. Gardner reported that he and Chairman Biller met with some of the town of Munster officials and staff to discuss what easements were needed in Munster and if they would consider donating their lands, and assisting in funds for residential acquisitions. These easements are for Stage VII. Discussion was held but no

commitments were made. We have not formally gone to the Munster Town Board for approval of this approach at this time. We will provide the town with updated plan and profile information indicating where the flood walls and earthen construction will be installed. Commissioner Huffman asked if we could request the easement donation from private residents along the river. Mr. Gardner assured him that Judy Vamos, Land Acquisition Agent, always asks residents if they would donate the easements prior to an appraisal being done and an offer being made. August 21 – A meeting was held with the Committee for the Preservation of Wicker Woods, the town of Munster, North Township Trustee's Office, and the Army Corps to continue discussion on the currently proposed design for flood protection along Hart Ditch. The town of Munster has committed to do some landscaping enhancements in this area. The intent of the meeting was to try to come up with a plan where a betterment was not necessary. It was concluded that a mutual agreement had been reached between all parties, of what design option would be used. Since the meeting, Mr. Enger has presented another design concept and requested that an additional meeting be held. August 31 – Mr. Gardner stated that staff continues to receive phone calls from residents in Stage VII and VIII. The LCRBDC and the Army Corps met with a neighborhood group to discuss the project area on Southmoor area east of Hohman Avenue in Hammond. Staff felt that it was a good meeting; many questions were answered; clarifications were provided to give residents an understanding of upcoming construction; it gave the residents an opportunity to really express their concerns. Although no construction is happening in this area at present, it is the last segment of construction slated to be complete by the end of December 2009. Jim Pokrajac added that surveyors are just starting the process to survey the area.

Finance Committee – In Treasurer Arlene Colvin's absence, Mr. Gardner informed the Board members that the State Board of Accounts audit for years 2004 and 2005 has just been completed and there were no findings or comments made. Commissioner Bob Marszalek thanked staff for their role in good bookkeeping.

- Mr. Gardner also reported that we received a request from the Corps for \$1,315,000 to be placed in the escrow account as our 5% local cash contribution. This escrow payment was not anticipated until April 2007 but because the construction contracts are moving along quickly, which is a good thing, more monies are needed now. A letter was sent to Mr. Kyle Hupfer from the IDNR informing him of the situation and requesting help to gain access to the additional \$4 million required due to project acceleration.

Land Acquisition/Land Management Committee – Committee Chairman Bob Marszalek referred to the updated Stage V-2 easement acquisition report distributed to everybody. Mr. Gardner added that Stage V acquisition is almost complete; the few remaining acquisitions may require condemnations, and LCRBDC attorney is trying to avoid these. It was reported we are on schedule.

Project Engineering Committee – Committee Chairman Bob Huffman referred to a letter written to INDOT regarding their costs that were incurred for both Grant Street and Broadway interchanges with I-80/94. We will get credit for those associated costs required as part of the Little Calumet flood control features. We need to pursue receiving INDOT documentation for what those costs are.

- A meeting was held with INDOT on August 31 to discussion pump station coordination near Indianapolis Blvd. in Highland. Jim Pokrajac added that the INDOT project from Ridge Road to 81st Avenue was temporarily put on hold due to lack of state funding for the LCRBDC to proceed with our project in this area. The LCRBDC presented a schedule to them indicating that the funding will be there

and we need to coordinate their schedule with the Corps to get this area completed. Staff will pursue writing a letter to INDOT letting them know that we anticipate our project in this area to be completed by fall of 2008. The LCRBDC and INDOT could then facilitate schedules that would allow completion of both projects in a timely manner.

- It was announced that the LCRBDC; municipalities, utilities, and pipelines have submitted comments on the 50% design level for Stage V-2. All reviewing parties indicated that the review set was incomplete and that another review would need to be done prior to the 100% with a complete set reflecting local concerns and comments. Imad Samara said that rather doing another preliminary review, they will do a 100% but allow a back-check review to ensure all comments are addressed. That way, the municipality will have the opportunity to comment before the final set.

Operation & Maintenance Committee – Committee Chairman Bob Huffman reported that the pump stations inspection was completed on August 22 and 23. The Commission's comments were submitted to the Corps; the city of Gary will submit their comments. Gary has agreed to put together a final punch list. Jim Pokrajac asked Gary to submit their comments to us prior to a Board presentation in order that we could all be on the same page. He added that all six pump stations were functional for flood operations.

- An inspection of the sluice gates and flap gates will be scheduled very soon. We are looking at the middle of September but once a date is confirmed, staff will coordinate. At the time of inspection, it is requested that Gary will sign off on those gates working properly. A punch list will be developed for remaining gates that need some repair. The costs incurred on repairing will be the Commission's.

- Mr. Huffman referred to a letter received from the Army Corps talking about additional inspections of I-walls that will be necessary for O&M. He asked Imad if that means that the project's I-walls will have to be re-built and Imad answered that they would not have to be re-built, only that they will require additional inspections to determine satisfactory structural integrity.

Environmental Committee – In Dr. Reshkin's absence, Mr. Gardner reported that he is continuing to try to schedule a meeting with John Castrale of IDNR Fish and Wildlife to meet with the town of Highland, Army Corps of Engineers, U.S. Fish and Wildlife, and the Audubon Society representatives.

Legislative Committee – Committee Chairman George Carlson introduced the discussion then deferred to Mr. Gardner. A discussion was held on the Commission's letter to Kyle Hupfer, IDNR, for our \$4 million request of additional monies to be made available. We are under \$500,000 for draw-down and, at present, we have offers out that exceed the amount of money we currently have available to us. It is critical to get added money released to keep construction moving.

- Also, staff will develop a letter to the State Budget Agency documenting our need for the additional \$8 million request from the 2007-09 biennial budget.

Recreation Committee – Committee Chairman Bob Huffman referred to the email sent to Imad Samara requesting additional information regarding to the recreational crossing at Cline Avenue. Once received, we will coordinate with Dennis Cobb to get an agreement in place so that when we are ready to construct, there will be no delay.

Policy Committee – There was no report.

Other Issues/New Business – There was none.

Statements from the Floor – There were none.

There being no further business, the next meeting was scheduled for **6:00 p.m. Wednesday, October 4, 2006.**

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

MONTHLY BUDGET REPORT, SEPTEMBER 2006

	2006							UNALLOCATED
	BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	ALLOCATED BUDGETED TOTAL BALANCE
5801 PER DIEM EXPENSES	10,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00 10,000.00
5811 LEGAL EXPENSES	8,500.00	283.33	283.33	283.33	283.33	283.33	283.33	1,699.98 6,800.02
5812 NIRPC SERVICES	130,000.00	11,315.41	11,937.77	12,034.56	12,230.77	11,943.74	11,654.87	71,117.12 58,882.88
5821 TRAVEL/MILEAGE	10,000.00	14.40	32.60	20.80	47.20	31.60	39.60	186.20 9,813.80
5822 PRINTING/ADVERTISING	2,500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00 2,500.00
5823 BONDS/INSURANCE	8,000.00	77.00	0.00	0.00	6,406.20	0.00	0.00	6,483.20 1,516.80
5824 TELEPHONE EXPENSES	5,000.00	418.14	452.56	1,104.19	112.49	895.83	471.70	3,454.91 1,545.09
5825 MEETING EXPENSES	6,000.00	36.00	0.00	104.95	34.24	0.00	72.90	248.09 5,751.91
5840 PROFESSIONAL SERVICES	600,000.00	66,612.24	49,432.37	54,487.56	76,775.39	76,993.17	37,691.33	361,992.06 238,007.94
5860 PROJECT LAND PURCHASE EXP.	836,498.00	20,123.94	15,335.50	24,622.28	14,155.00	59.52	54,050.00	128,346.24 708,151.76
5882 UTILITY RELOCATION EXP.	100,000.00	1,708.00	0.00	138.04	5,983.14	51,010.37	3,631.87	62,471.42 37,528.58
5883 PROJECT LAND CAP. IMPROV.	2,500.00	0.00	0.00	0.00	0.00	0.00		0.00 2,500.00
5884 STRUCTURES CAP. IMPROV.	2,500.00	0.00	0.00	0.00	0.00	0.00		0.00 2,500.00
5892 PROJECT COSTSHARE/ESC ACCT	866,635.00	0.00	0.00	0.00	0.00	0.00		0.00 866,635.00
	2,588,133.00	100,588.46	77,474.13	92,795.71	116,027.76	141,217.56	107,895.60	635,999.22 1,952,133.78

	2006							UNALLOCATED
	BUDGET	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	ALLOCATED BUDGETED TOTAL BALANCE
5801 PER DIEM EXPENSES	10,000.00	3,000.00	0.00	0.00				3,000.00 7,000.00
5811 LEGAL EXPENSES	8,500.00	283.33	283.33	283.33				2,549.97 5,950.03
5812 NIRPC SERVICES	130,000.00	13,671.49	12,384.85	12,308.69				109,482.15 20,517.85
5821 TRAVEL/MILEAGE	10,000.00	552.00	38.40	28.00				804.60 9,195.40
5822 PRINTING/ADVERTISING	2,500.00	0.00	0.00	1,498.10				1,498.10 1,001.90
5823 BONDS/INSURANCE	8,000.00	0.00	250.00	0.00				6,733.20 1,266.80
5824 TELEPHONE EXPENSES	5,000.00	485.11	511.90	479.06				4,930.98 69.02
5825 MEETING EXPENSES	6,000.00	0.00	70.75	50.92				369.76 5,630.24
5840 PROFESSIONAL SERVICES	600,000.00	71,667.51	41,260.19	105,143.65				580,063.41 19,936.59
5860 PROJECT LAND PURCHASE EXP.	836,498.00	7,485.00	78,524.02	40.00				214,395.26 622,102.74
5882 UTILITY RELOCATION EXP.	100,000.00	0.00	295.75	904.33				63,671.50 36,328.50
5883 PROJECT LAND CAP. IMPROV.	2,500.00	0.00	0.00	0.00				0.00 2,500.00
5884 STRUCTURES CAP. IMPROV.	2,500.00	0.00	0.00	0.00				0.00 2,500.00
5892 PROJECTCOSTSHARE/ESC ACCT	866,635.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00 866,635.00
	2,588,133.00	97,144.44	133,619.19	120,736.08	0.00	0.00	0.00	987,498.93 1,600,634.07

CLAIMS PAYABLE FOR SEPTEMBER 2006

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5811	CASALE.WOODWARD & BULS LLP	283.33	MONTHLY RETAINER THROUGH 9/22/06
5812	NIRPC	11,856.29	SERVICES PERFORMED AUGUST 2006
5812	STATE BOARD OF ACCOUNTS	414.00	CHARGE FOR 2004-2005 AUDIT
5812	UPS	21.23	OVERNIGHT MAIL
5812	UPS	17.17	OVERNIGHT MAIL
5821	SANDY MORDUS	28.00	MILEAGE FOR SEPTEMBER 2006
5822	NIRPC	1,498.10	UPGRADES FOR COMPUTERS
5824	AT & T	352.77	BILLING PERIOD 8/14/06-9/13/06(TOTAL BILL 375.5, KRBC 22.73)
5824	VERIZON	126.29	BILLING PERIOD 9/16/06-10/16/06(TOTAL BILL 238.47 KRBC 112.18)
5825	SAND RIDGE BANK	50.92	OFFICE SUPPLIES
5841	PROFESSIONAL APPRAISAL SERVICES LLC	750.00	APPRAISAL FOR DC-1202 A & B
5841	PROFESSIONAL APPRAISAL SERVICES LLC	750.00	APPRAISAL FOR DC-1203
5841	PROFESSIONAL APPRAISAL SERVICES LLC	750.00	APPRAISAL FOR DC-1204
5841	PROFESSIONAL APPRAISAL SERVICES LLC	750.00	APPRAISAL FOR DC-1205
5841	PROFESSIONAL APPRAISAL SERVICES LLC	750.00	APPRAISAL FOR DC-1206
5841	PROFESSIONAL APPRAISAL SERVICES LLC	750.00	APPRAISAL FOR DC-1207
5841	PROFESSIONAL APPRAISAL SERVICES LLC	750.00	APPRAISAL FOR DC-1208
5841	PROFESSIONAL APPRAISAL SERVICES LLC	750.00	APPRAISAL FOR DC-1209
5841	PROFESSIONAL APPRAISAL SERVICES LLC	750.00	APPRAISAL FOR DC-1210
5841	PROFESSIONAL APPRAISAL SERVICES LLC	750.00	APPRAISAL FOR DC-1211
5841	PROFESSIONAL APPRAISAL SERVICES LLC	750.00	APPRAISAL FOR DC-1213
5841	HERITAGE APPRAISAL SERVICE	3,250.00	APPRAISAL FOR DC-1250,1251A-D,1252 & 1253
5841	THE GORMAN GROUP LTD	2,500.00	APPRAISAL FOR DC-1175
5841	THE GORMAN GROUP LTD	2,500.00	APPRAISAL FOR DC-1172
5841	SNELL	3,250.00	APPRAISAL RE: DC-1198
5841	INTEGRA	8,200.00	APPRAISAL RE: DC-1199
5842	R. W. ARMSTRONG	5,423.00	PROFESSIONAL SERVICES RE: SV REVIEW
5842	R. W. ARMSTRONG	382.50	PROFESSIONAL SERVICES RE: SV-II REVIEW
5843	STEWART TITLE SERVICES OF NORTHWEST	100.00	TITLE WORK FOR DC-1103
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1116
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1117
5843	STEWART TITLE SERVICES OF NORTHWEST	405.00	TITLE WORK FOR DC-1368
5843	STEWART TITLE SERVICES OF NORTHWEST	405.00	TITLE WORK FOR DC-1369
5843	STEWART TITLE SERVICES OF NORTHWEST	405.00	TITLE WORK FOR DC-1370
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1371
5843	STEWART TITLE SERVICES OF NORTHWEST	405.00	TITLE WORK FOR DC-1372
5843	STEWART TITLE SERVICES OF NORTHWEST	405.00	TITLE WORK FOR DC-1374
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1375
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1376
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1377
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1378
5843	STEWART TITLE SERVICES OF NORTHWEST	405.00	TITLE WORK FOR DC-1381
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1383
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1384
5843	STEWART TITLE SERVICES OF NORTHWEST	405.00	TITLE WORK FOR DC-1385
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1387
5843	STEWART TITLE SERVICES OF NORTHWEST	405.00	TITLE WORK FOR DC-1388
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1389
5843	STEWART TITLE SERVICES OF NORTHWEST	405.00	TITLE WORK FOR DC-1391
5843	STEWART TITLE SERVICES OF NORTHWEST	405.00	TITLE WORK FOR DC-1392
5843	STEWART TITLE SERVICES OF NORTHWEST	405.00	TITLE WORK FOR DC-1393
5843	STEWART TITLE SERVICES OF NORTHWEST	405.00	TITLE WORK FOR DC-1394
5843	STEWART TITLE SERVICES OF NORTHWEST	405.00	TITLE WORK FOR DC-1395
5843	STEWART TITLE SERVICES OF NORTHWEST	1,220.00	TITLE WORK FOR DC-1198
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1301
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1302
5843	STEWART TITLE SERVICES OF NORTHWEST	690.00	TITLE WORK FOR DC-1303
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1304
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1306
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1307
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1308
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1309
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1311
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1312
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1313
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1314
5843	STEWART TITLE SERVICES OF NORTHWEST	690.00	TITLE WORK FOR DC-1316

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CLAIMS PAYABLE FOR SEPTEMBER 2006 PAGE 2

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5843	STEWART TITLE SERVICES OF NORTHWEST	690.00	TITLE WORK FOR DC-1317
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1319
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1320
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1321
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1322
5843	STEWART TITLE SERVICES OF NORTHWEST	485.00	TITLE WORK FOR DC-1351
5843	STEWART TITLE SERVICES OF NORTHWEST	485.00	TITLE WORK FOR DC-1352
5843	STEWART TITLE SERVICES OF NORTHWEST	485.00	TITLE WORK FOR DC-1353
5843	STEWART TITLE SERVICES OF NORTHWEST	485.00	TITLE WORK FOR DC-1354
5843	STEWART TITLE SERVICES OF NORTHWEST	485.00	TITLE WORK FOR DC-1355
5843	STEWART TITLE SERVICES OF NORTHWEST	485.00	TITLE WORK FOR DC-1356
5843	STEWART TITLE SERVICES OF NORTHWEST	485.00	TITLE WORK FOR DC-1357
5843	STEWART TITLE SERVICES OF NORTHWEST	485.00	TITLE WORK FOR DC-1358
5843	STEWART TITLE SERVICES OF NORTHWEST	485.00	TITLE WORK FOR DC-1359
5843	STEWART TITLE SERVICES OF NORTHWEST	485.00	TITLE WORK FOR DC-1360
5843	STEWART TITLE SERVICES OF NORTHWEST	485.00	TITLE WORK FOR DC-1361
5843	STEWART TITLE SERVICES OF NORTHWEST	485.00	TITLE WORK FOR DC-1362
5843	STEWART TITLE SERVICES OF NORTHWEST	485.00	TITLE WORK FOR DC-1363
5843	STEWART TITLE SERVICES OF NORTHWEST	685.00	TITLE WORK FOR DC-1364
5843	STEWART TITLE SERVICES OF NORTHWEST	875.00	TITLE WORK FOR DC-1364A
5843	STEWART TITLE SERVICES OF NORTHWEST	485.00	TITLE WORK FOR DC-1365
5843	STEWART TITLE SERVICES OF NORTHWEST	685.00	TITLE WORK FOR DC-1366
5843	STEWART TITLE SERVICES OF NORTHWEST	485.00	TITLE WORK FOR DC-1367
5843	STEWART TITLE SERVICES OF NORTHWEST	490.00	TITLE WORK FOR DC-1115
5844	JAMES E POKRAJAC	5,815.45	ENGINEERING SERVICES 8/16/06-8/31/06
5844	JAMES E POKRAJAC	275.60	AUGUST MILEAGE
5844	JAMES E POKRAJAC	5,163.25	ENGINEERING SERVICES 9/1/06-9/15/06
5844	JUDITH VAMOS	3,615.60	LAND ACQUISITION AGENT SERVICES 8/16/06-8/31/06
5844	JUDITH VAMOS	48.40	AUGUST MILEAGE
5844	JUDITH VAMOS	1,965.00	LAND ACQUISITION AGENT SERVICES 9/1/06-9/15/06
5844	G. LORRAINE KRAY	1,230.70	CREDITING TECHNICIAN & LAND ACQUISITION ASSISTANT 8/16/06-8/31/06
5844	SANDY MORDUS	50.00	CREDITING TECHNICIAN SERVICES 8/17/06-8/28/06
5844	SANDY MORDUS	150.00	CREDITING TECHNICIAN SERVICES 9/1/06-9/15/06
5847	DLZ	6,196.38	PROFESSIONAL SERVICES RE: SVII(COLUMBIA & Northcote)
5847	DLZ	3,451.50	PROFESSIONAL SERVICES RE: SVII(COLUMBIA & Northcote)
5847	DLZ	480.00	PROFESSIONAL SERVICES RE: SVII(COLUMBIA & Northcote)
5847	DLZ	2,332.50	PROFESSIONAL SERVICES RE: SVII(COLUMBIA & Northcote)
5849	CASALE.WOODWARD & BULS LLP	9,228.77	LAND ACQUISITION/LEGAL SERVICES FOR PERIOD ENDED 9/22/06
5861	LAKE COUNTY RECORDER	40.00	RECORD EASEMENTS FOR DC-1177
5882	SHORT ELLIOTT HENDRICKSON INC	785.75	PROFESSIONAL SERVICES RE: SV-IIN
5882	NIES	118.58	PROFESSIONAL SERVICES RE: SV-II

TOTAL 120,736.08

7

**APPROVAL TO PAY THE FOLLOWING INVOICES
FROM O&M FUND
October 4, 2006**

-
- **\$7.46 to NIPSCO for costs incurred for elec. & gas at 3120 Gerry Street in Gary**
 - **\$143.82 to B&H Technical Services for repair on map printer**
 - **\$90.64 to B&H Technical Services for paper for map printer**
 - **\$6,038.99 to Austgen Electric for North Burr Street pump station repair work**
 - **\$88.00 to Austgen Electric for North Burr Street pump station repair work**

TOTAL \$ 6,368.91

Balance in O&M account after paying these invoices will be \$33,726.68



DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO IL 60606-7206

September 27, 2006

Planning, Programming and
Project Management Division

Mr. Dan Gardner
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, Indiana 46368

Dear Mr. Gardner:

As you know we have opened bids for the Burr Street Betterment levee on August 31, 2006. The contractor with the low bid is Dyer Construction Company, Inc. and their bid came in at \$3,342,583.20. We were in the process of awarding this contract when we found out that inadvertently a clause that would allow us to fund this contract incrementally was not added to the solicitation. And, for us to award this contract we would need to have all the contributed funds now. Your office did provide funds in the amount of \$300,000 we would like to request the rest of your contributed funds in the amount of \$1,442,583 ASAP so that we can award this contract. If funds are not available we would have to cancel the solicitation and re-bid this contract.

This contract is on the critical path for this project. No property can get out of the floodplain along the Little Calumet River Flood Control Project before this segment of the project is constructed. Part of this project is preloading the ground for six months prior to construction of a concrete structure. If we are successful in awarding this contract very soon the contractor should be able to complete this preloading over the winter and complete the construction over the summer months. In the event we cancel this solicitation and re-bid this contract we may lose the winter months to perform the preloading. This would delay the completion of the construction at this area and delaying the process of getting people out of the flood plain.

I hope you are successful in obtaining the funds for awarding this contract now. This will helping us keep this project on the aggressive schedule that we committed ourselves to with congressman's Visclosky. If funds are not available please let me know ASAP so that we can re-bid the job without additional delays. Please let me know if you have any questions, you can call me at 312-846-5560 or email me at imad.samara@usace.army.mil.

Sincerely Yours

Imad N. Samara
Project Manager



DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO IL 60606-7206

September 25, 2006

Planning, Programming and
Project Management Division

Mr. Dan Gardner
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, Indiana 46368

Dear Mr. Gardner:

This letter will provide the Little Calumet River Basin Development Commission (LCRBDC) the funding needs projections for the Little Calumet River Flood Control Project for fiscal years (FY) 2008 and 2009. Enclosure 1 is a table that shows the project funding breakdown (federal and non-federal) for these two fiscal years. These funding projections are based on completing the ongoing construction contracts of Stage VI-1 South, VI-1 North, VI-2 and Landscaping Contract 2.

These projections also include the award of Burr Street Betterment Levee Phase II and Stage V-2 (including Stage V-3) construction contracts. And continue design work on Stages VIII and VII. The total local funding (non-federal) cash contributions for FY 2008 and FY 2009 are \$1,876,705 and \$1,058,500 respectively.

I hope this information will assist you in your effort on obtaining funds from the state for the project. Please let me know if you have any questions, you can call me at 312-846-5560 or email me at imad.samara@usace.army.mil.

Sincerely Yours

Imad N. Samara
Project Manager

Enclosure

Enclosure 1

25-Sep-06									
CONTRACT	TOTAL CONTRACT COST	FY 06 Fed	10/05-9/06 Non-Fed	FY 09 Fed	10/06-9/09 Non-Fed	Total Per FY	Acquisition Non-Fed	Relocation Cost Non-Fed	
Burr Street 2 (Gary)*	\$2,400,000		\$1,400,000						
Burr Street 2 (LCRBDC)	\$3,300,000		\$300,000						
Pump Station 1A	\$4,900,000								
North 5th Pump Station									
Stage VI-1 S	\$6,733,500	\$2,007,405	\$151,095						
Stage VI-1 N	\$5,567,000	\$1,996,710	\$150,290						
Design/CM/PM Effort		\$805,380	\$60,620	\$651,000	\$49,000	\$700,000			
A/E Contracts	\$100,000	\$0	\$0	\$46,500	\$3,500	\$50,000			
Stage VI-2	\$4,206,000	\$1,999,500	\$150,500						
Stage V-2 & V-3	\$13,699,700			\$1,860,000	\$140,000	\$2,000,000			
Stage VIII	\$9,000,000			\$3,720,000	\$280,000	\$4,000,000			
Stage VII	\$6,176,500			\$4,650,000	\$350,000	\$5,000,000			
Stage III Remediation									
Wetland Mitigation*	\$1,170,000	\$28,500	\$1,500						
Landscaping 2	\$650,000	\$19,000	\$1,000	\$95,000	\$5,000	\$100,000			
Pump Station 2	\$7,705,000			\$2,790,000	\$210,000	\$3,000,000			
Wetland Mitigation (Hobar)	\$1,000,000			\$279,000	\$21,000	\$300,000			
Total		\$6,856,495	\$815,005	\$14,091,500	\$1,056,500	\$15,150,000			

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
FINANCIAL STATEMENT
JANUARY 1, 2006 - AUGUST 31, 2006

CASH POSITION - JANUARY 1, 2006

CHECKING ACCOUNT		
LAND ACQUISITION	149,768.81	
GENERAL FUND	17,675.85	
TAX FUND	0.00	
INVESTMENTS		
SAVINGS	619,699.72	
ESCROW ACCOUNT INTEREST	11,279.31	
	<hr/>	798,423.69

RECEIPTS - JANUARY 1, 2006 - AUGUST 31, 2006

LEASE RENTS	32,040.64	
LEL MONIES (SAVINGS)		
INTEREST INCOME(FROM CHECKING)	854.36	
LAND ACQUISITION	706,564.17	
ESCROW ACCOUNT INTEREST	3,735.84	
MISC. RECEIPTS	10,830.00	
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE	883.39	
TRANSFERRED FROM SAVINGS	405,503.65	
PROCEEDS FROM VOIDED CHECKS		
TOTAL RECEIPTS		1,160,412.05

DISBURSEMENTS - JANUARY 1, 2006 - AUGUST 31, 2006

ADMINISTRATIVE		
2004 EXPENSES PAID IN 2005	120,614.81	
PER DIEM		5,850.00
LEGAL SERVICES		2,266.64
NIRPC		96,089.63
TRAVEL & MILEAGE		1,184.60
PRINTING & ADVERTISING		
BONDS & INSURANCE		6,483.20
TELEPHONE EXPENSE		5,081.67
MEETING EXPENSE		436.10
LAND ACQUISITION		
LEGAL SERVICES		58,691.21
APPRAISAL SERVICES		106,650.00
ENGINEERING SERVICES		84,703.99
LAND PURCHASE CONTRACTUAL		27,514.00
FACILITIES/PROJECT MAINTENANCE SERVICES		
OPERATIONS SERVICES		482.70
LAND MANAGEMENT SERVICES		143,166.05
SURVEYING SERVICES		102,815.82
MISCELLANEOUS EXPENSES		
ECONOMIC/MARKETING SOURCES		
PROPERTY & STRUCTURE COSTS		152,979.88
MOVING ALLOCATION		
TAXES		
PROPERTY & STRUCTURES INSURANCE		
UTILITY RELOCATION SERVICES		13,197.91
LAND CAPITAL IMPROVEMENT		
STRUCTURAL CAPITAL IMPROVEMENTS		
BANK CHARGES MERCANTILE		38.00
PASS THROUGH FOR SAVINGS		140,988.49
PAYBACK TO SAVINGS		133,629.90
TOTAL DISBURSEMENTS		1,082,249.79

CASH POSITION - AUGUST 31, 2006

CHECKING ACCOUNT		
LAND ACQUISITION	176,961.42	
GENERAL FUND	64,909.66	
TAX FUND		
TOTAL FUNDS IN CHECKING ACCOUNT		241,871.08

BANK ONE SAVINGS ACCOUNT BALANCE	643,981.10
(LAND ACQ IN HOUSE PROJECT FUNDS)	508,538.45
(O & M MONIES)	**119,068.74

*Note: Original \$700,000 note

**Note: O & M Fund comprised of remaining LEL Money, \$185,000 Interest Money, and

\$133,721.49 Marina Sand Money

SAVINGS INTEREST 16,373.91

BANK ONE SAVINGS ACCOUNT		632,138.74
BURR ST PHASE II GARY	623,061.00	
INTEREST	9,077.74	
TOTAL SAVINGS		1,276,119.84
ESCROW ACCOUNT INTEREST AVAILABLE		<hr/> 4,220.45

TOTAL OF ALL ACCOUNTS 1,522,211.37

12



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

DR. MARK RESHKIN, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor's of Hammond Appointment

STEVE DAVIS
Dept. of Natural Resources Appointment

R. KENT GURLEY
Lake County Commissioners' Appointment

ROBERT MARSZALEK
Governor's Appointment

JOHN MROCZKOWSKI
Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

September 19, 2006

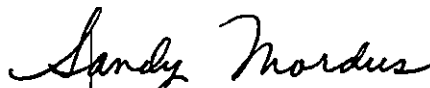
Ms. Gwen Malone
Director
Board of Public Works
City of Gary
401 Broadway, Suite 300
Gary, Indiana 46402-1236

Dear Gwen:

Enclosed please find Check No. 9303 in the amount of \$37,379.25. This is the Commission's 25% cost share of the Burr Street Phase II Gary levee, Application No. 1. This amount reflects the 25% cost share of Superior Invoice No. 06046 in the amount of \$149,517.00.

As instructed, the check is made payable to the City of Gary. If you have any questions, please feel free to call me any time.

Sincerely,


Sandy Mordus
Business Coordinator

/sjm
Encl.

Cc: Arlene Colvin, City of Gary, LCRBDC
Dan Gardner, LCRBDC Executive Director
Lou Casale, LCRBDC attorney

Sandy

WORK STUDY SESSION

October 4, 2006

5:30 – 6:00 p.m.

ACTION ITEMS:

Finance

Approval of claims for September 2006

Approval of O&M claims for September 2006

Land Acquisition

Any increased offers?

Any condemnations?

Land Management

LAMAR ADVERTISING – Action for approval of proposal for permanent easements.

ITEMS OF IMPORTANCE/POLICY:

- September 13, 2006 storm event
- State budget request for \$8 million submitted to State Budget Agency for 2007-09 biennial budget.

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION ATTENDANCE ROSTER

NAME OF MEETING: LCRBDC DATE: October 4

LOCATION: 6100 Southport Rd. CHAIRMAN: Bill Biller

Portage PLEASE SIGN IN

	NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER
1	JAMES N. PETSAS	15 SHORE DR. O'DIN 46368
2	John Sawinski	1146 N Lafayette Griffith Ind. 219 925 1894 >
3	Michelle Quinn	Post Tribune
4	Carolyn Marsh	Sand Ridge Audubon Society
5	Barbara Whitaker	1921 Alta Vista Ave. Heustler
6	Captain Kelsey Lavicka	Army Corps
7	Bill Petrities	Highland
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LAND MANAGEMENT REPORT

For meeting on Wednesday, October 4, 2006

(Information in this report is based upon latest data provided at the time the report is put together. Dates and costs may vary depending upon ongoing design and/or coordination with the Army Corps. Report period is from August 31 – September 27, 2006)

A. Received a request from LAMAR Advertising on June 20, wanting consideration for an easement on the land where they currently have existing License Agreements on two (2) billboards.

- An email was sent on June 29 requesting more detailed information.
- We received a response from LAMAR on July 13, 2006 with (2) letters of intent for existing billboards south of I-80/94 between Chase and Grant.
- They are requesting a perpetual billboard easement for both locations for a total purchase price of \$116,000.
- Currently, LCRBDC receives \$7,270/year combined revenue for the (2) signs.
- **LCRBDC requested a letter of clarification regarding values of signs and possible additional revenues for Cellular installations. We received a response on September 25, 2006.**

B. Chicago Tower Leasing Corporation:

1. Received a proposal with the rental increase, based upon the consumer price index for the last (5) years from Chicago Tower on July 12, 2005
 - Current monthly rental is \$1568/month
2. LCRBDC received a letter from Chicago Tower on July 22, 2005 proposing additional lease space for Verizon Wireless
 - They would require an 11' x 15' space for a diesel generator site to provide emergency backup power in the event of a power outage.
 - A letter was sent to Stan Stann on March 10 requesting pertinent data showing the proposal for our review. After receipt, and approval, LCRBDC will draft an addendum to the current License Agreement.

C. Received a request from ARC Bridges (formerly Lake County Assoc. for the Retarded) on April 13, 2006 requesting interest in our land east of their facilities for future development.

- A letter was sent to them on June 30 indicating, that based upon a decision by our Commissioners at the monthly Board meeting on June 7, that this land will be included as part of our land transfer to Gary. Accordingly, their future request for this land would be through the city.

D. VIEW OUTDOOR BILLBOARDS

- Letter sent to View Outdoor on September 8 forwarding six (6) easement agreements to be co-signed. 2
- A letter was sent to View Outdoor on September 18 with a list of additional properties owned in fee by the LCRBDC. They can select three (3) on this list to complete our agreement to provide nine (9) locations. 3-4
- An email was sent to the Army Corps on September 28 requesting a letter from them stating they have no objection to their installations. 5

LAMAR
Advertising Company

REGULAR OVERNIGHT DELIVERY

September 25, 2006

Mr. Jim Pokrajac, Agent
Land Management/Engineering
Little Calumet River Basin Development Commission
6100 Southport
Portage, IN 46368

RE: Questions relating to the Easement Proposals by Lamar Advertising.
Lease Numbers: 3480 & 3475.

Dear Jim:

As we discussed per our telephone conversation, here are my responses to the following questions:

Why are the values for each structure different? The values of the Easements are determined by sales figures. If the sales figures have been negatively impacted by anything throughout the years, the amount Lamar is willing to pay for an easement will also be negatively impacted. For example, if there is vegetation blocking one of the faces, sales will be negatively impacted by this issue, thereby impacting the value of the structure to Lamar;

Does Lamar plan to deploy cellular antennas at either of these locations? The answer is no. Lamar did investigate this business model, but determined it was cost prohibitive to design and construct billboards to meet the minimum design requirements for cellular antenna deployment. Lamar has since abandoned this idea.

I hope these answer are helpful. Please feel free to contact me if you have any further questions.

Best regards,

LAMAR ADVERTISING, INC.


Jim Perry, Real Estate Manager
CC: File



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

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Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

September 8, 2006

Mr. Pete Schroeder
President
VIEW OUTDOOR ADVERTISING
1000 E. 80th Place
Suite 700N
Merrillville, Indiana 46410

Dear Pete:

At its regular Board meeting of the Little Calumet River Basin Development Commission held on September 6, 2006, it was unanimously voted to enter into six (6) separate license agreements with View Outdoor. These agreements will cover Sign Locations IN-160, IN-161, IN-162, IN-163, IN-164, and IN-165. In the event that the signs are not erected within six months, these agreements become null and void.

Enclosed please find four (4) copies each of the six agreements. Please sign all copies, retain two (2) copies each for your file and please return two (2) copies each to us for our file.

If you have any questions, please feel free to call me at any time. We are happy that we have been able to grant you these sign locations. Please let us know when you are ready to erect the signs.

Sincerely,

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
Encl.

Cc: Lou Casale, LCRBDC attorney



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
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Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

September 18, 2006

Mr. Pete Schroeder
President
VIEW OUTDOOR ADVERTISING
1000 East 80th Place, Suite 700N
Merrillville, Indiana 46410

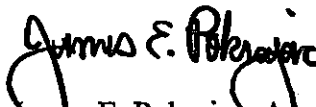
Dear Pete:

We appreciate working with you for the approval of six billboards as part of our previous discussions. These include your Sign numbers 160, 161, 162, 163, 164, and 165, which were signed on September 11, 2006.

In our original conversation, we agreed to provide you with nine locations that you could pursue in getting the necessary permitting for sign installation. We researched properties you had suggested to determine which parcels were owned in fee by the Commission. The attached sheet lists additional locations for your consideration to determine which three would be your choice to follow up with permitting.

Please let us know which of these three you would like to pursue and I will work with View Outdoor Advertising to get separate license agreements for each of these three. If you have any questions regarding his information, need additional information, or would like to meet to discuss this, please let me know.

Sincerely,


James E. Pokrajac, Agent
Land Management/Engineering

/sjm
Attach.
Cc:

Bill Wellman, *Whiteco*
Matt Felder, *View Outdoor*
Arlene Colvin, Bob Marszalek, *LCRBDC*
Lou Casale, Attorney, *LCRBDC*

LIST OF ADDITIONAL LOCATIONS FOR SIGN INSTALLATION

DC-389	Lot 21, Block 11	Liberty Farmettes
DC-404	Lot 13, Block 12	Liberty Farmettes
DC-363	Lot 26, Block 12	Liberty Farmettes
DC-430	Lot 14, Block 12	Liberty Farmettes
DC-570	Lot 19, Block 12	Liberty Farmettes
DC-571	Lot 25, Block 13	Liberty Farmettes
DC-406	Lot 29, Block 9	Liberty Farmettes
DC-407	Lot 32, Block 9	Liberty Farmettes
DC-423	Lot 4, Block 9	
DC-359	Lot 5, Block 9	
DC-424	Lot 6, Block 9	
DC-360	Lot 9, Block 9	
DC-365	Lot 14, Block 9	
DC-405	Lot 15, Block 9	
DC-568	Lot 12, Block 11	
DC-111A	Lot 18	Harrison Street Plat
DC-112	Lot 20	Harrison Street Plat
DC-113B	Lot 21	Harrison Street Plat
DC-113C	Lot 22	Harrison Street Plat
DC-145	Lot 15	Taft Street Plat

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
Cc: "Pete Schroeder" <PSchroeder@ViewOutdoor.com>
Sent: Thursday, September 28, 2006 9:31 AM
Subject: Fw: letter of Approval

Imad,

As you are aware, the commission has agreed to allow View Outdoor to pursue the installation of nine billboards along I-80/94, the revenue, of which, will tremendously help the LCRBDC with current, ongoing, and upcoming O&M expenses. Approximately 8 years ago the army corps sent us a letter stating that there would be no problem with the installation of the 2 billboards South of I-80/94 between Chase and Grant on the river side of our line of protection as long as there were no habitable structures, displacement of calculated water storage in the flowage area, or no future construction that would violate the army corps requirements for a flowage easement. Also, that the cantilevered sign would have a minimum height requirement between the top of the levee and the bottom of their sign.

It appears that Gary will require a similiar letter from the corps in order for them to proceed to get their permits. Could you provide such a letter, and let me know what specifics you would require to provide such a letter. I also realize that things are really busy now, but it would really help the LCRBDC with upcoming O&M issues to move forward with these installations.

Thanks for your help,

Jim

----- Original Message -----

From: Pete Schroeder
To: jpokrajac@nirpc.org ; dgardner@nirpc.org
Sent: Monday, September 25, 2006 1:13 PM
Subject: letter of Approval

Jim,

I have confirmed that the City of Gary is asking for a letter from DNR/Corp of Engineers stating that they are ok with the signs being built. It is in the ordinance that any activity in a flood zone requires that. I guess Craig is just following the rules this time. Anyway as soon as you can get those for me then I can run it over to James Craig and we can proceed.

Again Jim thank you for your help and let me know what I can do to help push this along. Regards

Pete Schroeder
 President
 View Outdoor Advertising
 1000 E 80th Place Ste 700N
 Merrillville, IN 46410
 pschroeder@viewoutdoor.com
 219-680-3309
 219-680-4251 Fax

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9/28/2006

OPERATION AND MAINTENANCE REPORT

For meeting on Wednesday, October 4, 2006

(Information in this report is based upon latest data provided at the time the report is put together. Dates and costs may vary depending upon ongoing design and/or coordination with the Army Corps.

Report period is from August 31 – September 27, 2006)

GENERAL SUMMARIZATION:

1. A meeting was held with the city of Gary, and their new representatives on July 20th, 2006 to familiarize the new administration with our project, explain O&M responsibility to be assumed by Gary, and to determine what they will require for the O&M turnover process. Some of these items include:

1. Six (6) pump station turnover
2. Levee, sluice gate, flap gate turnover
3. Transfer of LCRBDC excess lands
4. Coordination for emergency response

Maps, pump station reports, O&M detail for maintenance breakdown and costs were distributed and discussed. (Copies available upon request.)

- **Mailed handouts of this meeting to Geraldine Tousant (Deputy Mayor), Gwen Malone (Public Works Director), and Luci Horton (GSD Director) on September 6.** /

2. An O&M committee meeting was held on August 29 to review status of turnovers and discuss future coordination.
3. **Submitted (8) copies of the O&M Manual to GSD for distribution on August 31, 2006.** 2

A. OPERATION AND MAINTENANCE BREAKDOWN STATUS

1. Six (6) pump stations will be turned over to Gary. These include Burr Street, Grant, Broadway, and Ironwood. It also includes two (2) lift stations at 32nd & Cleveland and Marshalltown.
2. An inspection of the six (6) pump stations in Gary was held on August 22 and 23, 2006 with the COE, representatives from Gary, and the LCRBDC.
 - Each of the three (3) parties will submit results of the inspection which will include accepted items, items to be put on a punch list, and any questions/clarifications regarding safety or intent of design.
 - **A letter was sent to GSD on September 18 indicating the LCRBDC will provide the material for telemetry and a one year subscription in the amount of \$10,490 based upon Commission approval at our September 6 Board meeting.** 3
 - **LCRBDC received Gary summarization of outstanding items for pump station rehabilitation on September 24 and we, R. W. Armstrong, and Austgen Electric are currently reviewing.** 4

- A final punch list will be comprised by the LCRBDC, and also be facilitated and paid for, to assure the stations are operating in "as-built" condition.
3. A meeting was held with the city of Gary on June 28, 2004, to discuss land transfers, Corps upgrades on lift stations, and Gary Stormwater Management District O&M.
 - Land transfers (approximately 359 acres) were discussed. LCRBDC passed a resolution at the July 7, 2004 Commission meeting to begin process.
 - Survey work for the six (6) pump stations has been completed and was provided to the LCRBDC attorney at the August 2 Board meeting, and will coordinate with the city of Gary attorney to sign an agreement as part of the O&M turnover.
 - **A letter was sent to City of Gary attorney requesting that we proceed with coordination of agreements and what is required for land transfers of LCRBDC properties on September 22, 2006.**
 - Surveys have also been completed for excess lands which include acreage west of Clay Street, south of the NIPSCO R/W, east of I-65, and north of and adjacent to Burns Ditch. This is approx. 196 acres)
 - The other area is between Chase and Grant adjacent to both sides of 35th Avenue. (This is approximately 189 acres)
 - A meeting was held with Debra Harris (United Water – Purchasing/Warehouse Manager) on June 13 to pick up inventory list of "spare parts for pump stations", which were stored on GSD facilities in November 2005.
 - A letter was sent to the GSD Director on August 25 requesting information on how to proceed, and who would sign an agreement to acknowledge the receipt of these materials.
 - **Received a letter from GSD on August 30 acknowledging receipt of spare parts lists and assigning a GSD representative to work with Debra Harris to confirm inventory.**
 4. An O&M coordination meeting was held with the city of Gary and their representatives, the Army Corps, and the LCRBDC on July 20, 2006 to discuss responsibilities and coordination for O&M turnover to the city of Gary.
 - A letter of summarization was sent to attendees after review and comments were completed on August 14, 2006.
 - Copies of attachments distributed to attendees are available upon request.
 5. **Sluice Gates/Flap Gates/Fencing (remain as part of the composite punch list for overall turnover to Gary)**
 - (a) It is the intent to advertise fencing, sluice gates, and flap gates separately (As two separate contracts) from the pump stations and will include lubrication, clean-up, and repair, as noted in inspection reports.
 - (b) **The inspections for sluice gates and flap gates were held with GSD, United Water, Army Corps, and the LCRBDC on September 19-21, 2006.**
 - **Letter to United Water on August 31 agreeing to pay \$1,379 for labor, equipment, and material for (3) day inspection.**

- 8
- A preliminary summarization letter was sent to GSD on September 26, 2006. There are approximately 43 sluice gates in Gary (4 could not be inspected due to high water, 8 did not seal, and 31 were able to seal and were lubricated).
 - 45 flap gates – 21 under water (could not be inspected), 9 were stuck open, and 15 were acceptable and sealed.
7. A levee inspection was held with the COE, LCRBDC, and Gary on April 25, 26, 27, 2006.
 - Received comments from Greeley and Hansen (GSD consultant – Eric Tonk) on May 1, 2006, including a general summarization. (Copies are available upon request).
 - Received letter from the Corps on June 22, 2006 with a summarization and enclosed mapping and color photos. (Copies are available upon request).
 8. A meeting was held on June 30, 2005 at the Griffith Town Hall regarding the Process of Griffith being removed from the flood plain. (Refer to Engineering Report - Griffith levee)
 - LCRBDC contracted out services for Griffith to gather information for levee certification as requested by FEMA. (Lawson-Fisher)
 - An email was sent to Lawson-Fisher on December 27 informing them to proceed with their scope of work at a cost not to exceed \$9,700.
 - > Scope includes determining what is required by FEMA to certify this line of protection.
 - Lawson-Fisher completed their on site levee walk thru/inspection on March 28, 2006
 - > LCRBDC completed their walk-thru on May 3 with Lawson-Fisher to review their list of requirements for levee certification
 9. LCRBDC working on turning over the North 5th Avenue Pump Station to the town of Highland.
 - A final inspection was held with Highland on February 28 (Contractor was Overstreet)
 - > A letter was sent by the Army Corps to Overstreet on March 15, 2006 listing the items remaining to complete the contract.
 - > This letter also summarized their contractual obligations, and a sequence of events to complete the punch list. They demonstrated an unsatisfactory performance on this contract and have failed to complete these items in a timely manner.
 - > Turnover cannot be done until these three remaining punch list items are completed. After they are done, LCRBDC will enter into an agreement (similar to existing agreement for the 81st St. pump station). (Ongoing)
 - > LCRBDC sent an email to the COE on July 31, 2006 requesting “as-built” drawings from the COE. That is the only item remaining for turnover of this station to the town of Highland.

B. EMERGENCY RESPONSE COORDINATION

1. A meeting was held with the COE, LCRBDC, USGS, the National Weather Service, and representatives from all five (5) communities on April 24, 2006.
 - COE requires turnover, and sign-off, by each municipality to assume responsibility for their community to comply with COE plan during a flood, and to submit a plan as part of their overall community emergency response plan.
 - Email was sent on April 24 to the city of Gary, GSD (Spike Peller) to clean out trenches for closure structure installation prior to scheduling the installation practice on 35th Street prior to May 12.
2. A coordination meeting was held in Chicago on May 8, 2006 with the Corps, LCRBDC, and Lake County Emergency Management (Jeff Miller) to update emergency procedures, establish field exercises, and establish new points of contact.
3. It was mutually agreed that the closures throughout the project could be expedited by supplementing 2'x2'x7' concrete blocks, with plastic and sandbags at each location.
 - Received information from the COE in mid-June to determine how many concrete barriers will be needed for each location throughout the project.
 - LCRBDC will coordinate with each municipality to locate these concrete barriers on each individual site.
4. LCRDAN upgrades (river data loggers) in conjunction with the USGS has been agreed upon by the COE to be provided to replace existing outdated units in Crown Point, Hammond, and Gary.
 - A conference call was held on May 24, 2005 with the COE, LCRBDC, USGS, National Weather Service, and the communities to discuss updating current river level monitoring equipment.
 - A summary of this call was distributed by the COE on May 24 (afternoon).
 - COE provided an update of the status on August 24, 2006. (COE anticipates completion by end of September)

C. As part of the turnover process, the COE has been working with the GSD & United Water to remediate a drainage problem at their existing 27th and Chase pump station.

1. Design is ongoing, and the COE anticipates drawings will be ready for review by mid-September.
 - Received a request from Gary about getting prints to review.

D. General Inspections

1. LCRBDC received a letter from Colonel Drolet (current Chicago District Commander) on August 3, 2006 indicating an additional I-wall inspection needs to be conducted in the near future due to a new Federal analysis following Hurricane Katrina.
 - COE tentatively wants to schedule this by mid-September.
2. Cabela's logjam cleared by Cabela's on August 8, 2006.



Little Calumet River Basin Development Commission

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Governor's Appointment

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Governor's Appointment

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Mayor of Gary's Appointment

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Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

TO: Geraldine Toussant, *Deputy Mayor, City of Gary*
Gwen Malone, *Public Works, City of Gary*
Luci Horton, *Director, Gary Sanitary District*

FROM: James E. Pokrajac, *Agent, Land Management/Engineering*

SUBJECT: O&M Turnover Coordination Meeting – July 20, 2006

DATE: September 6, 2006

Enclosed is a copy of the handout that was distributed to all of the attendees at the July 20, 2006 O&M coordination meeting with Mayor Clay and city representatives regarding the turnover of operation and maintenance of the flood control project for the Little Calumet River to the city of Gary.

Included are attachments showing the benefits that will be received by the city of Gary including recreational features, land transfers, and benefits that would allow economic development by having Gary being removed from the floodplain. Also included were attachments regarding the operation and maintenance requirements and what is required to keep Gary out of the floodplain.

If you have any questions regarding any of this material or would like any additional copies, please let me know. We appreciate your cooperation in working with us to accomplish this task.

/sjm
Encl.
cc: Arlene Colvin, *Chief of Staff, LCRBDC*



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CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

August 31, 2006

Ms. Luci Horton
Director
Gary Sanitary District
3600 West 3rd Avenue
Gary, Indiana 46406

Dear Luci:

Enclosed are eight (8) copies each of the overall project Operation and Maintenance Manual and Appendix A (supporting material for the Gary levees) dated February of 2004. As per my directive to coordinate the distribution of these manuals, I am forwarding this to you for distribution to the appropriate representatives for the city of Gary. If you need any additional copies, please let me know and I will forward them to you.

If there are any questions or concerns regarding the material in the manuals, please let me know and we can address this to the Army Corps. If I may be of further assistance, please contact me at any time.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

/sjm
encl.
cc:

Geraldine Toussant, *Deputy Mayor, Gary*
Gwen Malone, *Public Works, Gary*
Arlene Colvin, *Chief of Staff, Gary, LCRBDC*
Dwain Bowie, *United Water*
Jay Niec, *Greeley & Hansen*
Don Smales, *Greeley & Hansen*
Arnie Muzumdar, *North-West Engineering*
Imad Samara, *Project Manager, Army Corps*



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VACANCY
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DAN GARDNER
Executive Director

LOU CASALE
Attorney

September 18, 2006

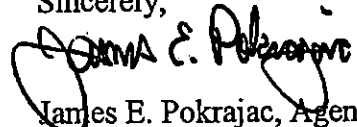
Ms. Luci Horton
Director
Gary Sanitary District
3600 West 3rd Avenue
Gary, Indiana 46406

Subject: Gary Pump Station Telemetry

Dear Luci:

When we had our pump station inspections on August 22 & 23, one of the ongoing issues was for the LCRBDC to provide telemetry for the six pump stations in Gary. I contacted Austgen Electric, who has installed this system in several locations, and has provided me with a cost breakdown for material and labor, as well as data on the equipment. I presented this cost breakdown and telemetry information to our Commissioners at our September 6 Board meeting. The Commissioners concurred that the telemetry system would be beneficial to the project, particularly as part of the emergency response during a flood event. However, the Army Corps has denied any monitoring as part of our project because it would be a betterment. Due to our current budgetary constraints, we felt we would participate with the majority of the cost. The Commissioners approved that the LCRBDC would provide the material (\$9,560) and a one-year subscription for the six stations (\$930) for a total cost of \$10,490. This is contingent upon the Gary Sanitary District providing the installation of this system. The cost for labor (provided Austgen does the work) is optional. If the District decides to do this with their own personnel, that is also an option. If you approve to provide the labor for installation, please give me your written approval and I will proceed with the coordination to purchase the material, as well as the arrangement for a one year subscription for these stations. If you have any questions, please feel free to call me any time. I have enclosed Austgen's cost estimate as well as the data for installing the "Instruwatch Remote Monitor".

Sincerely,



James E. Pokrajac, Agent
Engineering/Land Management

/sjm
Encl.
cc:

Geraldine Tousant, *Deputy Mayor of Gary*
Gwen Malone, *City of Gary Public Works*
Dwain Bowie, *United Water*
Greg Ciaccio, *United Water*
Don Smales, *Greeley & Hansen*
Mike Austgen, *Austgen Electric*

3



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VACANCY
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DAN GARDNER
Executive Director

LOU CASALE
Attorney

TO: Phil Gralik, *R. W. Armstrong Company*
Mike Austgen, *Austgen Electric Inc.*
William Biller, Arlene Colvin, Lou Casale

FROM: Jim Pokrajac, Agent, Engineering/Land Management

SUBJECT: Transmittal of Greeley & Hansen letter regarding O&M turnover coordination

DATE: September 25, 2006

Enclosed is a copy of a letter dated September 19, 2006 from Greeley & Hansen with information regarding the results of the six (6) pump station inspections held on August 22 and 23, 2006. The LCRBDC, Austgen Electric, and R. W. Armstrong are currently reviewing this summarization to determine a final punch list that the Commission will assume the responsibility to remediate. The letter also notes that several other items need to be completed prior to the final sign-off for Gary acceptance of the flood control/recreation project operation and maintenance. The LCRBDC is currently working on completing these items with the city of Gary.

/sjm
Encl.

ATTORNEYS AT LAW

CASALE, WOODWARD & BULS, LLP

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CAROL E. BERWANGER
PAMELA R. MILLER
KAREN SHANAHAN
MICHELLE L. POLING
FINANCIAL COORDINATOR
CHRISTY DUERR

September 22, 2006

City of Gary Law Department
401 Broadway 4th Floor
Gary, IN 46402
Attn: Hamilton Carmouche

Re: Little Calumet River Basin Development Commission Pump Stations

Dear Hamilton,

This letter is a follow up to our recent meeting at the City of Gary regarding turnover of pump stations by the Little Calumet River Basin Development Commission to the City of Gary. I have left several phone messages regarding this matter in hopes that we could discuss the information I left with you at the meeting, which includes proposed resolutions and agreements pertaining to the pump stations operation and maintenance and turnover. It is my hope that we can resolve differences regarding the legal matters pertaining to this turnover so that we can expeditiously accomplish same. As we discussed at said meeting, the pump stations will be in need of operation and maintenance. Lack of proper operation and maintenance could cause a catastrophe during a flood event. For this reason it is essential that we address these matters as quickly as possible.

I await hearing from you in the near future regarding this matter.

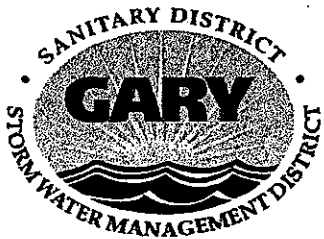
Sincerely,

CASALE, WOODWARD & BULS, LLP


Louis M. Casale

LMC/lbg

cc: Dan Gardner



Mayor Rudolph Clay

**Mayor Rudolph Clay
Special Administrator**

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3600 West 3rd Avenue
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219-944-0250 fax

Main Office
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219-944-0250 fax

Customer Service
839 Broadway
Gary, Indiana 46402
219-883-1027 phone
219-883-1029 fax

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Member**

August 30, 2006

**James E. Pokrajac, Agent
Engineering/Land Management
Little Calumet River Basin Development Commission
6100 Southport Road
Portage, Indiana 46368**

Re: Material Lists for Spare Parts – LCRBDC Pump Stations

Dear Mr. Pokrajac:

This is to acknowledge receipt of a copy of several material lists for spare parts for the pump stations for the Little Calumet River flood control project.

In this regard, Hamilton L. Carmouche, Gary Sanitary District Attorney, has prescribed the following procedure with respect to acknowledgement of receipt of the items on the lists: A GSD staff person will work with Debra Harris to inventory and verify that the items on the lists have been received. Upon completion, the District Director will sign the acknowledgement of receipt.

Mr. Carmouche has advised that he will be working with Lou Casale in regard to the agreement pertaining to the City's acceptance of responsibility for the O&M of the six pump stations. He stated that at this time, he is of the opinion that the agreement should be executed by the Board of Public Works and Safety.

Sincerely,

Luci L. Horton
**Luci L. Horton
Interim Director**

C. Deputy Mayor Geraldine B. Tousant

Dwain Bowie, General Project Manager, United Water

GSD Board of Commissioners

Hamilton L. Carmouche, GSD Attorney

Don Smales, Greeley and Hansen

GSD Staff

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VACANCY
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DAN GARDNER
Executive Director

LOU CASALE
Attorney

August 31, 2006

Mr. Dwain Bowie
United Water Services Indiana
3600 West Third Avenue
Gary, Indiana 46406

Dear Dwain:

I received your work sheet (cost estimate) for United Water to provide two staff members, a vehicle, and generator for three days to exercise and lubricate the sluice gates. After reviewing these costs, we concur that the total amount to be paid to United Water will be in the amount of \$1,379 and is fair and reasonable. I will be working with you in the near future to establish what dates will be good for not only yourselves and the LCRBDC, but for the Army Corps as well. It is also our intention to do visual inspections of the flap gates at each location.

I had previously provided a map showing the location of the sluice gates throughout Gary. It is not our intent to use your personnel to test any of the sluice gates in Griffith. I will coordinate with them separately. I would also like for the city of Gary (United Water) to have an authorized representative sign off on each of the sluice gates as we complete each inspection and after the lubrication, if found to be operable. Upon completion of the overall inspection, we will comprise a final punch list and the LCRBDC will assume the responsibility to assure that these sluice gates or flap gates are operating and seal as designed. If you have any questions, please feel free to contact me. I will be contacting you soon.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

/s/jm

Cc: Geraldine Toussant, Deputy Mayor, City of Gary
Gwen Malone, City of Gary
Luci Horton, Gary Sanitary District
Don Smales, Greeley & Hansen
Imad Samara, Bill Rochford, Shamel Abou-El-Seoud, Army Corps
Lou Casale, LCRBDC attorney



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Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

Ms. Luci Horton
Director
Gary Sanitary District
3600 West 3rd Avenue
Gary, Indiana 46406

Dear Luci:

September 26, 2006

Re: Sluice Gate Inspections

The LCRBDC would like to thank you for helping us to facilitate the sluice gate inspections in Gary on September 19, 20, and 21, 2006. We would also like to thank you and Commissioner Currie for participating with us in the field. It appears that of the 43 sluice gates in Gary, that 4 of them could not be inspected due to high water levels, that approximately 8 sluice gates were found to not be able to seal and that the other 31 were acceptable (includes that the sluice gates sealed and were lubricated). Of the 45 flap gates, approximately 21 were under water and were not able to be observed, 9 appeared to be stuck in the open position and will need to be cleaned out, and approximately 15 were acceptable and appeared to seal. Please note that the listed figures were taken from general field notes and are approximate figures. On September 22, I had a meeting with Eric Tonk from Greeley & Hansen and David Hughes from United Water, whereby we exchanged notes and information from the three previous day inspections. We are currently in the process of providing a final, formal submittal with the results of these inspections. I would also like to thank Dave Hughes, Lawrence Girder, and Guadalupe Guerra for helping us to complete these inspections.

With the high level of the river, we will have to re-schedule at least one (1) additional day to complete the observation of the remaining flap gates and sluice gates when the river level goes down. I will send you a letter to help me facilitate the services of United Water to complete the remainder of this inspection. Upon completion of our final report, I will also coordinate the assurance that the sluice gates and flap gates will seal. If you have any questions regarding this preliminary information, please let me know.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

Cc: Dwain Bowie, Don Smales, Eric Tonk, *Greeley & Hansen*
Dave Hughes, Greg Ciaccio, *United Water*
Shamel Abou-El-Seoud, Bill Rochford, Rick Ackerson,
Imad Samara, Bob Sezonov, *Corps of Engineers*
Lou Casale, *LCRBDC attorney*

8

PROJECT ENGINEERING MONTHLY STATUS REPORT

For meeting on Wednesday, October 4, 2006

**(Information in this report is based upon latest data provided at the time the report is put together. Dates and costs may vary depending upon ongoing design and/or coordination with the Army Corps)
Report period is from August 31 – September 27, 2006)**

COMPLETED CONSTRUCTION

STATUS (Stage II Phase 1) Harrison to Broadway – North Levee:

1. Project completed on July 10th, 1992.
Dyer Construction – Contract price: \$365,524

STATUS (Stage II Phase II) Grant to Harrison – North Levee:

1. Project completed on December 1st, 1993
Dyer/Ellas Construction – Contract price: \$1,220,386

STATUS (Stage II Phase 3A) Georgia to Martin Luther King – South Levee:

1. Project completed on January 13th, 1995
Ramirez & Marsch Construction – Contract price: \$2,275,023

STATUS (Stage II Phase 3B) Harrison to Georgia – South Levee:

1. Project completed in September, 1998.
Rausch Construction – Contract price: \$3,288,102
2. Received a letter from Northwest Engineering on behalf of the City of Gary, questioning the sizing and hydrology information for the Broadway Pump Station (completed in 1998 as part of this contract).

STATUS (Stage II Phase 3C2) Grant to Harrison: (8A contract)

1. Project completed in December, 1998.
WEBB Construction – Contract price: \$3,915,178

STATUS (Stage II Phase 4) Broadway to MLK Drive – North Levee:

1. Project completed on January 6, 2003.
 - Rausch Construction Company – Contract price: \$4,186,070.75

STATUS (Stage III) Chase to Grant Street:

1. Project completed on May 6th, 1994
Kiewit Construction – Contract price: \$6,564,520

Landscaping Contract – Phase I (This contract includes all completed levee segments) installing, planting zones, seeding, and landscaping):

1. Project completed June 11, 1999
Dyer Construction – Final contract cost: \$1,292,066

STATUS (Stage IV Phase 2B) Clark to Chase:

1. Project completed on October 2, 2002.
 - Dyer Construction Company, Inc. - Contract price: \$1,948,053

STATUS (Stage IV Phase 1 – South) EJ&E Railroad to Burr St., South of the Norfolk Southern RR.):

1. Project completed in November, 2004.
Dyer Construction – Contract price: \$4,285,345

STATUS (Stage IV Phase 1 – North) Cline to Burr (North of the Norfolk Southern RR:

1. IV-1 (North) The drainage system from Colfax to Burr St. North of the Norfolk Southern RR.
 - Current contract amount - \$2,956,964.61
 - Original contract amount - \$2,708,720.00
 - Amount overrun - \$248,244.60 (9%)
2. The only item needed to be completed is to assure turf growth in all areas.
 - Current plantings are for erosion control that will give way to native grasses. Native grasses weren't planned on this contract, but will be needed to be included in an upcoming contract.
 - LCRBDC has a concern with sloughing in the concrete ditch bottom between Colfax and Calhoun.
 - We received a response from the Corps on January 7, 2003, addressing vegetation.
 - Currently, the entire concrete ditch bottom is filled with silt and dirt and has cattails growing. LCRBDC got a cost to clean the concrete bottom of the drainage ditch on August 18 during dry conditions in the amount of \$8,200; and wet conditions in the amount of \$11,640.

A letter will be sent to the COE requesting their participation for a design modification to prevent this sloughing from re-occurring.

STATUS (Stage IV Phase 2A) Burr to Clark – Lake Etta:

1. Project completed in November, 1998.
Dyer Construction – Contract price: \$3,329,464

STATUS (Betterment Levee – Phase 1) EJ & E RR to, and including Colfax – North of the NIPSCO R/W (Drainage from Arbogast to Colfax, South of NIPSCO R/W):

1. Project completed in July, 2001.
Dyer Construction. – Contract price: \$2,228,652

STATUS (Stage V Phase 1) Wicker Park Manor:

1. Project completed on September 14, 1995.
Dyer construction – Contract price: \$998,630

East Reach Remediation Area – North of I-80/94, MLK to I-65

1. Project cost information
 - Current contract amount - \$1,873,784.68
 - Original contract amount - \$1,657,913.00
 - Amount overrun - \$215,971 (13%)

The lift station at the Southwest corner of the existing levee that will handle interior drainage has been completed as part of the Stage III remediation project. (See Stage III remediation in this

report for details.) Pump station final inspection with the contractor was held on June 23, 2005, and was found to be satisfactory.

2. This pump station is in the process of being turned over to the city of Gary for O&M responsibility.

- A follow-up inspection was held with the COE and Greeley & Hansen on August 22 and 23 of 2006. Both stations were found to be satisfactory as per COE plans and specs.

West Reach Pump Stations – Phase 1B:

1. The two (2) pump stations included in this contract are S.E. Hessville (Hammond), and 81st St. (Highland). Overall contract work is completed.
2. Project completed in September 2001.
Thieneman Construction – Contract price: \$2,120,730

North Fifth Avenue Pump Station:

1. The low bidder was Overstreet Construction
 - Current contract amount - \$2,501,776
 - Original contract amount- \$2,387,500
 - Amount overrun - \$114,276 (4.8%)
 - Project is currently 99% completed
2. LCRBDC received a copy of the pre-inspection punch list from Highland on February 2, 2004. (Dated January 29, 2004.)
3. Minor items remain to be completed.
4. A final inspection was held with the COE, town of Highland, and the LCRBDC on February 28, 2006 as part of the O&M turnover.
 - A letter was sent by the Army Corps to Overstreet on March 15, 2006 listing the items remaining to complete the contract.
 - This letter also summarized their contractual obligations, and a sequence of events to complete the punch list. They demonstrated an unsatisfactory performance on this contract and have failed to complete these items in a timely manner.
5. **Can turn over to Highland upon receipt of “as-built” drawings from Corps (Ongoing)**

STAGE III Drainage Remediation:

1. Project completed on June 23, 2005.
 - A. Dyer Construction – Contractor
 - B. Final Inspection – June 23, 2005
 - Received partial O&M manuals and spare parts from the COE on July 13, 2005; received remainder of manuals & spare parts on August 23.
 - Received as-built drawings from the COE on December 23, 2005. (This is the last item that was needed to turn over the (2) pump stations to Gary for O&M responsibility)
 - Agreement for O&M turnover to Gary is being finalized (Ongoing) (Refer to O&M Report for details) **These (2) stations will be included with the other (4) Gary stations in one process.**
 - C. Project money status:
 - Original contract estimate - \$1,695,822
 - Original contract amount - \$1,231,845
 - Current contract amount - \$1,625,057
 - Amount overrun - \$70,765 (4%)

ONGOING CONSTRUCTION

Landscaping Contract – Phase II (This contract includes all completed levee segments in the East Reach not landscaped):

1. Contract award date – June 30, 2004
2. Notice to proceed – July 29, 2004 (430 days to complete)
3. Bids were opened on June 30 and the low bidder was ECO SYSTEMS, INC.
 - 104 acres included in bid – 100 to be herbicided, remaining 4 acres are ditches.
4. A walk-thru inspection was held with the COE and the contractor on October 25, 2005.
 - Scope of work – Approximately ½ of East Reach to plant trees, **herbiciding has been completed**, clean up growth in collector ditches, plant new native grasses on levees.
5. C&H Mowing was given the contract to mow approximately ½ of the existing Gary levees to allow for herbicide treatment. **These segments have had herbicide treatment.**
 - Mowing these segments was completed June 28. Remainder of levee mowing was done by LCRBDC as part of our current O&M responsibilities.
6. Monthly Construction Status Report from COE (Refer to Handout)

STATUS (Betterment Levee – Phase 2 – Gary) Colfax to Burr St.

1. This portion of construction was advertised, partially paid for, and coordinated by the City of Gary. The Army Corps is **overseeing** the design and construction to assure compliance with Federal specifications.
 - The Memorandum of Agreement was signed by Gary on December 21, 2005 (Board of public Works), and Gary Stormwater Management Group on December 13, 2005.
2. Bid opening was held at the Board of Public Works meeting on January 18, 2006.
 - The low bidder is Superior Construction with a bid of \$2,492,245.00
 - The Gary Board of Public Works signed the “Notice of Award of Bid” at their February 1, 2006 Board of Public Works meeting.
 - A letter was sent to the GSD by their engineering consultant (Greeley & Hansen) on March 27, 2006 indicating the low bid by Superior was reduced by \$190,727 through negotiations, and is currently \$2,301,518. It included the cost breakdown of all funding to complete this project for Gary & LCRBDC
3. **A monthly construction coordination meeting was held on September 21, 2006 with the City of Gary, the COE, and Superior Construction (see minutes of meeting for current project information).**

STATUS (Betterment Levee – Phase 2 - LCRBDC) North of the NSRR, East of Burr St., and ½ mile East, back South over RR approx. 1400

1. This portion of construction was advertised, coordinated, and facilitated by the Corps and LCRBDC as a betterment levee.
2. A letter of authorization was sent to NIPSCO on June 12 allowing NIPSCO to excavate and expose welded joints on their pipes along our line of sheet piling to determine utility re-locate costs for pipe reinforcement.
3. **A follow-up was sent to GSD on September 28 requesting they coordinate the cleaning of a culvert under the NSRR, west of Clark, to drain down an isolated area where we will be doing levee construction.**

STATUS (Stage V Phase 2) Kennedy Avenue to Northcote

1. UTILITY CORRIDOR COORDINATION

A. Buckeye Partners:

- Received comments from Buckeye Partners regarding pipeline impacts due to our construction on November 4, 2005, and submitted them to the Corps, to **include in their 50% submittal**, on November 9, 2005.

B. NIPSCO

- NIPSCO pipeline corridor east of the Norfolk Southern Railway Company, west of Kennedy Avenue. (LCRBDC received conceptual drawings from the Corps on May 11, 2005)
- Letters have been sent to all of the pipeline companies requesting their comments, engineering review, easement agreement with NIPSCO, and cost information.
- Supplemental follow-up letters were sent to pipelines that had not yet responded on January 19, 2006 (Marathon, B.P. Amoco, and Explorer)
- With the engineering for plans and specs to re-start it is the intent to gather all information from the pipeline companies and forward it to the COE as they come in, in order to incorporate this data and their design concerns, into the plans.
- A utility coordination meeting was held with all the pipeline companies on June 27, 2006 to review engineering concerns, answer questions, and discuss scheduling.
- **Pipelines were given the 50% plans and specs for review and comment on July 6, 2006. This set did not provide adequate design information and LCRBDC needs additional information to get cost and design information.**

2. LCRBDC discussed the possibility of modifying design west of the NSRR by using the "sheet pile & bridging" technique to eliminate the \$450,000 directional bores for (2) 8" Conoco Phillips Pipeline company lines.

- Conoco Phillips Pipe Line submitted information regarding 10-year old information from Stanley Consultants on May 9, 2006 requesting clarification.
- LCRBDC responded on May 15 clarifying current design, funding, and scheduling.
- **Conoco Phillips provided cost information to provide engineering review in the amount of \$57,000. They have provided previous estimates, field visits, and design reviews at no charge to the project.**

2-3

3. The Army Corps responded to concerns expressed by the "Committee for the Preservation of Wicker Woods" (Steve Enger) on May 2, 2006.

- A coordination meeting was held at the Wicker Park Social Center on August 21, 2006 with the CPWW, North Township, Town of Munster, and the LCRBDC to discuss current review, engineering status, and answer questions.
- A preliminary memorandum was submitted for review by the COE on August 21.

4. The Army Corps **has contracted** out a firm that **is doing** the design for the railroad closures north and south of the river, west of Kennedy Avenue, on the NSRR, as part of the V-2 construction.

- Onsite visit was held with the Corps, LCRBDC, and the contractor on June 21 (this was a pre-contract site visit).
- A scope of work has been comprised by the Corps with A/E responsibilities.

5. The 50% plans and specifications were submitted for review and comments on July 6th, 2006, with a review due date of July 28th, 2006.

- On August 2, LCRBDC requested another review prior to the 100% to allow all reviewers a chance to review a complete set of drawings.

6. A meeting was held with INDOT, Army Corps, and LCRBDC on August 31, 2006 to discuss COE design and project scheduling and funding in the area west of Indianapolis Blvd. and how it will impact their pump station design near the Tri-State bus terminal.
 - **Letter to INDOT on September 7 indicating our funding is in place and our construction schedule.**
 - **LCRBDC received an email from INDOT on September 21 indicating that their schedule is to let their contract in the fall of 2007**

4
5

STATUS Stage VI-1 (South) South of the river – Kennedy to Liabe

1. Illinois Constructors Corporation was awarded the contract on September 30, 2004.
 - COE estimate (without profit) - \$6,141,815.00
 - Low bid (awarded amount) - \$6,503,093.70 (Awarded September 30, 2004)(6% over estimate)
 - Current contract amount \$7,378,033 (13% over estimate)
 - 700 days to complete from contractor receiving his "Notice to Proceed" (November 4, 2004) Date is currently March 4, 2007.
2. Monthly Construction Status Report from the COE (Refer to Handout).
3. A **monthly progress meeting** was held on **September 26, 2006** with the COE and Illinois Constructors. (Copy of total report available upon request)

STATUS (Stage VI – Phase 1-North) Cline to Kennedy – North of the river

1. The bid results for this project were posted on August 24, 2005 and the low bidder is the Illinois Constructors Corporation.
 - The bid amount is \$5,566,871, and the Army Corps estimate (without profit) is \$6,525,253. (Official award was September 30, 2005)
 - The bid is \$958,382 (or 14.7%) under the Federal estimate
 - **\$912,464 under Federal estimate (or 13.9%)**
 - **Received Modification #1 to the contract increasing the contract cost by \$45,918 for additional geotec fabric under riprap on September 14, 2006.**
 - **Received Modification #5 to the contract on September 12, 2006 requesting an additional \$500,000 be made available for funding.**
2. Coordination with the Lake County Highway Dept., LCRBDC, and the Army Corps will be required for the upcoming construction by the county for their bridge and our construction on and adjacent to Kennedy Ave.
 - **The Army Corps has indicated that they will provide their own design and construct (2) independent walkways under a separate contract. They have also been reminded to assure concrete closure slabs with the Lake County contract in order to close Kennedy Avenue only once.**
3. Monthly Construction Status Report from the COE (Refer to Handout)
4. A **monthly construction progress meeting** was held on **September 26, 2006** (copy of report available upon request).

6-9
10-12

STATUS (Stage VI – Phase 2) Liabe to Cline – South of the river:

1. Dyer Construction was awarded the contract on July 29, 2005.
 - Corps estimate (without profit) - \$5,720,757
 - Low bid (awarded amount) - \$4,205,645 (approx. 26% under Corps estimate)
 - 540 days to complete from contractor receiving his "Notice to Proceed" (August 11, 2005)
 - Current construction completion date – February 2, 2007

2. Project Description

- Construct a levee protection system consisting of 8,250 lineal feet of earthen levee, 1,600 lineal feet of steel sheet pile floodwall, (3) gatewell structures, culverts & sewer appurtenances, and miscellaneous tree planting and seeding.
3. **Received Modification to Contract #4 on September 12 reserving \$2,925,000 for the contract and is available for funding.** 13-15
4. Monthly Construction Status Report from the COE (Refer to Handout)

STATUS (Stage VII) Northcote to Columbia:

1. The final contract with Earth Tech to do the A/E work for this stage/phase of construction was signed and submitted by the COE on December 21st, 1999.
2. The schedule shows a June, 2008 contract award and a July, 2009 Completion.
3. All survey work on both sides of the river has been completed.

STATUS (Stage VIII) Columbia to the Illinois State Line):

1. The COE has provided final real estate plans for review on March 23.
 - LCRBDC made comments and concerns on April 19, 2006.
2. Survey work is **ongoing** and LCRBDC has divided work between DLZ, GLE, and Torrenga Engineering. (Refer to Stage VIII – Land Acq. Report.)
3. **The Chicago Corps indicated to the LCRBDC on September 11 that their Buffalo District will be doing the engineering and specs for Stage VIII.** 16
 - **An introductory meeting, and field familiarization, were held on September 26 & 27. They are currently gathering existing data for background mapping, topography, utilities, and any preliminary information provided by SEH (previous A/E).**

Mitigation (Construction Portion) for “In Project” Lands:

1. Bids were opened on September 17, 2002, and Renewable Resources, Inc. (from Barnesville, Georgia) is the successful bidder.
 - The current contract amount is \$1,341,940.96
 - Amount overrun - \$420,838 (above their bid). This is approx. a 46% overrun.
2. A final inspection was held on both sites on May 12, 2004, with the Corps, LCRBDC, project A/E, and Renewable Resources and was found to be satisfactory for this portion of the overall project.
3. The 24 month monitoring period began on May 15, 2004 (Cost - \$3,000/month)
4. Received copy of permit from IDEM on May 8 to perform a prescribed burn on these properties.

West Reach Pump Stations – Phase 1A:

1. The four (4) pump stations that are included in this initial West Reach pump station project are Baring, Walnut, S. Kennedy, and Hohman/Munster.
2. Low bidder was Overstreet Construction. Notice to proceed was given on November 7th, 2000 – 700 work days to complete (Anticipated completion date is August 26, 2004)
 - Current contract amount - \$4,974,280.67
 - Original contract amount - \$4,638,400
 - Amount overrun – \$335,880 (7.2%)

3. Monthly Construction Status Report from the COE (Refer to Handout).
 - Refer to this Report for status on all four (4) stations and the status of the “termination of contract”.
 - Most recent action was October 21, 2005 whereby a revised termination of default memo was sent out for verification and signatures.

Griffith Golf Center (North of NIPSCO R/W, East of Cline Avenue)

1. LCRBDC was directed by the COE to obtain a flowage easement on the entire property in a letter dated October 7, 2005.
 - Refer to Land Acquisition Report for current update of appraisal.
2. A letter was received from the COE on January 13, 2006 indicating any construction shall not compromise our project in any manner and that compensatory flood storage would need to be provided.

Griffith Levee (EJ&E RR to Cline Avenue, north of River Drive)

1. An email was sent to Lawson-Fisher on December 27 informing them to proceed with their scope of work at a cost not to exceed \$9,700.
 - Scope includes determining what is required by FEMA to certify this line of protection.
 - A meeting was held with the COE, FEMA, IDNR, LCRBDC, and Lawson-Fisher to discuss the scope of work. (This was held at the FEMA office in Chicago on February 9, 2006 at 10:00 a.m.)
2. Lawson Fisher did an inspection of the levee on March 28 and has a draft report on what is required for levee certification.
 - LCRBDC received the final memorandum with a summary of their inspection on May 15, 2006. (Additional information on future phases available upon request)

GENERAL

1. INDOT coordination for Grant St. & Broadway interchanges with I-80/94.
 - A. INDOT sent a letter to the COE on April 15th, 2004, indicating they worked out an agreement with the COE whereby flood control features will be included in their contract at no cost to the Corps, which could be credited to the LCRBDC for that portion constructed for the flood control of the Little Calumet River.
 - A letter was sent to INDOT on August 29, 2006 requesting cost and engineering data that could then be submitted to the COE for crediting.
2. A meeting was held on July 27, 2006 with the LCRBDC, Corps, FEMA, and the IDNR to discuss and coordinate the Little Calumet River model review. Need IDNR approval as required by FEMA guidelines.
3. **27th & Chase Street – Pump Station Remediation**
 - **Design is completed, Corps submitted real estate requests, surveys completed, need right to construct (Refer to Land Acquisition Report).**

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Jim Pokrajac" <jpokrajac@nirpc.org>; <luci@garysan.com>; "Dwain Bowie" <dwain.bowie@unitedwater.com>
Cc: "Jay Niec (E-mail)" <jniec@greeley-hansen.com>; <hal.black@unitedwater.com>; "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; "Lavicka, Kelsey W CPT LRC" <Kelsey.W.Lavicka@lrc02.usace.army.mil>; "Arlene Colvin" <acolvin@ci.gary.in.us>; "Druzbecki, David E LRC" <David.E.Druzbecki@lrc02.usace.army.mil>
Sent: Thursday, September 28, 2006 10:37 AM
Subject: Re: Clark Street Drainage

Luci,

When we recently did our sluice gate/flap gate inspections I drove by the area south of the NSRR, between Burr Street and Clark and found the level of water to be higher than ever. This is the area where we will be doing our upcoming construction for the remaining section of Betterment Levee in Gary. Our plans call for levee construction in this "swamp" and if the water doesn't drain it could seriously delay this last segment of construction in Gary. The only way this area drains is via a culvert under the railroad, to a ditch West of Clark, and ultimately to the Little Calumet River. This had previously been done by United Water approx. 1 year ago and drained the whole area in a matter of weeks. Could you please facilitate this again, at your earliest convenience, in order to help us complete the final construction contract in Gary in a timely manner.

Thanks for your help,

Jim Pokrajac

Original Message -----

From: Jim Pokrajac
To: luci@garysan.com ; [Dwain Bowie](mailto:Dwain.Bowie)
Cc: [Jay Niec \(E-mail\)](mailto:Jay.Niec) ; hal.black@unitedwater.com ; [Samara, Imad LRC](mailto:Samara,Imad.LRC) ; [Lavicka, Kelsey W CPT LRC](mailto:Lavicka,Kelsey.W.CPT.LRC) ; [Arlene Colvin](mailto:Arlene.Colvin) ; [Druzbecki, David E LRC](mailto:Druzbecki,David.E.LRC)
Sent: Wednesday, September 06, 2006 2:19 PM
Subject: Calhoun Street Drainage

Luci,

The LCRBDC and the army corps have released for bid the contract for flood protection construction East of Burr Street and West of Clark as the final contract for levee construction in the City of Gary. Part of this contract will include a tie-back levee in this area and south of the NSRR. Currently, this area has a relatively high level of standing water which creates a construction problem by having to de-water and de-muck in the area of the levee construction, causing a much higher cost to construct. This whole area drains to the Little Calumet River through a culvert under the NSRR, then North along a ditch along the Western R/W of Clark, and eventually to the river.

Approximately one year ago a similiar problem existed and United Water cleared this ditch from debris and opened up the culvert. It was noted that within a week that this area significantly drained. Could you please facilitate this activity to help us complete the final segment in Gary in a timely manner. If you have any questions, or need any additional information let me know. The corps is currently scheduling the award of this contract by the end of September, with a construction start yet this fall. Any consideration to expedite this would be appreciated.

Thank you,

Jim Pokrajac
Agent, Land Management/Engineering

Jim Pokrajac

From: "Hardt, Bob L" <Bob.L.Hardt@conocophillips.com>
To: <jpokrajac@nirpc.org>
Sent: Monday, August 07, 2006 9:35 AM
Attach: LCRFC Cost Estimate.XLS
Subject: FW: Little Calumet Flood Control Project

As discussed this morning, I have attached ConocoPhillips Pipe Line Company's cost estimate to provide our engineering review of your proposed project on the Little Calumet River, Lake County, Indiana. Please make the funds payable to ConocoPhillips Pipe Line Co. and forward same to me at: P.O. Box 277, Ballwin, Mo. 63022.

Please call me at 1-636-391-1660 should you have any questions.

Regards

-----Original Message-----

From: Hanten, Gary L
Sent: Tuesday, July 25, 2006 3:16 PM
To: Hardt, Bob L
Cc: Cortez, Manuel
Subject: Little Calumet Flood Control Project

Attached cost estimate to be used for securing funding for reimbursable AFD for proposed project.
<<LCRFC Cost Estimate.XLS>>

Please review for questions or comments. If we are in agreement, I propose you submit letter to Mr. Pokrajac for further handling.

Gary Hanten
IL/IN Project Engineer
400 E. Columbus Drive
East Chicago, IN 46312
219-397-6666 ext.307 (fax 219-397-0706)

**CONOCOPHILLIPS TRANSPORTATION
COST ESTIMATE**

Location Hammond, Indiana

Date 7/25/2006

Description of Job: Little Calumet River Flood Control Project

UNIT	CLASS	ITEM	DESCRIPTION		QTY	Price	TOTAL
			ENGINEERING/PROJ. MGMT.				
			Third Party Engineering (hrs)				
			Field Inspection and design review		200	\$150.00	\$30,000.00
			Travel Expense		1	\$2,500.00	\$2,500.00
			COP Engineering (hrs)				
			Reviews and coordination		40	\$110.00	\$4,400.00
			PTREC review		1	\$1,500.00	\$1,500.00
			Legal review		1	\$500.00	\$500.00
			Survey review		1	\$2,000.00	\$2,000.00
			Other				
			Vacuum Excavation:				
			Verify locations and depth of lines		1	\$5,000.00	\$5,000.00
			CPPL labor (hrs)		24	\$55.00	\$1,320.00
			Overhead/CONTINGENCY:	20%			\$9,444.00
			GRAND TOTAL:				\$57,000.00



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

DR. MARK RESHKIN, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor's of Hammond Appointment

STEVE DAVIS
Dept. of Natural Resources Appointment

R. KENT GURLEY
Lake County Commissioners' Appointment

ROBERT MARSZALEK
Governor's Appointment

JOHN MROCKOWSKI
Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

September 7, 2006

Mr. Allen Egilmez
United Consulting Engineers
1625 North Post Road
Indianapolis, Indiana 46219-1995

Dear Allen:

In reference to our meeting of August 31, 2006 at the Griffith Army Corps office, we appreciate your input and cooperation in discussing the upcoming construction along Indianapolis Blvd near the Little Calumet River. The Army Corps indicated that their current schedule is to advertise this construction segment in February of 2007. This contract includes all of the construction adjacent to both sides of the river from Kennedy Avenue westward to Northcote. This includes the area in and adjacent to the proposed location for INDOT's new pump station that will be part of your contract from Ridge Road to 81st Avenue in Highland, IN.

As per your request, we are submitting this letter to indicate to you that the funding is in place and that the current schedule projects the Army Corps to advertise in February of 2007 with the completion date in the fall of 2008.

The Development Commission and the Army Corps received a directive from Congressman Visclosky indicating that the entire flood control project of the Little Calumet River needed to be completed to the Illinois state line no later than December 2009. Currently, with additional State funding, we are on an accelerated schedule whereby we are already purchasing lands in the above described area and are reviewing engineering westward to the state line. Ideally, the completion of your pump station and the completion of our line of protection should be completed approximately the same time in order for your pump station to operate without an "end around", and for adjacent residents to take full advantage of this new pump station. At our meeting, the Army Corps provided you a set of engineering drawings that are at the 50% level of review. You may work directly with the Army Corps to get them updated or specific information.

If we may be of any further assistance or if you have any questions regarding our project, please feel free to contact me at any time.

Sincerely,

Dan Gardner
Executive Director

/sjm
cc: Kelsey Lavicka, Imad Samara, ACOE

Jim Pokrajac

From: "Egilmez, Allen" <ALLENE@ucea.com>
To: "Bari, Mohammed" <MBARI@indot.IN.gov>
Cc: "Brittain, Russ" <RBRETTAIN@indot.IN.gov>; <JWRIGHT@indot.IN.gov>; <GMROCKZKA@indot.in.gov>; <hpatel@jsengr.com>; "McClure, Kevan" <KMCCLURE@indot.IN.gov>; <RBUSKIRK@indot.in.gov>; <mdougherty@indot.in.gov>; "Vincent, Paul" <PAULV@ucea.com>; "Hammond, Chris" <CHRISH@ucea.com>; "Stettler, Devin" <DEVINS@ucea.com>; "Oliphant, Mike" <MIKEO@ucea.com>; "Richter, Dave" <DAVER@ucea.com>; "Pope, Chris" <CHRISP@ucea.com>; <jpokrajac@nirpc.org>; "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; <MTHOMAS@indot.in.gov>
Sent: Thursday, September 21, 2006 2:14 PM
Attach: LCRBDC Levee.pdf
Subject: RE: US 41, Phase 1-A, Lake County, Des. No. 0300049

Mohammad,

We are in receipt of the attached letter from the Little Calumet River Basin Development Commission, outlining the proposed construction schedule for the levee. In order to finish the roadway project and the proposed group lift station at the same time as the Little Calumet River Levee, we are proposing a Fall of 2007 letting for the referenced project. The current status of the project is suspended.

We would like to schedule a meeting with you and your staff to discuss the issues related to this project as soon as possible. Please notify us of your available dates so that we can proceed with the scheduling of the meeting.

This project will involve additional design, right-of-way (1 parcel), environmental document update, permitting, hydraulics and additional utility coordination (possibly subsurface utility engineering).

Allen R. Egilmez, P.E.

Transportation Department Manager
 United Consulting Engineers & Architects

PS: We also propose to discuss issues related to the other US 41 project (Phase 3, Des. No. 9966160). That project also involves additional survey, design, environmental update, land acquisition (1 parcel) permitting, utility coordination and hydraulics (new detention pond)

From: Bari, Mohammed [mailto:MBARI@indot.IN.gov]
Sent: Wednesday, September 06, 2006 10:51 AM
To: Egilmez, Allen
Cc: Brittain, Russ
Subject: FW: US 41, Phase 1-A, Lake County, Des. No. 0300049

Can you please give me an update on this? Thanks.

Mohammad F. Bari, P.E.
 Roadway Review Engineer
 Roadway Engineering Services
 Production Management Division
 317-232-0681
 E-mail: Mbari@indot.state.in.us

-----Original Message-----

From: Brittain, Russ
Sent: Friday, August 25, 2006 10:22 AM
To: Bari, Mohammed

CELRC-TS-C-S (1180-1-1q)

15-Aug-2006

MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. W912P6-05-C-0010
Local Flood Protection
Little Calumet River, Indiana
Stage VI-1 North
Modification No. A00001 - Executed

- STAGE VI PHASE 1 (NORTH)
- MOD. # 1 - ADD TO CONTRACT 45,918
- PROVIDE GEOTEC FABRIC UNDER RIPRAP

- ORIG. CONTRACT AMT. - \$5,566,871
- CURRENT CONTRACT AMT. - \$5,612,789

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. A00001, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.



Enclosures

David E. Druzbecki
Project Engineer
Calumet Area Office

Distribution:

CELRC-TS-C-S (Complete Mod. File)
CELRC-TS-C-C (Complete Mod. File)
CELRC-CT (Complete Mod. File)
CELRC-TS-C-S (Complete Mod. File) D. Druzbecki
CELRC-TS-C-S (Mod. Only) C. Lee
CELRC-TS-C-S (Mod. Only) Project Binder
CELRC-PM-PM (Mod. Only) I. Samara
LCRBDC (Mod. Only) J. Pokrajac ✓

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE Construction	PAGE OF PAGES 1 3
2. AMENDMENT/MODIFICATION NO. A00001		3. EFFECTIVE DATE SEE BLOCK 16C	4. REQUISITION/PURCHASE REQ. NO. W81G6651316716	5. PROJECT NO. (If Applicable)	
6. ISSUED BY CHICAGO DISTRICT 111 North Canal Street Suite 600 Chicago, IL 60606-7206		CODE	7. ADMINISTERED BY (If other than item 6) USAED, Chicago (TS-C-S) Calumet Area Office 906 Griffith Boulevard Griffith, IN 46319		CODE H6L1CS0
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) Illinois Constructors Corporation Post Office Box 745 St. Charles, Illinois 60174 U.S.A.				9A. AMENDMENT OF SOLICITATION NO.	
				9B. DATED (SEE ITEM 11)	
				10A. MODIFICATION OF CONTRACT/ORDER X W912P6-05-C-0010 NA	
				10B. DATED (SEE ITEM 13) 30 Sep 2005	
CODE		FACILITY CODE			

11. THIS ITEM APPLIES ONLY TO AMENDMENTS OF SOLICITATIONS

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:
(a) By completing items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitations and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA

See Page 2.

Contract Amount Increased \$45,918.00.

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.


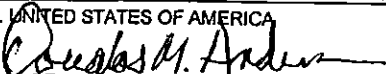
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify Authority) TRACT ORDER NO. IN ITEM 10A.	THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CON-
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (Such as changes in paying office, appropriation date, etc.)	SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: X 52.0243-0004- CHANGES	
D. OTHER (Specify type of modification and authority)	

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return original and 3 copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

Contract for Local Flood Prot - Stage VI - 1 North at Little Calumet River, Indiana.
Reference No. R00005
SS005 Geotextile Fabric Under Riprap
See Page 2.

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print) Phillip L. Ross Project Manager		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Douglas M. Anderson Administrative Contracting Officer	
15B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign)	15C. DATE SIGNED 08 Aug 06	16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)	16C. DATE SIGNED 11 AUG 2006

MODIFICATION OF CONTRACT

DATE SIGNED

See Block 16C

PAGE OF PAGES

2 | 3

Contract No: W912P6-05-C-0010 NA
Modification No: A00001
Contractor: Illinois Constructors Corporation
Contract Title: Local Flood Prot - Stage VI - 1 North
Location: Little Calumet River, Indiana

Reference No. R0000

12. ACCOUNTING AND APPROPRIATION DATA (Continued)

Reference is made to Special Contract Clause EFARS 52.232-5001 entitled, "Continuing Contracts", and the provisions contained therein. This Contract Modification is being issued without funds pursuant to this Continuing Contracts Clause. Accordingly, payments for the work covered by this Contract Modification will be made from the current remaining free balance of funds available, which through Modification P00005, equals \$2,170,000.00.

14. DESCRIPTION OF MODIFICATION (Continued)**A. SCOPE OF WORK****SS005 Geotextile Fabric Under Riprap**

Place geotextile fabric under all remaining riprap to be placed along river bank including:

Station 7N 10+30 to 18+00
Station 8N 3+50 to 16+40*
Station 8N 16+40 to 17+60
Station 8N 17+60 to 19+05
Station 8N 26+72 to 27+72
Ditch on C-16

*Riprap already placed from 8N 5+00 to 16+00 shall remain in place without geotextile fabric.

Include the revisions covered by this modification in the final as-built drawings.

B. CHANGE IN CONTRACT DRAWINGS

Revise the following cross sections to show geotextile fabric under the riprap:

Drawing C-14, Section 4
Drawing C-15, Sections 10, 11 and 12
Drawing C-16, Section 16 (under R20 and R45 in ditch)

C. CHANGE IN CONTRACT PRICE

Total contract price is increased by \$45,918.00.

New CLINs

CLIN No.	DESCRIPTION	QUANTITY	UNIT PRICE	CHANGE AMOUNT
0040	Geotextile Fabric under Riprap	1.00 LS	\$45,918.00	\$45,918.00

Total Change Amount **\$45,918.00**

D. CHANGE IN CONTRACT TIME

The contract completion date shall be extended by 12 calendar days by reason of this modification.

The contract completion date is revised to 02 August 2007.

MODIFICATION OF CONTRACT

DATE SIGNED

See Block 16C

PAGE OF PAGE

3

Reference No. R000

Contract No: W912P6-05-C-0010 NA
Modification No: A00001
Contractor: Illinois Constructors Corporation
Contract Title: Local Flood Prot - Stage VI - 1 North
Location: Little Calumet River, Indiana

E. CLOSING STATEMENT

It is understood and agreed that pursuant to the above, the contract time is extended 12 calendar days, the revised contract completion date is 02 August 2007, and the contract price is increased \$45,918.00 from \$5,566,871.00 to \$5,612,789.00 which reflects all credits due the Government and all debits due the Contractor. It is further understood and agreed that this adjustment constitutes compensation in full on behalf of the Contractor and its Subcontractors and Suppliers for all costs and markups directly or indirectly attributable for the change ordered, for all delays related thereto, for all extended overhead costs, and for performance of the change within the time frame stated.

CELRC-TS-C-S (1180-1-1q)

MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. W912P6-05-C-0010
Local Flood Protection
Little Calumet River, Indiana
Stage VI-1 North
Modification No. P00005 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. P00005, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.

Enclosures



David E. Druzicki
Project Engineer
Calumet Area Office

Distribution:

CELRC-TS-C-S (Complete Mod. File)
CELRC-TS-C-C (Complete Mod. File)
CELRC-CT (Complete Mod. File)
CELRC-TS-C-S (Complete Mod. File) D. Druzicki
CELRC-TS-C-S (Mod. Only) C. Lee
CELRC-TS-C-S (Mod. Only) Project Binder
CELRC-PM-PM (Mod. Only) I. Samara
LCRBDC (Mod. Only) J. Pokrajac ✓

RECEIVED SEP 12 2006

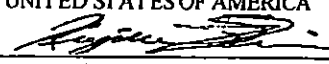
• STAGE VI - PHASE 1 (NORTH) - MOD. #5

• REQUEST FOR CONTINUED CONTRACT FUNDING

03-AUG-2006

• ADDL. \$500,000 AVAILABLE FOR CONTRACT

• TOT. AMT. OBLIGATED - \$2,170,000

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J		PAGE OF PAGES 1 2	
2. AMENDMENT/MODIFICATION NO. P00005		3. EFFECTIVE DATE 03-Aug-2006		4. REQUISITION/PURCHASE REQ. NO. W81G66-5131-6716		5. PROJECT NO. (If applicable)	
6. ISSUED BY U. S. ARMY ENGINEER DISTRICT, CHICAGO 111 NORTH CANAL STREET SUITE 600 CHICAGO IL 60606-7206		CODE W912P6		7. ADMINISTERED BY (If other than item 6) CALUMET AREA OFFICE 905 N. GRIFFITH BOULEVARD GRIFFITH IN 46319		CODE H6L1CSO	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) ILLINOIS CONSTRUCTORS CORPORATION JOHN MACKANIN PO BOX 745 ST CHARLES IL 60174				9A. AMENDMENT OF SOLICITATION NO.			
				9B. DATED (SEE ITEM 11)			
				X 10A. MOD. OF CONTRACT/ORDER NO. W912P6-05-C-0010			
				X 10B. DATED (SEE ITEM 13) 18-Jul-2005			
CODE OF1T6		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required) See Schedule							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
X D. OTHER (Specify type of modification and authority) EFARS 52.232-5001 Continuing Contracts Funding							
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Modification Control Number: h6tcsded06321 Contract for Local Flood Protection, Stage VI-1 North at Little Calumet River, Indiana Reference No. R00006 SS007 Continuing Contracts Funding - \$500,000.00 See Page 2.							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) REGINA G BLAIR / ADDED BY SUMI TEL: 312.843.5371 EMAIL: reginag.blair@usace.army.mil			
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)		16C. DATE SIGNED 03-Aug-2006	

EXCEPTION TO SF 30
APPROVED BY OIRM 11-84

30-105-04

STANDARD FORM 30 (Rev. 10-83)
Prescribed by GSA
FAR (48 CFR) 53.243

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

SECTION SF 30 - BLOCK 14 CONTINUATION PAGE

The following have been added by full text:

MODIFICATION NO. P00005A. SCOPE OF WORK

SS007 Continuing Contracts Funding - \$500,000

Pursuant to the "Continuing Contracts" clause, this modification hereby obligates an amount of \$500,000.00 for this contract.

B. CHANGE IN CONTRACT PRICE

Total contract price is unchanged.

C. CHANGE IN CONTRACT TIME

The contract completion date shall remain unchanged by this modification.

D. CLOSING STATEMENT

Pursuant to the "Continuing Contracts" clause, this modification hereby obligates an amount of \$500,000.00 for this contract; thus, increasing the total Contract funded amount to \$2,170,000.00.

SECTION 00800 - SPECIAL CONTRACT REQUIREMENTS

Accounting and Appropriation

Summary for the Payment Office

As a result of this modification, the total funded amount for this document was increased by \$500,000.00 from \$1,670,000.00 to \$2,170,000.00.

Contract Level Funding:

AB: 96 NA X 8862.0000 H6 X 08 2426 075325 96112 3230 KF4KF0 NA GB7250
was increased by \$500,000.00 from \$104,000.00 to \$604,000.00

(End of Summary of Changes)

CELRC-TS-C-S (1180-1-1q)

RECEIVED SEP 14 2006

• STAGE VI - PHASE 2 - MOD. #4

• MAKE FUNDS AVAILABLE FOR TOT. CONTRACT

12-SEP-2006

• \$2,925,000 RESERVED FOR CONTRACT

MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. W912P6-05-C-0006
Little Calumet River, Indiana
Local Flood Protection
Stage VI-2 Levee
Modification No. P00004 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. P00004, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.

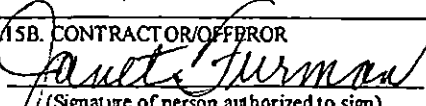



David E. Druzbecki
Project Engineer
Calumet Area Office

Enclosures

Distribution:

CELRC-TS-C-S (Complete Mod. File)
CELRC-TS-C-C (Complete Mod. File)
CELRC-CT (Complete Mod. File)
CELRC-TS-C-S (Complete Mod. File) D. Druzbecki
CELRC-TS-C-S (Mod. Only) S. Babcock
CELRC-TS-C-S (Mod. Only) Project Binder
CELRC-PM-PM (Mod. Only) I. Samara
LCRBPC (Mod Only) J. Pokrajac

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J	PAGE OF PAGES 1 3
2. AMENDMENT/MODIFICATION NO. P00004		3. EFFECTIVE DATE 11-Sep-2006		4. REQUISITION/PURCHASE REQ. NO. W91066-5046-5561	
5. PROJECT NO. (If applicable)					
6. ISSUED BY U. S. ARMY ENGINEER DISTRICT, CHICAGO 111 NORTH CANAL STREET SUITE 600 CHICAGO IL 60606-7206		CODE W912P6		7. ADMINISTERED BY (If other than item 6) CALUMET AREA OFFICE 906 N. GRIFFITH BOULEVARD GRIFFITH IN 48319	
		CODE H6L1CSO			
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) DYER CONSTRUCTION CO INC JANET FURMAN 1716 SHEFFIELD AVENUE DYER IN 46311-1598				9A. AMENDMENT OF SOLICITATION NO.	
				9B. DATED (SEE ITEM 11)	
				X 10A. MOD. OF CONTRACT/ORDER NO. W912P6-05-C-0006	
				X 10B. DATED (SEE ITEM 13) 19-Apr-2005	
CODE OPFSO		FACILITY CODE			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS					
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.					
12. ACCOUNTING AND APPROPRIATION DATA (If required)					
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.					
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.					
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).					
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:					
X D. OTHER (Specify type of modification and authority) BILATERAL; MUTUAL AGREEMENT OF THE CONTRACTING PARTIES					
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input checked="" type="checkbox"/> is required to sign this document and return <u>1</u> copies to the issuing office.					
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Modification Control Number: h6ct9rgb06552 SUBJECT: CONTRACT NO. W912P6-05-C-0006, LOCAL FLOOD PROTECTION, LITTLE CALUMET RIVER, INDIANA, STAGE V1-2 SOUTH LEVEE, HIGHLAND, INDIANA a. The Government is issuing Dyer Construction Company, Incorporated this Contract Modification to its previously awarded Contract Number W912P6-05-C-0006 for the purpose of deleting the existing funding clause (Continuing Contracts) from the Contract and adding a new funding clause to the Contract, as delineated on Page 2 of this Modification. b. This contractual action is pursuant to a supplemental agreement of the Contracting Parties. - Point of Contact for this Modification is Regina G. Blair at (312) 846-5371 -					
THE DESCRIPTION OF THIS MODIFICATION CONTINUES ON THE NEXT PAGE Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.					
15A. NAME AND TITLE OF SIGNER (Type or print) Janet Furman			16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) REGINA G BLAIR / ADDED BY SUMI TEL: 312.846.5371 EMAIL: regina.g.blair@usace.army.mil		
15B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign)		15C. DATE SIGNED 9/11/06		16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)	
				16C. DATE SIGNED 11-Sep-2006	

EXCEPTION TO SF 30
APPROVED BY OIRM 11-84

30-105-04

STANDARD FORM 30 (Rev. 10-83)
Prescribed by GSA
FAR (48 CFR) 53.243

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

c. By way of this bi-lateral Contract Modification, the EFARS Funding Clause 52.232-5001, *Continuing Contracts*, is deleted in its entirety from the Contract and replaced with the following EFARS funding Clause, which is hereby added in its full text and effect to Section 00800 of the Contract. Notwithstanding the funding provisions of this Incremental Funding Clause, the reserved amount contained therein represents the amount that has been funded under the Contract as of the effective date of this Modification. Payments may have been made against this amount; consequently, those amounts are no longer considered available for payment.

52.232-5004 Incremental Funding Clause

(a) Funds are not available at the inception of this contract to cover the entire contract price. The liability of the Government is limited by this clause notwithstanding any contrary provision of the "Payments to Contractor" clause or any other clause of this contract. The sum of **\$2,925,000.00** has been reserved for this contract and is available for payment to the contractor during the current fiscal year. It is expected that Congress will make appropriations for future fiscal years from which additional funds, together with funds provided by one or more non-federal project sponsors, will be reserved for this contract.

(b) Failure to make payments in excess of the amount currently reserved, or that may be reserved from time to time, shall not be considered a breach of this contract, and shall not entitle the contractor to a price adjustment under the terms of this contract.

(c) The Government may at any time reserve additional funds for payments under the contract if there are funds available for such purpose. The contracting officer will promptly notify the contractor of any additional funds reserved for the contract by issuing an administrative modification to the contract.

(d) If earnings will be such that funds reserved for the contract will be exhausted before the end of any fiscal year, the contractor shall give written notice to the contracting officer of the estimated date of exhaustion and the amount of additional funds which will be needed to meet payments due or to become due under this contract during that fiscal year. This notice shall be given not less than 120 days prior to the estimated date of exhaustion. Unless informed in writing by the contracting officer that additional funds have been reserved for payments under the contract, the contractor shall stop work upon to the exhaustion of funds.

(e) No payments will be made after exhaustion of funds except to the extent that additional funds are reserved for the contract.

(f) Any suspension, delay, or interruption of work arising from exhaustion or anticipated exhaustion of funds shall not constitute a breach of this contract and shall not entitle the contractor to any price adjustment under a "Suspension of Work" or similar clause or in any other manner under this contract.

Jim Pokrajac

From: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
To: "Sampson, Eric LRC" <Eric.Sampson@lrc02.usace.army.mil>; "Ackerson, Rick D LRC" <Rick.D.Ackerson@lrc02.usace.army.mil>; "Druzicki, David E LRC" <David.E.Druzicki@lrc02.usace.army.mil>; "Lavicka, Kelsey W CPT LRC" <Kelsey.W.Lavicka@lrc02.usace.army.mil>; "Little Cal" <littlecal@nirpc.org>; <jpokrajac@nirpc.org>; "Roach, Nicole L LRC" <Nicole.L.Roach@lrc02.usace.army.mil>; "Lewandowski, Frank T LRB" <Frank.T.Lewandowski@lrb01.usace.army.mil>
Sent: Monday, September 11, 2006 8:50 AM
Attach: meeting.ics
Subject: Little Calumet River, Stage VIII Buffalo Kick off meeting

When: Tuesday, September 26, 2006 10:30 AM to Wednesday, September 27, 2006 4:00 PM (GMT-06:00) Central Time (US & Canada).

Where: Calumet Area Office

~~*~*~*~*~*~*~*

As you guys all know LRB (Buffalo District) will be helping us to develop the plans and specifications for Stage VIII. They will be coming to Chicago for a kick off meeting. I would like us to meet with them the first day they come here at the calumet area office (Griffith, IN). We can discuss and go over the project so that we can highlight to them the critical parts of the project. After this discussion we can then go out to the site. Since this is one of our bigger stages I feel it will take more than one day to see it. That is why they will be here for a second day. Please make sure that you are available at least for the first day and be at least available by phone on the second day.

LAND ACQUISITION REPORT

For meeting on Wednesday, October 4, 2006
(Information in this report is based upon latest data provided at the time the report is put together. Dates and costs may vary depending upon ongoing design and/or coordination with the Army Corps. Report period is from August 31 – September 27, 2006)

EAST REACH – REMAINING ACQUISITIONS

1. In compliance with the Congressman's request to complete the project by December, 2009, we are reviewing remaining East Reach acquisitions for acquisition either on tax sale or from landowner. (Ongoing)
 - **We will be attending a Treasurer's Tax Sale on October 30 at the Lake County Gov't Center to bid for two properties. Bidding starts at the delinquent tax amount of (\$667 for DC751 and \$346 for DC757) plus title costs and processing fees.**
2. **The offer on DC813 (WLTH Radio) has been rejected and we are preparing condemnation filings.** /

STATUS (Stage IV – Phase 1 South) EJ&E RR to Burr St – South Levee:

1. Construction on the WIND Radio station property has been completed using a right-to-construct. We need an easement on the WIND property for maintenance purposes.
 - **The appraisal was assigned to Oetzel & Hartman who will use a "fixture appraiser" to value the four towers on the site.** 2

STATUS (Stage V-Phase 2) Kennedy Avenue to Northcote, both North and South levees

1. All 30 offers have been made to landowners since 1/4/06. **We have 22 closed, 8 open (4 have accepted, 1 in condemnation, 1 tax sale protest, 2 have engineering departments still reviewing our plans until they give real estate the approval to sign our offer: the NSRR and NIPSCO).**
2. North Township has agreed to transfer the property rights by signing the easement agreements before the appraisal is completed. **Appraisal is expected around 10/25/06.**
 - **Easement agreements were sent to North Township requesting donation of their lands to our project on September 25, 2006.** 3
3. We are in communication with Cabela's and they have verbally agreed to donate the easements and are more interested in the construction than the appraisal amount.
 - **The appraisal is completed and was sent to the Corps for review on 9/28/06. Since the Just Compensation (easement values) are more than \$1 million, Corps Headquarters in Cincinnati must review and approve the appraisal.** 4
4. Norfolk Southern Railroad has received the offer **and have not yet received the engineering drawings for review.** They must have approval from their engineering department to sign the agreements. The Corps **contracted** an engineering consultant **in September, 2006** to work with the railroad engineers in the hope of eliminating the problems recently experienced on the Burr Street railroad acquisitions.

- Our contacts in NSRR Real Estate have been notified that we are preparing condemnation filings to jumpstart the process while the engineering consultant for the Corps work with NSRR Engineering.
5. WHITECO, the Visitors Center, Hammond, NIPSCO, and three Interstate Plaza landowners are the final acquisitions.
 - A letter was sent to the WHITECO attorney on September 13 requesting their signing of the easement agreements.

5

STATUS (Stage VI-Phase 1 South) – Kennedy to Liabe - South of the river:
Land Acquisition deadline July, 2004

1. Construction is continuing on this segment.

STATUS (Stage VI-Phase 1 North) – Cline to Kennedy – North of the river:
Land Acquisition deadline April 30, 2005

1. Construction is continuing on this segment.

STATUS (Stage VI-Phase 2) – Liabe to Cline – South of the river:
Land Acquisition deadline April 15, 2005

1. Construction is continuing on this segment.

STATUS (Stage VII) – Northcote to Columbia: The designation for this Stage is Stage VII – Hammond (North of the river) and Stage VII-Munster (South of the river)

1. Stage VII has 14 acquisitions on the Hammond (north) and the appraisals are completed. The appraisal reviewer is sending us approvals.
2. Stage VII has 37 acquisitions on the Munster (south) side. The Corps has requested that we value street easements “de minimus” (a nominal amount). Seven street easements must now be done in-house instead of by our appraiser. He will still appraise the remaining properties. We are in discussion with the Corps and two reviewers as to a full before and after narrative appraisal or a summary report (shorter). Time and cost are the deciding factors.

STATUS (Stage VIII – Columbia to State Line (Both sides of river)

1. It was agreed at the 5/25/06 Real Estate meeting to “keep going forward on Stage VIII”. We have preliminary real estate drawings and have ordered location surveys to identify landowners and improvements.
 - The Buffalo Army Corps will be coordinating this segment, and upon receipt of location surveys, we will forward it to them to approve. Upon their approval, appraisals can then be assigned.
2. Title work is almost complete and we are creating files for approximately 88 new acquisitions.
3. Title work acquired, surveys have started, email to surveyors on September 13 with general instructions.
4. Ms. Trudy Wasik hosted a public meeting on 9/6/06 for Stage VIII information.

67

STATUS (Betterment Levee – Phase 1 - Gary) Colfax to Burr Street:
Land Acquisition is completed.

1. Engineering, contract, or technical information may be referred to in the monthly Engineering Report.

STATUS (Betterment Levee – Phase 2 North of the NSRR east of Burr Street, and ½ mile east, back South over RR approximately 1400’:

Land Acquisition deadline is September, 2005

1. The easement agreement with the Norfolk & Southern Railroad was signed June 21, 2006 and recorded June 29, 2006. **Condemnation was officially dismissed 8/14/06**
2. The ROE was signed by the LCRBDC on July 24th, 2006, and forwarded to the Army Corps.

27th and Chase – Pump Station Remediation

1. We received a request to obtain real estate from the Army Corps on July 24, 2006. There are five new acquisitions that need surveyed, appraised, etc. (Two private landowners; One INDOT; One city of Gary; one Gary Sanitary District).
 - **Surveys for all parcels have been completed & sent to LCRBDC on September 21, 2006.**
 - **Army Corps indicated on September 19 that we only need a right to construct in this area because they are non-project features.**
2. We received tabulation of estates from the Army Corps on August 10, 2006.
3. Refer to Engineering Report for status & scheduling.

EAST REACH REMEDIATION AREA – (NORTH OF I-80/94, MLK TO I-65):

1. We will be reviewing parcels, cost schedule with the Corps in light of Congressman Visclosky's letter to complete the project by December 2009.
2. New regulations for 49 CFR Part 24 allow in-house appraisals (waiver valuations) to be increased from \$5,000 to \$10,000. We have been writing new waiver valuations for several remaining acquisitions instead of assigning appraisals (more costly) to contract appraisers. (Ongoing)

GRIFFITH GOLF CENTER (North of NIPSCO R/W, East of Cline Avenue)

1. LCRBDC was directed by the COE to obtain a flowage easement on the entire property in a letter dated October 7, 2005.
2. The offer to the landowner was certified mail (as all offers are) on August 15, 2006. The landowner has 30 days to accept or reject.
 - **We received a letter of rejection on 8/7/06. We are considering a meeting with the landowner to negotiate a settlement before condemnation is filed.**

CREDITING:

1. LCRBDC had a conference call with John Weaver of INDOT on March 16, 2005 requesting incremental cost data at Cline Avenue that would substantiate crediting. Best estimate still is in the range of \$600,000 (Ongoing)
2. At the 4/19/06 Real Estate meeting, the Corps requested our crediting totals for Stages I, II, III, and IV to match against their figures. The cash contribution is now calculated at 7%.
3. A letter was sent to INDOT on August 29, 2006 requesting technical information and associated costs for the Broadway and Grant interchanges on I-80/94 (enclosed are copies of previous letters whereby INDOT acknowledge and agreed to credit LCRBDC 100% for flood control cost features). **(No response as of September 28)**

ATTORNEYS AT LAW

CASALE, WOODWARD & BULS, LLP

9223 BROADWAY SUITE A • CAMBRIDGE COMMONS • MERRILLVILLE, IN 46410 • TELEPHONE: 219-736-9990 • FAX: 219-736-9991
417 S. DEARBORN STREET • SUITE 1000 • CHICAGO, ILLINOIS 60605 • TELEPHONE: 312-663-0901 • FAX: 312-663-0991
1205 S. HALLECK STREET • DEMOTTE, IN 46310 • TELEPHONE: 219-987-7770

E-MAIL: thefirm@cwblawfirm.com

LOUIS M. CASALE
DAVID E. WOODWARD
DAVID A. BULS
R. BRIAN WOODWARD
DAVID M. BLASKOVICH*
DAVID W. MASSE
MARK A. GOODRICH
*LICENSED IN INDIANA & ILLINOIS

LEGAL ASSISTANTS
DEBRA L. KOZLOWSKI
ANGELA M. OGRENZ
CAROL E. BERWANGER
PAMELA R. MILLER
KAREN SHANAHAN
MICHELLE L. POLING

FINANCIAL COORDINATOR
CHRISTY DUEK

August 31, 2006

WLTH Radio, Inc.
c/o P. Marshall, Jr.
P.O. Box 2300
Gary, IN 46409

WLTH Radio, Inc.
c/o P. Marshall, Jr.
4201 Wilshire Blvd., Suite 600
Los Angeles, CA 90010

DC
8/31

CERTIFIED MAIL NO. 7006 0100 0001 8809 6613

CERTIFIED MAIL NO. 7006 0100 0001 8809 6620

RE: Lots 1 to 8, both inclusive, Block 19 in Liberty Farmettes, in the City of Gary, as per plat thereof, recorded in Plat Book 26, page 77, in the Office of the Recorder of Lake County, Indiana.

Dear Mr. Marshall:

Enclosed please find an original and one copy of a Uniform Easement Acquisition Offer. The Little Calumet River Basin Development Commission is prepared to offer you \$4,000.00 for the described land.

In accordance with Indiana Code (IC) 32-24-1, the offer of \$4,000.00 was arrived at by appraisers using standard appraisal methods. A copy of the appraisal is enclosed with this offer. Also in accordance with IC 32-24-1, you have thirty (30) days from receipt of the offer in which to accept or reject the offer.

If you decide to accept the offer, please sign the Uniform Easement Acquisition Offer in front of a Notary Public and have it properly notarized. Forward the original to me in the enclosed self-addressed, stamped envelope retaining the copy for your files. Upon receipt, I will prepare the necessary documents to close the acquisition.

If you should have any questions regarding this matter, I encourage you to contact Judy Vamos at the Little Calumet River Basin Development Commission at (219) 763-0696.

Thank you for your cooperation.

Sincerely,

Offer not accepted PM

Louis M. Casale
Attorney for the Little Calumet River
Basin Development Commission

LMC/lbg
Enclosures

cc: Judy Vamos, LCRBDC

Bankruptcy • Business Litigation • Civil Rights • Creditors Rights • Condemnation • Construction • Corporate • Criminal Defense
Estate Planning • Government Law • Healthcare • Insurance Law • Labor & Employment • Medical Malpractice
Personal Injury • Products Liability • Real Estate • Worker's Compensation



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

DR. MARK RESHKIN, Secretary
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JOHN MROCZKOWSKI
Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

19 September 2006

The Oetzel-Hartman Group
c/o Terrence Oetzel, Appraiser
321 Woodland Pass
Suite 200
East Lansing, MI 48823

De
59
Wino

Dear Mr. Oetzel,

RE: Appraisal on DC 59, owner Salem Radio Properties, Inc.

Enclosed in this mailing is information for you to complete a before and after narrative appraisal on DC 59, owner Salem Radio Properties, Inc. in Gary, Indiana. Please appraise the property for a *current land value*.

You should know one important fact – the construction for the flood project has already been completed on the property. When you visit the property you will see the levee in place. We negotiated with the landowner to build the levee on a Right-to-Construct while we negotiated a settlement on the offer; however, we did not come to an agreement and did not condemn. We now need access to the property for inspection and maintenance purposes.

I've included a contract, Scope of Work, title work, assessment cards, maps, etc. I understand that you may need a fixture appraiser for the towers and I've included a line in the contract for a Delta Consulting Services fee as we did on a previous radio tower appraisal.

Please call me if you have questions. I send my thanks for your cooperation.

Respectfully,

Judy Vamos

Judith (Judy) Vamos
Land Acquisition Agent

Enclosures:



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

WILLIAM BILLER, Chairman
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CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

September 25, 2006

Mr. Frank Mrvan, Trustee
North Township Trustee's Office
5947 Hohman Avenue
Hammond, Indiana 46320


Dear Frank:

Enclosed please find two (2) copies each of a flood protection levee easement, a flowage easement, and a temporary work area easement. These are for your review and approval to donate these lands to the Development Commission for the flood control/recreation project. We are trying to adhere to a project completion date of December 2009. The property these easements cover are in our Stage V Phase 2 segment (Kennedy to Northcote). The Army Corps of Engineers schedule is to award this contract in May 2007. Your donation of these easements bring us closer to meeting that deadline.

Please sign all copies, have someone attest to the signature, and notarize all copies. Return them to our office and we will have them recorded and mail a set back to you for your files.

Once again, the Development Commission is very appreciative of your cooperation to work with us and your donation of these easements.

Sincerely,


Dan Gardner
Executive Director

/sjm

Encl.

Cc: Dennis Simala
Lou Casale, LCRBDC attorney



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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DAN GARDNER
Executive Director

LOU CASALE
Attorney

17 August 2006

Mr. John Snell, MAI
Snell Real Estate Evaluation Co. Inc.
Five Parkwood Crossing
510 East 96th Street Suite 195
Indianapolis, IN 46240

DC
1198
appraisal
update

Dear Mr. Snell,

RE: An update of your appraisal on DC 1198, the Wicker Memorial Golf Course dated 10 January 2006.

In this mailing is new mapping information for you to update the appraisal on the Wicker Memorial Golf Course owned by North Township in Lake County, Indiana. Your previous appraisal had an effective date of 10 January 2006. The update is necessary because of design changes in the area needed by the Little Calumet River Basin Development Commission for the flood project.

Please notice that the new mapping shows:

- an additional area to the west of Hart Ditch and the park to be appraised. This area is adjacent to Hawthorne Drive and the bridge by River Drive.
- more flowage easements. The previous levee easements have now been moved to the north side of the river (the Cabela site).

Your appraisal update will be reviewed (as was the original) by Mr. Alan Landing, SRA. His office phone number is 219-326-5722, FAX: 219-326-0634. I've also attached a contract for your review. Please call me at 219-763-0696 if you have questions about this mailing. Thank you.

Respectfully,

Judy Varnos

Judith (Judy) Varnos
Real Estate
Enclosures:

Mr. Snell
has to complete his
current easements
before he can begin
Wicker. Jon
8/24/06

4



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

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VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

September 13, 2006

Ms. Carol Ann Bowman
Attorney
Whiteco Industries Inc.
1000 East 80th Place, Suite 700 N
Merrillville, Indiana 46410

Dear Ms. Bowman:

As we discussed, enclosed please find three (3) copies each of the flood protection levee easement and the temporary work area easement needed in the area known as Stage V Phase 2. Also enclosed is a copy of the title report for this property.

I spoke with Pete Schroeder and he confirmed the easement donation. The Development Commission appreciates Whiteco Industries donating these easements for project use. We are working toward levee completion date of December 2009 for the entire project area. Whiteco's donation of the easements will help us bring us closer to that completion date and displays corporate leadership in assisting this needed public project.

Please cause these easements to be signed by the appropriate party and returned to our office. Please note that the agreements need to be notarized. Upon receiving the easements, we will have them recorded and then mail two fully executed copies back to you for your files.

Thank you for your cooperation and your timeliness in securing the needed approval for the Commission.

Sincerely,


Dan Gardner
Executive Director

encl.
cc:

Dean White, Bill Wellman, Pete Schroeder, *Whiteco*
Elizabeth Johnson, *Congressman's Office*
Lou Casale, attorney, LCRBDC

5

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "John Stuart Fabian" <stuart.allen@torrenga.com>; <alex@torrenga.com>
Cc: <jvamos@nirpc.org>; "Lou Casale" <lcasale@cwblawfirm.com>
Sent: Wednesday, September 13, 2006 11:12 AM
Subject: Stage VIII Survey Work

Alex/Stu,

Today I'll fax you the letter we mailed to the residents in Mid-August to introduce our project, along with the points of contact to answer any of their questions. Please have your field crews keep several copies of this with them when they do the surveys. Also, we have had several meetings with the municipality and with some of the residents and all of the impacted parties should be contacted prior (if possible), to your going onto their properties. Minimally, knock on their door to introduce yourself and let them know what you are going to do, and that you will avoid doing any damage to their property, including gardens, landscaping, etc.. Make sure that you locate any fences, trees, all permanent structures, location of existing levee, or any other permanent structures. I have a package from the Army Corps that I will get to you prior to your field work that should help provide additional survey data- control points, and field locations.

As we previously discussed, you were asked to get title work, and coordinate with Diane Affanador from Stuart Title. What is the status of the title work? I also need to be kept up to date as to the status of the survey work. I'm responsible for providing this information to the army corps, as well as my commissioners because of our directive from the Congressman's office for an accelerated schedule. If you have any questions, or feel you can't meet our original deadlines, please let me know.

Thanks,
Jim Pokrajac

6

9/13/2006

GERTRUDE E. WASIK

208 Southmoor Rd
Hammond, IN 46324

Primary Phone: (219) 614-6058
Secondary Phone: (219) 937-8980

September 6, 2006

Judy Vamos, Land Acquisitions
Little Calumet River Basin Development Commission
6100 Southport Road
Portage, IN 46368

MS. WASIK
SENT A LETTER TO
ALL LCRBOC STAFF
TO "THANK US"
FOR THE MEETING
JW
9/7/08

Re: Southmoor Rd Neighborhood/Little Calumet River Project

Dear Judy,

Thank you, for joining our August 31, 2006 meeting regarding the Little Calumet River Project. For several of the homeowners this was the first opportunity to hear about the project from the Little Calumet River Basin Development Commission. For the others, this was the first meeting with the Commission in over three years. As you can tell, the Southmoor Road homeowners are passionate about our neighborhood. We enjoy the community that has developed, the security of the neighborhood and beauty of life along the river.

We appreciate your presentation of the Commissions timeline and the discussions surrounding the project and homeowners concerns. During the meeting, you mentioned that the surveys would be sent to all homeowners that request them. On behalf of all the Southmoor Road homeowners, this letter requests that you send copies of our individual properties surveys to all homeowners.

The homeowners on Southmoor Road will be meeting again soon to discuss what we have learned and to identify all the questions and concerns that have arisen since last weeks meeting. We will be in contact with you in the near future to discuss the project in further detail. If you would like to talk to us in the meantime please feel free to contact me at 614-6058.

Once again, thank you, for attending our meeting and your concern for our neighborhood.

Very truly yours,



Trudy Wasik
208 Southmoor Road
Twasi6@msn.com



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
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CHARLIE RAY
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VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

26 September 2006

Mr. Louis Casale, Attorney
c/o Casale, Woodward & Buls
9223 Broadway Avenue Suite A
Merrillville, IN 46410

Dear Lou,

RE: New Acquisitions at 27th and Chase Street requested by the Corps.

Enclosed in this mailing are surveys and assessment records of new acquisitions that were requested by the Corps on 8/28/05. I assigned the following DC numbers:

DC 837 Oscar & Willie Portis
DC 838 Edward Smith, et.al
DC 839 City of Gary
DC 840 Gary Sanitary District
DC 841 Busch-Raymond Corp.
DC 842 City of Gary

I was about to order title work and start the acquisition procedure, but at the monthly Real Estate Meeting on 19 September with the Corps, Project Manager Imad Samara stated that these properties are not in the project and a Right-to-Construct is sufficient. These acquisitions are to assist Gary and INDOT for flooding that occurs in that area.

We discussed both a Right-to-Construct and a Temporary Work Easement. I am concerned that landowners may want just compensation for a temporary easement. The acquisition procedure (appraisal, review, offer, etc.) for properties not in the project would be time-consuming and costly. Perhaps the Right-to-Construct would be more reasonable on these sites.

Please review the enclosed and call me so we can discuss further. Thanks.

Regards,

Judith (Judy) Vamos, Real Estate
Enclosures:

WIESER STERBA & WYLLIE, LLP**ATTORNEYS AT LAW**

425 West Lincoln Highway

Schroererville, Indiana 46375

JAMES L. WIESER*Certified Civil Mediator**Email: jlw@wswlawfirm.com*

Telephone (219) 865-7400

Fax (219) 865-7408

September 5, 2006

Mr. Louis M. Casale
Casale, Woodward & Bulls, LLP
9223 Broadway, Suite A
Merrillville, Indiana 46410

DC
836
/


RE: Our Clients: Robert Farag and Maurcen Farag
Subject: Uniform Easement Acquisition Offer for Part of the West ¼ of the
Northwest ¼ of Section 23, Township 36 North, Range 9 West of the 2nd
Principal Meridian, in Lake County, Indiana, Commonly Known as the
Griffith Golf Course

Dear Mr. Casale:

Our law firm represents Robert Farag and Maurcen Farag, and, in particular, regarding the Uniform Easement Acquisition Offer submitted by you, on behalf of the Little Calumet River Basin Development Commission, dated August 15, 2006. After careful consideration and review, our clients do hereby reject said offer. There are several reasons for this rejection, primary of which is that the appraisal does not accurately reflect the value of the real property.

We will look forward to any alternative offers you may make, or will respond to any further action you might take.

Very truly yours,
WIESER STERBA & WYLLIE, LLP


JAMES L. WIESER
Attorney at Law

JLW:ht

cc: Robert Farag and Maureen Farag

**REVISED
APPROVAL TO PAY THE FOLLOWING INVOICES
FROM O&M FUND
October 4, 2006**

-
- **\$7.46 to NIPSCO for costs incurred for elec. & gas at 3120 Gerry Street in Gary**
 - **\$143.82 to B&H Technical Services for repair on map printer**
 - **\$90.64 to B&H Technical Services for paper for map printer**
 - **\$6,038.99 to Austgen Electric for North Burr Street pump station repair work**
 - **\$88.00 to Austgen Electric for North Burr Street pump station repair work**
 - **\$6,700.00 to C&H Mowing, Inc. for 1st cycle levee mowing, date of service 6/22/06 – 6/24/06**
 - **\$2,349.37 to R. W. Armstrong Company for general services regarding pump station analysis for the period ending September 15, 2006.**

TOTAL \$ 15,418.28

Balance in O&M account after paying these invoices will be \$24,677.31

**Calumet Area Office
Construction Progress Report
Thru End of: September 2006**

CONTRACT NO.: W912P6-05-C-0010
CONTRACTOR: Illinois Constructors Corporation
DESCRIPTION: Local Flood Protection Little Calumet River, Indiana Stage VI-1 North Levee

TS-C-S
D. Anderson
Druzicki
Lee

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	30-Sep-05	5,566,871.00
NTP DATE/CURRENT CONTRACT AMOUNT: Mods A00001 & P00007	19-Oct-05	5,612,789.00
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	21-Jul-07	640
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	2-Aug-07	652
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	2-Aug-07	0

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No. 8	3,145,914.28
B. Estimated Earnings thru end of reporting period (Aug+Sep)	0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)	0.00
TOTAL ESTIMATED PROGRESS (A+B+C)	3,145,914.28

D. Work Paid for but not in Place (Materials in Storage)	526,244.60
--	------------

TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D)	2,619,669.68
---	---------------------

E. Potential Termination Costs (% of Remaining Costs){If Applicable}	0.00
--	------

FINANCIAL PROGRESS - (A+B+C+D-E)	3,145,914.28
---	---------------------

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

F. Current Contract Amount thru Mod. A00001 & P00007	5,612,789.00
G. Current Value of Overruns/Underruns (+/-)	0.00
H. Directed, Pending Modifications	-35,610.41
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)	5,577,178.59

FUNDS OBLIGATED FOR PAYMENT: thru Modification A00001 & P00007	3,147,000.00
--	--------------

ACTUAL PERCENT COMPLETE (A+B+C-D)/(F+G+H)	46.97%
---	--------

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	55.00%
--	--------

TOTAL EARNINGS AT THE END OF FY05	0.00
-----------------------------------	------

PROJECT STATUS/MAJOR ISSUES:

- Pay #8 for July Earnings paid on 9/15. Payment made 2 days late. Next pay request for August total not expected until late September/early October. Payable next FY. Will need funding mod to cover pay estimate.
- Levee complete from Kennedy Ave to Oxbow, Oxbow to preload.
- Mod approved to add geotextile under remaining riprap along riverbank. Working on mod to delete 1 preload.
- SSP complete in oxbow area. Work continues on Gatewell structures.

**Calumet Area Office
Construction Progress Report
Thru End of: September 2006**

CONTRACT NO.: W912P6-04-C-0007		TS-C-S
CONTRACTOR: <u>Illinois Constructors Corporation</u>		D. Anderson
DESCRIPTION: <u>Local Flood Protection Little Calumet River, Indiana Stage VI-I South Levee</u>		Druzicki
		Lee
ORIGINAL CONTRACT AWARD DATE/AMOUNT:	30-Sep-04	6,503,093.70
NTP DATE./CURRENT CONTRACT AMOUNT: Mods P00012& A00001	4-Nov-04	7,378,033.30
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	4-Dec-06	760
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	4-Mar-07	850
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	4-Mar-07	0
 ESTIMATED PROGRESS		
A. Present Earnings as of Pay Est. No. 15		5,937,394.80
B. Estimated Earnings thru end of reporting period		0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		62,000.00
TOTAL ESTIMATED PROGRESS (A+B+C)		<u>5,999,394.80</u>
 D. Work Paid for but not in Place (Materials in Storage)		 0.00
TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D)		5,999,394.80
 E. Potential Termination Costs (% of Remaining Costs){If Applicable}		 0.00
FINANCIAL PROGRESS - (A+B+C+D-E)		5,999,394.80
 TOTAL ESTIMATED FINAL CONTRACT AMOUNT		
F. Current Contract Amount thru Mod. P00012& A00001		7,378,033.30
G. Current Value of Overruns/Underruns (+/-)		0.00
H. Directed, Pending Modifications		98,000.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)		<u>7,476,033.30</u>
 FUNDS OBLIGATED FOR PAYMENT: thru Modification P00012& A00001		 5,959,999.00
 ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H)		 80.25%
 SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)		 80.00%
 TOTAL EARNINGS AT THE END OF FY05		 3,040,773.17

- Work on pump station continues, all concrete is in place, prep for electrical installation. Prep for rec trail work.
- Issue with conduit sizes and maintenance of pumps (ease of removal) with original design. Working on a modification to resolve. Received contractors proposal of \$98K, in process of reviewing.
- Approx. 8 inch rain on 9/13 resulted in heavy flooding of area, many homes damaged. This doesn't appear to have impacted the project schedule at this time.

**Calumet Area Office
Construction Progress Report
Thru End of: September 2006**

CONTRACT NO.: W912P6-05-C-0006
CONTRACTOR: Dyer Construction Company
DESCRIPTION: Little Calumet River, Stage VI-Phase II

TS-C-S
D. Anderson
Druzbiecki
Babcock

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	29-Jul-05	4,205,644.17
NTP DATE./CURRENT CONTRACT AMOUNT: Mods P00005	11-Aug-05	4,205,644.17
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	2-Feb-07	540
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	2-Feb-07	540
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	2-Feb-07	0

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	8	3,063,846.29
B. Estimated Earnings thru end of reporting period		
C. Value of work Performed on Directed Mods (Earnings not paid for)		34,712.15
TOTAL ESTIMATED PROGRESS (A+B+C)		3,098,558.44

D. Work Paid for but not in Place (Materials in Storage)	0.00
--	------

TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D)	3,098,558.44
---	---------------------

E. Potential Termination Costs (% of Remaining Costs){If Applicable}	0.00
--	------

FINANCIAL PROGRESS - (A+B+C+D-E)	3,098,558.44
---	---------------------

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

F. Current Contract Amount thru Mod.	P00005	4,205,644.17
G. Current Value of Overruns/Underruns (+/-)		0.00
H. Directed, Pending Modifications		34,712.15
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)		4,240,356.32

FUNDS OBLIGATED FOR PAYMENT: thru Modification	P00005	3,064,000.00
--	--------	--------------

ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H)	73.07%
---	--------

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	70.00%
--	--------

TOTAL EARNINGS AT THE END OF FY05	0.00
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PROJECT STATUS/MAJOR ISSUES:

- July earnings of \$202,245.58 includes earnings from 7/1/06 to 8/15/06. Next pay request expected after 9/15 for \$162K shown in August. No accruals for balance of FY since no additional funds are available for obligation. Will need funding mod for next pay request.
- Work continues on concrete gatewells.
- Riprap placement at overflow weir on Liable.
- Continue working on levee from gatewell to Cline Ave.
- Need to finalized mod for SSP thru dump area on Liable.

**Calumet Area Office
Construction Progress Report
Thru End of: September 2006**

CONTRACT NO.:	W912P6-06-XX-0099	TS-C-S
CONTRACTOR:	Superior Construction Company	D. Anderson
DESCRIPTION:	Local Flood Protection Little Calumet River, Indiana Burr Street Betterment Gary	Druzicki Lee
ORIGINAL CONTRACT AWARD DATE/AMOUNT:	18-Jan-06	2,301,518.00
NTP DATE/CURRENT CONTRACT AMOUNT: Mods	31-May-06	2,301,518.00
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	24-Aug-07	450
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	24-Aug-07	450
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	24-Aug-07	0
ESTIMATED PROGRESS		
A. Present Earnings as of Pay Est. No.	2	785,550.00
B. Estimated Earnings thru end of reporting period		425,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		1,210,550.00
D. Work Paid for but not in Place (Materials in Storage)		0.00
TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D)		1,210,550.00
E. Potential Termination Costs (% of Remaining Costs){If Applicable}		0.00
FINANCIAL PROGRESS - (A+B+C+D-E)		1,210,550.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT		
F. Current Contract Amount thru Mod.	0	2,301,518.00
G. Current Value of Overruns/Underruns (+/-)		0.00
H. Directed, Pending Modifications		21,500.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)		2,323,018.00
FUNDS OBLIGATED FOR PAYMENT: thru Modification		2,301,518.00
ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H)		52.11%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)		50.00%
TOTAL EARNINGS AT THE END OF FY05		0.00

PROJECT STATUS/MAJOR ISSUES:

- Impervious material complete between Burr St and Calhoun. Nearly complete between Calhoun to Colfax.
- Working on Ditch 5, preparing to start on Calhoun St road raise. Checking if NIPSCO poles need to be relocated (or removed).
- Issue with real estate for Ditch 10 is being worked on by Real Estate and LCRBDC. Needs to be resolved before contractor can work on Ditch 10.
- Ditch 5 has been tied into Burr St Pump Station. Recent flooding slowed contractor down approx. 1 week (had to re-work Ditch 5 from Burr St. to Calhoun)

**Calumet Area Office
Construction Progress Report
Thru End of: September 2006**

CONTRACT NO.: W912P6-04-C-0003		TS-C-S
CONTRACTOR: Tallgrass Restoration, LLC		D. Anderson
DESCRIPTION: <u>Little Calumet River Landscaping, Phase 2</u>		Druzicki
		Rundzaitis
ORIGINAL CONTRACT AWARD DATE/AMOUNT:	30-Jun-04	648,995.23
NTP DATE./CURRENT CONTRACT AMOUNT: Mods P00002	29-Jul-04	648,995.23
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	1-Oct-10	2255
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	1-Oct-10	2255
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	1-Oct-10	0
ESTIMATED PROGRESS		
A. Present Earnings as of Pay Est. No. 4		89,952.50
B. Estimated Earnings thru end of reporting period		0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		89,952.50
D. Work Paid for but not in Place (Materials in Storage)		0.00
TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D)		89,952.50
E. Potential Termination Costs (% of Remaining Costs){If Applicable}		0.00
FINANCIAL PROGRESS - (A+B+C+D-E)		89,952.50
TOTAL ESTIMATED FINAL CONTRACT AMOUNT		
F. Current Contract Amount thru Mod. P00002		648,995.23
G. Current Value of Overruns/Underruns (+/-)		0.00
H. Directed, Pending Modifications		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)		648,995.23
FUNDS OBLIGATED FOR PAYMENT: thru Modification P00002		115,000.00
ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H)		13.86%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)		15.00%
TOTAL EARNINGS AT THE END OF FY05		0.00

PROJECT STATUS/MAJOR ISSUES:

- Mowing and herbicide application done, followup applications continue.
- Seed order placed. Seeding scheduled for October 15 to November 15.

**Calumet Area Office
Construction Progress Report
Thru End of: September 2006**

CONTRACT NO.: DACW27-01-C-0001		TS-C-S
CONTRACTOR: Overstreet Electric Co., Inc.		D. Anderson
DESCRIPTION: Little Calumet River - Pump Station Rehabilitation Phase 1A		G. Anderson Craib
ORIGINAL CONTRACT AWARD DATE/AMOUNT:	5-Oct-00	4,638,400.00
NTP DATE./CURRENT CONTRACT AMOUNT: Mods thru A00015 & P00020	7-Nov-00	4,262,835.48
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	8-Oct-02	700
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	21-Oct-04	1,444
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	21-Oct-04	0
ESTIMATED PROGRESS		
A. Present Earnings as of Pay Est. No. 30		4,239,286.58
B. Estimated Earnings thru end of reporting period		0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		4,239,286.58
D. Work Paid for but not in Place (Materials in Storage)		0.00
TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D)		4,239,286.58
E. Potential Termination Costs (% of Remaining Costs){If Applicable}		Not Available
FINANCIAL PROGRESS - (A+B+C+D-E)		4,239,286.58
TOTAL ESTIMATED FINAL CONTRACT AMOUNT		
F. Current Contract Amount thru Mod. thru A00015 & P00020		4,262,835.48
G. Current Value of Overruns/Underruns (+/-)		0.00
H. Directed, Pending Modifications		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)		4,262,835.48
FUNDS OBLIGATED FOR PAYMENT: thru Modification thru A00015 & P00020		4,262,835.48
ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H)		86.00%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)		100.00%
TOTAL EARNINGS AT THE END OF FY05		4,239,286.58

PROJECT STATUS/MAJOR ISSUES:

- Corps sent Overstreet a "cure letter" on 19 OCT 2004 due to lack of progress. Overstreet submitted a number of partial responses. Overstreet unable to obtain a pump rebuilding subcontractor to complete the work.
- The Corps sent Overstreet and Overstreet's bonding company a "show-cause" letter on February 7, 2005 indicating the Government is considering terminating the Contract under the provisions for Default.
- On February 16, 2005, Overstreet responded with a preliminary plan on the remaining Contract work. Overstreet's still unable to finalize a pump rebuilding subcontract.
- On March 9, 2005, Overstreet provided the lone proposal received for completing the pump rehabilitation work. Overstreet has indicated that the price is unreasonable since the amount is \$500,000 more than the unpaid amount remaining with Viking.
- Overstreet's bonding company met with Overstreet on March 21 and 22, 2005 to collect information on the Contract. A conference call between the bonding company, the Corps, and Overstreet was supposed to be scheduled but never occurred.
- Contracting Officer issued a followup "show cause" notice on 30 MAR 2005. Overstreet did not formally respond.
- It is estimated that only \$23,548.90 was earned by Overstreet between 22 OCT 2004 and 14 APR 2005. No work has been completed since 14 APR 2005.
- The Termination for Default Modification P00020 was issued by the CO on 22 FEB 2006.

The T4D mod decreased the contract amount by \$711,445.19 (estimated work not complete) from \$4,974,280.67 to \$4,262,835.48. \$119,791.61 was deobligated, decreasing total funded from \$4,382,627.09 to \$4,262,835.48.

There has been email correspondence between the Corps and the Bonding Company, but no resolution of the issue has been reached.

Mark Reshkin:

We are scheduling a "working session" meeting regarding management issues at the Blue Heron Rookery in Highland for Friday, October 27th at 9:00 a.m. at the Highland Town Hall. Representatives will include John Castrale (IDNR Fish & Wildlife Department), Imad Samara and Greg Moore (U.S. Army Corps of Engineers), Dan Gardner and Jim Pokrajac (LCRBDC), town officials (from the town of Highland) and Carolyn Marsh & members of the (Audubon Society). We will also invite Liz McCloskey from U.S. Fish & Wildlife.

MR
+ RH
wants to go.



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

DR. MARK RESHKIN, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor's of Hammond Appointment

STEVE DAVIS
Dept. of Natural Resources Appointment

R. KENT GURLEY
Lake County Commissioners' Appointment

ROBERT MARSALEK
Governor's Appointment

JOHN MROCZKOWSKI
Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

September 28, 2006

Mr. Charles Schalliol
State Budget Director
State Budget Agency
212 State House
Indianapolis, Indiana 46204

Dear Mr. Schalliol:

The Little Calumet River Basin Development Commission respectfully submits a capital funding request for the 2007-2009 State Biennium budget of **\$8 million**. This amount of funding is needed to meet the project flood control construction completion by end of calendar year 2009 as established by Congressman Peter Visclosky and the U. S. Army Corps of Engineers (Attachment 1). This expedited construction completion will help contain project costs as much as possible and allow the over 8,800 residences, businesses, and public structures to be removed from floodplain designation. This accelerated schedule to complete the project will piggyback on the significant State of Indiana and local commitments made to secure Cabela's locating in Hammond. According to figures submitted to the Indiana Economic Development Corporation, the Cabela's site investment will be some \$78 million and over 170 full time and 285 part time jobs will be created. This full development will be possible only if Stage V flood protection project can take place on schedule. The accelerated \$6 million IEDC commitment (Attachment 2), coupled with the requested \$8 million to complete the entire remainder of the project, will leverage significant additional private investment. The entire recently-improved I-80/94 (Borman) corridor will realize extensive economic development/redevelopment, in part, because of completed Little Calumet River flood protection construction. The completion of the removal of homes from the floodplain alone will result in an estimated \$3.4 million to \$4 million in annual savings to residents now paying required flood insurance. This is a critical tax burden benefit at a time when property tax relief is a high priority in Lake County. These extensive benefits can only be fully realized when the flood protection construction is assured by a date certain. This requested \$8 million funding will provide that assurance.

The Little Calumet River Basin Development Commission staff and contractors will utilize the \$8 million to acquire the non-federal levee construction/maintenance easements needed, accomplish required public utility relocations, and meet the Federally-required cash match of construction contracts in the remaining two new project construction segments Stage VII (Northcote/Hart Ditch to Columbia Avenue) and Stage VIII (Columbia Avenue to the Indiana/Illinois state line). These non-federal items of participation need to total 25% of the total project cost upon completion and final federal audit. We are working diligently to document and credit fully by the Federal government all non-federal requirements.

In providing the requested \$8 million appropriation, the Corps of Engineers can construct, with committed yearly Congressional appropriations, two new flood protection contracts and a multi-pump station contract to complete the project to the state line and tie into the remaining west reach work (Stage V - Cabela's segment) and the two Burr Street contracts in Gary. Below are the Corps of Engineers expenditures to complete the entire flood control portion of the project (estimated and awarded).

<u>Stage - Location</u>	<u>Federal Construction</u>
•Stage V (Kennedy to Northcote/Hart Ditch)	est. \$ 13,720,000
•Stag VII (Northcote/Hart Ditch to Columbia)	est. \$ 6,200,000
•Stage VIII (Columbia to Indiana/Illinois state line)	est. \$ 9,000,000
•Pump Station II construction contract	est. \$ 8,500,000
•Burr St. Gary Levee (West of Burr Street)	award \$ 2,492,245
•Burr St. LCRBDC Levee (East of Burr Street)	award \$ 3,400,000

Additionally, Stage VI construction (Kennedy to Cline Avenue on both sides of the river in Hammond and in Highland) is currently underway on three segments for \$16,275,609 and will be totally completed by July 2007.

The Federal construction contracts for the remainder of the flood control features will exceed \$43,312,000, all leveraged by the non-federal funding. Attachment 3 is a project map detailing the remaining segments with projected construction contract award and completion dates. Attachment 4 is the schedule produced by the U.S. Army Corps of Engineers, indicating the timetable for non-federal funds to be available to the Federal government for awarding and paying contractors. This schedule and amount of non-federal funding needed is also reliant upon the remaining \$4 million being available for non-federal project uses prior to the new State Budget cycle that was committed to Cabela's in Mr. Michael Mauer's letter dated April 24, 2006. Currently, the Development Commission is requesting access to some or all of the \$4 million remaining to meet the committed Federal construction schedule. This has resulted due to the construction completion actually being ahead of schedule. (Attachment 5 - Reference letter to Kyle Hupfer).

Mr. Charles Schalliol
September 28, 2006
Page 3

To complete the project on schedule will require the timely release of the Stage V State commitment (Cabela's) and the funding in the 2007-2009 State Budget at \$8 million, which this request has taken into account. Efforts to contain the non-federal costs of the remaining segments of this project are mainly dependent upon the amounts of the independent appraisal value of the easements needed in the residential and business areas bordering the river yet to be acquired. Federal law dictates the process for easement acquisition and valuation. Additionally, property owners have the courts available to them as a last recourse. In Stage VII, there are 55 different private owners; and in Stage VIII, there are 88 private owners. Also, the non-federal cost share of construction is dependent upon the actual bid award. We are working within the confines of the federal procedures to contain costs to every extent possible. Attachment 6 outlines the uses of the requested \$8 million.

Lastly, we continue working with the local communities and private property owners to seek donations and local contributions where possible. To date, significant creditable non-federal contributions have been secured and we are working on additional donations. A current list of contributions is listed as Attachment 7.

In summary, the Development Commission is requesting the \$8 million appropriation to be included in the Governor's budget to insure meeting the Federal schedule. We appreciate all the support given in the past and by this administration and would be happy to make a personal presentation of this important project. We thank you for your consideration of the Development Commission's \$8 million budget request.

Sincerely,



William Biller
Chairman, LCRBDC



Dan Gardner
Executive Director

/sjm
Attach.

cc: Honorable Peter Visclosky, Congressman
Kari Evans, Governor's Office
Northwest IN Delegation
Ron McAhron, Deputy Director, IDNR
Chad Sweeney, IEDC
Thomas McDermott, Mayor of Hammond
Joseph Wszolek, Highland Town Council
Michael Mellon, Munster Town Council
Stanley Dobosz, Griffith Town Council
Tim Sanders, Director, RDA
Imad Samara, Project Manager, ACOE

PETER J. VISCLOSKY
1ST DISTRICT, INDIANA

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE
DEFENSE
ENERGY AND WATER DEVELOPMENT
CONGRESSIONAL STEEL CAUCUS
VICE CHAIRMAN
U.S. HOUSE LAW ENFORCEMENT
CAUCUS

Congress of the United States
House of Representatives
Washington, DC 20515-1401

WASHINGTON, DC 20515-1401
(202) 325-2461
401 EAST 83RD AVENUE, SUITE 9
MERRILLVILLE, IN 46710
(317) 795-1844
Call Toll Free
1 800 425 7978
or 1 800 425 7928
http://www.house.gov/visclosky

March 30, 2005

Mr. Imad Samara
Project Manager
U.S. Army Corps Of Engineers
Chicago District Office
111 North Canal Street
Chicago, Illinois 60606

Dear Imad:

I write this letter in regard to the Little Calumet River Flood Control and Recreation Project.

In 1991, actual construction for this federally funded flood control project, in which a twenty-two mile levee system is to be constructed and completed in coordination with the United States Army Corps of Engineers (USACE) and the Little Calumet River Basin Development Commission (LCRBDC), was initiated. This project serves the best interest of residents in Northwest Indiana who live along the river, and whose homes are located in the flood plain. One complete, this project will alleviate the obligation to pay flood insurance for these residents and will improve their quality of life, as they will be able to enjoy both the recreational opportunities offered by an improved river system and flood protection.

To date, I have secured \$98.7 Million in federal funding to support the activities of this project. Unfortunately, the Little Calumet River Flood Control and Recreation Project is not yet complete. The USACE, acting as the Federal Sponsor, and the LCRBDC, acting as the Local Sponsor, must establish a reasonable end date of construction that reflects a sense of urgency.

I respectfully request that the USACE submit to my office a design and construction schedule for this project that will reflect completion of the levee system within four years, or a targeted end date of December 2009. This schedule will not only ensure monitored progress in the West Reach, but will assist in my efforts to secure additional federal funding for this project during the federal appropriations cycle. Once this schedule has been submitted, I know the USACE, in coordination with the local sponsor, the LCRBDC, will work expeditiously and aggressively to ensure the levee system reaches the Illinois-Indiana State Line by the targeted date.

Thank you for your immediate attention to this matter. If you are in need of any additional information, please do not hesitate to contact me, or Elizabeth Johnson, Director of Projects and Grants in my Merrillville Office at 219-795-1844.

Sincerely,

Peter J. Visclosky
Member of Congress

PJV:ej

(Attachment 1)

INDIANA ECONOMIC DEVELOPMENT CORPORATION

April 24, 2006

Mr. Kevin T. Rhodes
Cabela's Retail, Inc.
One Cabela Drive
Sidney, NE 69160

Project ID Number: 339687

Dear Kevin:

The Indiana Economic Development Corporation ("IEDC") is pleased to learn that Cabela's Retail, Inc. (the "Company") is considering Hammond as a site for its new 200,000 square foot store ("Project"). We have been advised that the Project involves a capital investment of approximately \$78 million and the creation of approximately 170 net new, full-time positions and 285 part-time positions for Indiana resident employees, earning an average wage of \$11.00 an hour by 2010.

The IEDC will assist the Company and the City of Hammond with off-site infrastructure improvements needed to serve the proposed project site. Specifically, the IEDC will commit up to \$3,000,000 to road improvements required to grant adequate access to the Company's property. It is estimated that the road project can be completed by December 31, 2007.

In addition, the IEDC will work with the Indiana Department of Natural Resources and the Little Calumet River Basin Development Commission to make a good faith effort to complete the Little Calumet River Basin Development Commission's funding of the project up to a maximum of \$6,000,000, which has been identified as the amount necessary to meet the proposed timeline. The Company confirms by acceptance of this letter that the Company will donate a portion of its property without compensation in connection with the levy project, as requested by the Army Corps of Engineers.

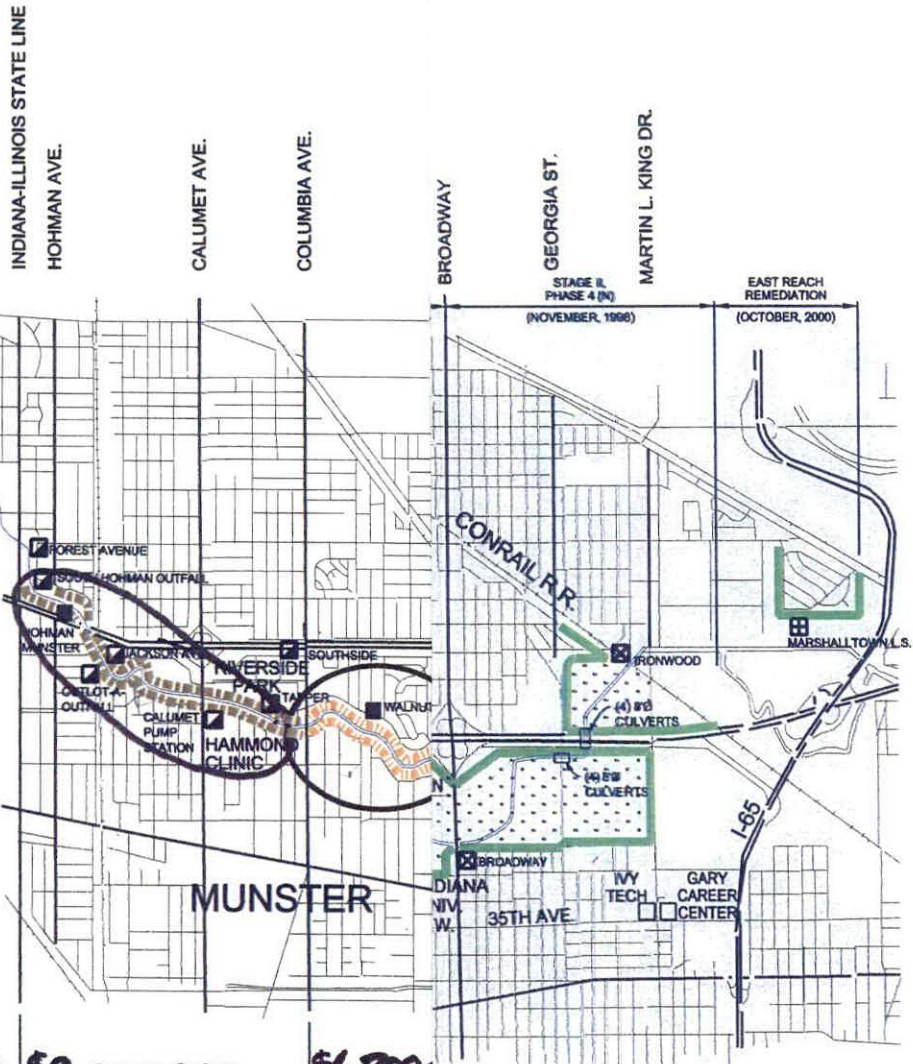
As part of our mission to increase jobs and wages for Indiana, the IEDC requires that a certain percentage of the Company's planned capital expenditures be spent with Indiana contractors and/or suppliers. The IEDC and the Company will jointly determine this percentage in addition to agreeing to terms relevant to monitoring and enforcement.

The proposal set forth in this letter shall remain available for acceptance by the Company until May 8, 2006. Failure to respond by this date will result in cancellation of this offer of assistance. All of the incentives described in this letter are subject to the Company's submission of an application, with wage, employment and investment information consistent with the representations set forth in this letter. All incentives are subject to the final review and approval of the IEDC. This letter supersedes all previous correspondence concerning this project.

Sincerely,

Michael S. Mauger,
Secretary of Commerce

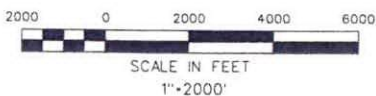
FLCECT



• FEDERAL \$
 CONSTRUCTION
 LEVEES
 • PUMP STATIONS
 \$8,500,000

\$9,000,000
 STAGE VIII (N & S)
 100 PARCELS
 \$6,200,000
 STAGE VII (N & S)
 52 PARCELS

Little Calumet River Basin
 Development Commission
 6100 Southport Road Portage, Indiana 46368



NOTE:
 CURRENT SCHEDULE AS OF
 MARCH 2006 BASED UPON
 STATE FUNDING BEING MADE
 AVAILABLE AND MATCHING
 FEDERAL FUNDING.



U. S. ARMY ENGINEER DISTRICT
 CORPS OF ENGINEERS
 CHICAGO, ILLINOIS

PROJECT MAP

Date: MARCH 2006



DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO IL 60606-7206

September 25, 2006

Planning, Programming and
Project Management Division

Mr. Dan Gardner
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, Indiana 46368

Dear Mr. Gardner:

This letter will provide the Little Calumet River Basin Development Commission (LCRBDC) the funding needs projections for the Little Calumet River Flood Control Project for fiscal years (FY) 2008 and 2009. Enclosure 1 is a table that shows the project funding breakdown (federal and non-federal) for these two fiscal years. These funding projections are based on completing the ongoing construction contracts of Stage VI-1 South, VI-1 North, VI-2 and Landscaping Contract 2.

These projections also include the award of Burr Street Betterment Levee Phase II and Stage V-2 (including Stage V-3) construction contracts. And continue design work on Stages VIII and VII. The total local funding (non-federal) cash contributions for FY 2008 and FY 2009 are \$1,876,705 and \$1,058,500 respectively.

I hope this information will assist you in your effort on obtaining funds from the state for the project. Please let me know if you have any questions, you can call me at 312-846-5560 or email me at imad.samara@usace.army.mil.

Sincerely Yours

Imad N. Samara
Project Manager

Enclosure

Enclosure 1

25-Sep-06 CONTRACT	TOTAL CONTRACT COST	FY 06 Fed	10/05-9/06 Non-Fed	FY 09 Fed	10/06-9/09 Non-Fed	Total Per FY	Acquisition Non-Fed	Relocation Cost Non-Fed
Burr Street 2 (Gary)*	\$2,400,000		\$1,400,000					
Burr Street 2 (LCRBDC)	\$3,300,000		\$300,000					
Pump Station 1A	\$4,900,000							
North 5th Pump Station								
Stage VI-1 S	\$6,733,500	\$2,007,405	\$151,095					
Stage VI-1 N	\$5,567,000	\$1,996,710	\$150,290					
Design/CM/PM Effort		\$805,380	\$60,620	\$651,000	\$49,000	\$700,000		
A/E Contracts	\$100,000	\$0	\$0	\$46,500	\$3,500	\$50,000		
Stage VI-2	\$4,206,000	\$1,999,500	\$150,500					
Stage V-2 & V-3	\$13,699,700			\$1,860,000	\$140,000	\$2,000,000		
Stage VIII	\$9,000,000			\$3,720,000	\$280,000	\$4,000,000		
Stage VII	\$6,176,500			\$4,650,000	\$350,000	\$5,000,000		
Stage III Remediation								
Wetland Mitigation*	\$1,170,000	\$28,500	\$1,500					
Landscaping 2	\$650,000	\$19,000	\$1,000	\$95,000	\$5,000	\$100,000		
Pump Station 2	\$7,705,000			\$2,790,000	\$210,000	\$3,000,000		
Wetland Mitigation (Hobar)	\$1,000,000			\$279,000	\$21,000	\$300,000		
Total		\$6,856,495	\$815,005	\$14,091,500	\$1,058,500	\$15,150,000		



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

DR. MARK RESHKIN, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor's of Hammond Appointment

STEVE DAVIS
Dept. of Natural Resources Appointment

R. KENT GURLEY
Lake County Commissioners' Appointment

ROBERT MARSZALEK
Governor's Appointment

JOHN MROCZKOWSKI
Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

August 25, 2006

Mr. Kyle Hupfer
Director
IN Dept. Natural Resources
402 West Washington Street
Indianapolis, Indiana 46204-2739

Dear Kyle:

I am writing you to provide a progress report regarding the use of the accelerated state funding released to the LCRBDC by the State Budget Committee on June 2 to meet the end of calendar year 2008 schedule toward completing the Stage V construction (Cabela's property), and to seek your guidance and assistance in releasing the additional State funding made in the IEDC commitment for infrastructure to secure the Cabela's development. We have just received a letter and report from the U.S. Army Corps of Engineers that is extremely good news – with the accelerated funding released June 2, the project construction that is underway and needed to allow full site development for Cabela's after 2008, is ahead of the schedule that was submitted to the IDNR, IEDC, and State Budget Committee showing matching funding. Most pointedly, the \$1,315,000 non-federal cash match to leverage Federal construction projected to be requested 4/07 is being requested now (August 25) to keep the Federal construction contractors working. The acceleration of this funding request will leave \$490,637 remaining in state funds available to the Development Commission for draw down. With over \$523,000 in real estate easement offers currently out and additional escrow cash payments to be made before the new biennial budget, it is imperative the additional state funding committed as part of the Cabela's development agreement be made available now to avoid the Development Commission not keeping to the aggressive project completion schedule as directed by Congressman Visclosky. I ask your guidance how to proceed to request access to the remaining funding commitment.

(Attachment 5)

Mr. Kyle Hupfer
August 25, 2006
Page 2

To document the need for this funding, I have included: (1) the letter from the Corps of Engineers identifying the construction progress and the request for the non-federal matching funds; (2) the original schedule of needed non-federal funding to complete the Stage V-2 segment (Cabela's) by November 2008; and (3) chart of State Budget Agency releases from the \$3,000,000 allocated June 2 showing the \$490,637 remaining upon release of the \$1,315,000.

I have copied a number of the principal parties in my letter and will contact you next week to discuss how to best proceed. I thank you for your assistance and support of the project and look forward to working to keeping the momentum of the accelerated construction success.

Sincerely,


Dan Gardner
Executive Director

/sjm
encl.

cc: Honorable Peter Visclosky, *Congressman*
Ron McAhron, *Deputy Director, IDNR*
Charles Schalliol, *Director, State Budget Agency*
Chad Sweeney, *IEDC*
Thomas McDermott, *Mayor of Hammond*
Tim Sanders, *RDA*
Imad Samara, *Project Manager, ACOE*



DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO IL 60606-7206

August 17, 2006

Planning, Programming and Project
Management Division

Mr. Dan Gardner
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, Indiana 46368

Dear Mr. Gardner:

When we coordinated the exercise to estimate the cost breakdown to complete Stage V-2 (which was included in a table submitted to the state) we identified an escrow cash payment to the Corps of Engineer (COE) in the amount of \$1,315,000 was projected for 4/2007. Dan, I would like to let you know that the progress of the construction contracts for Stage VI has been phenomenal. As you know, the summer weather this year has been great on helping construction move on a faster base. Because of this positive progress the COE is requesting the funding that was included in your table be available to us no later than August 25 2006. This construction progress is a first step in meeting our ultimate goal of project completing by December 2009. So I'm requesting that the Little Calumet River Basin Development Commission provide the local cash contribution of \$1,315,000. This cash contribution is for the Little Calumet River Flood Protection and Recreation Project and is in accordance with Articles II and VI of the Local Cooperation Agreement (LCA) executed on August 16, 1990. Please deposit the funds into the established escrow account (Number 7500-0244-4747) as specified in Article VI.6.2 of the LCA.

The Requested contribution represent the Commission's obligation to contribution in cash 5 to 7 present of the costs estimated to be incurred (related to structural flood control measures) through the end of the Federal Government's fiscal year ending on September 30, 2006. This funding will be used in FY 2006.

If you have any questions, please contact me at 312-846-5560.

Sincerely Yours,



Imad N. Samara
Project Manager

**ESTIMATED COST BREAKDOWN TO COMPLETE STAGE V-2 SEGMENT
(KENNEDY AVENUE TO NORTHCOTE AVENUE)
BY NOVEMBER 2008**

<u>Amount</u>	<u>Purpose</u>	<u>Status</u>	<u>\$ Needed</u>
(1) \$623,061	• Burr Street/Gary Cash Participation (Required by IDNR Permit to allow Stage V-2 Construction Letting)	• Claim Draw for funds release sent to State Budget Agency on April 10, 2006	4/06
(2) \$300,000	• Burr Street/Corps Cash Participation (Required by IDNR Permit to allow Stage V-2 Construction Letting)	• Corps of Engineers Letter of Request just transmitted (4/29/06 effective date) - Will necessitate allocation availability of remaining \$1,000,000 for use at earliest Budget Committee meeting. - With IDNR concurrence, will prepare letter of request to appear on next Budget Committee agenda	5/06
(3) Maximum \$700,000	• Stage V-2 Real Estate/Easement Acquisition • Total of 37 Easement Acquisitions - 18 easements accepted/closed - 18 easement acquisitions remain to be accepted/closed at an appraised value & professional services to close at \$693,222 (est)	• Real Estate Easements must be acquired before Construction Contract for Stage V-2 can be advertised. - Schedule for Acquisition 9/06 - Schedule for Advertisement 2/07 - Ongoing offers and closings will be dependent upon early availability of remaining \$1,000,000	4/06 (Ongoing \$'s needed to continue)
(4) \$516,000	• Stage VI Escrow Cash needed to continue Federal construction contracts - Federal Construction - \$16,275,609	• Will deplete all available remaining funding at Commission and in State Budget, with a gap of approximately \$100,000	6/06 (----- Fund gap begins)
(5) \$600,000	• Burr Street/Corps 2 nd installment needed to complete East Reach Project	• Currently No Funds Available to meet Schedule or allow Award of Contract	10/06
(6) \$1,250,000	• Utilities Relocation/Construction - Current Corps of Engineers estimate of of \$1,700,000 based on relocation - Detailed Engineering beginning 5/06 to seek revised "Bridging/Protecting" Design for Utilities • Design/Utilities Concurrence scheduled by 8/06 • Very Preliminary Cost Estimate of Bridging Non-Federal Cost - ±\$950,000 • Other small utilities in Stage V-2 - \$300,000(est)	• Currently No Funds Available to meet Schedule or allow Award of Contract	2/07
(7) \$1,315,000	• Stage V-2 & VI Escrow Cash payments to complete Construction Contracts - Federal Construction V-2 - \$13,699,700	• Currently No Funds Available to meet Schedule or allow Award of Contract	4/07

STATE BUDGET AGENCY RELEASES OF \$3 MILLION ALLOCATION

\$3 million approved on June 2, 2006 at State Budget Committee hearing in Valparaiso, IN.
\$1 million was allocated from 2005-07 biennial budget.
The other \$2 million was restored from 2003/05 biennial budget.

Account 3880/572500/378760 as per Deanna Oware, Budget Analyst:

<u>Amount</u>	<u>Claim #</u>	<u>Submission Date</u>	<u>Purpose</u>
\$ 3,000,000 (as released on June 2)			
<u>-128,384</u>	#148	June 6, 2006	• Ongoing Real Estate Acquisition for project use
\$ 2,871,616			
<u>-300,000</u>	#149	June 6, 2006	• Burr Street cash match (#2 on chart)
\$ 2,571,616			
<u>-516,000</u>	#150	June 6, 2006	• Stage VI cash match (#4 on chart)
\$ 2,055,616			
<u>-147,849</u>	#151	July 17, 2006	• Ongoing Real Estate Acquisition for project use
\$ 1,907,767			
<u>-102,130</u>	#152	August 25, 2006	• Ongoing Real Estate Acquisition for project use
\$ 1,805,637			
<u>-1,315,000</u>	#153	August 25, 2006	• Stage V-2 & VI cash match (#7 on chart)
\$ 490,637			

(Encl. 3)

USE OF \$8 MILLION BUDGET REQUEST

<u>Stage</u>	<u>Activity</u>	<u>Non-Federal Funding Needed</u>	<u>Federal Construction</u>
<i>Stage V</i>	<ul style="list-style-type: none"> • Complete Easement Acquisitions & Utility Relocations • 7% Cash Match of Construction 	<p>Accounted for in State Commitment to Cabela's</p> <p>\$ 960,000 total needed est.</p>	\$ 13,720,000 est.
<i>Stage VII</i>	<ul style="list-style-type: none"> • 52 Easement Acquisitions • Utility Relocations • 7% Cash Match of Construction 	<p>\$ 1,216,000 est.</p> <p>\$ 450,000 est.</p> <p>\$ 434,000 est.</p> <p>\$ 2,100,000 total needed est.</p>	\$ 6,200,000 est.
<i>Stage VIII</i>	<ul style="list-style-type: none"> • 100 Easement Acquisitions • Utility Relocations • 7% Cash Match of Construction 	<p>\$ 2,060,000 est.</p> <p>\$ 910,000 est.</p> <p>\$ 630,000 est.</p> <p>\$ 3,600,000 total needed est.</p>	\$ 9,000,000 est.
<i>Pump Stations II Construction</i>	<ul style="list-style-type: none"> • 7% Cash Match of Construction 	\$ 610,000 total needed est.	\$ 8,500,000 est.
<i>Burr Street Gary</i>	<ul style="list-style-type: none"> • Contingency for Construction Completion 	\$ 200,000 est.	\$ 2,301,518 (Ongoing)
<i>Burr Street LCRBDC</i>	<ul style="list-style-type: none"> • Project Cash Match 	Accounted for in State Commitment to Cabela's (\$1,443,000)	\$ 3,400,000 Bid
<i>Griffith Levee</i>	<ul style="list-style-type: none"> • FEMA requiring East-West units tie-in Certification 	\$ 500,000 est.	Construction for 100 yr. flood needing tie-back certification
<i>East Reach</i>	<ul style="list-style-type: none"> • Final Flowage Easements Acquisition 	\$ 50,000 est.	Construction Complete
		\$ 8,020,000	

(Attachment 6)

LOCAL PROJECT CONTRIBUTIONS

1. Deep River Borrow Site – Lake County Parks Dept. (Used for Gary levee segments Stage II and Stage III)
 - Provided approximately 1.3 million cubic yards of clay (value of clay approximately \$1.25 per cubic yard for a total of about \$1,625,000 savings)
 - After excavation, Big Maple Lake was created in Deep River Park
 - Over \$119,000 of real estate credit was earned
2. Carlson-OxBow Park (Hammond, 1985)
 - City of Hammond contributed \$300,000 to complete the recreation features as part of the flood control/recreation project
3. City of Hammond (Stage VIII)
 - City constructed Federally-approved levee and pump station west of Hohman Avenue to the State Line for a total cost savings of \$1,667,200 prior to Federal Contracts
4. Dedicated easements for Construction
 - A. City of Hammond
 - Donation of easements for five (5) pump stations in the west reach at a cost of approximately \$9,000 per station for a total cost savings of approximately \$45,000 on real estate)
 - Donation of construction easements in Stage VI totaling \$28,233 in value by the civil city; \$15,543 by the Hammond Park & Recreation Board; and \$365,319 by the Hammond Sanitary District.
 - B. Town of Highland
 - Donation of easements for two (2) pump stations totaling \$18,000 of value
 - Donation of easements needed for construction in Wicker Park Manor and Stage VI of \$164,673
 - Local residents in Wicker Park Manor donated easements for levee construction totaling \$25,000
 - Highland Park & Recreation Board donated easements for levee construction totaling \$63,256
 - C. City of Gary
 - City of Gary contributed \$1,400,000 toward construction contract of Burr Street levee (Gary)
 - Gary Sanitary District contributed \$326,139 toward Burr Street levee (Gary)
 - City of Gary demolished 3 abandoned structures within flood storage area for contribution of \$18,000
 - City of Gary donated easements for Chase Street recreation trail and Gleason Park recreation development totaling \$60,000

(Attachment 7)

D. Lake County Commissioners

- Lake County Board of Commissioners donated lands needed to be acquired for flood storage in Gary totaling 168 acres and valued at \$353,000

E. Lake County Park Board

- Lake County Park Board donated lands in Gary for flood storage and recreation development totaling approximately 85 acres and valued at \$200,000

TO DATE: \$5,168,363 Local Donations/Contributions

IN PROCESS DONATIONS: (Stage V – Hammond)

- Cabela's - Easements for levee construction (Hammond)
- North Township – Wicker Park – Easements for levee construction
- WHITECO (Hotels) – Easements for levee construction
- Lake County Convention & Visitors Bureau – Easements for levee construction
- City of Hammond – Easements for levee construction
- Town of Highland – Easements for levee construction

* These donations are in final negotiations, with an expected real estate value of over \$3 million. All are expected by the end of 2006.



STATE OF INDIANA
OFFICE OF THE GOVERNOR
State House, Second Floor
Indianapolis, Indiana 46204

Mitchell E. Daniels, Jr.
Governor

September 26, 2006

The Honorable George W. Bush
President of the United States
The White House
Washington, D. C. 20202

Through: Edward G. Buikema
Regional Director
FEMA Region V
563 South Clark Street, 6th Floor
Chicago, IL 60605-1521

Dear Mr. President:

Under the provisions of Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5206 (Stafford Act), and implemented by 44 CFR § 206.36, I respectfully request that you declare a major disaster for the State of Indiana as a result of flash flooding that occurred in Vanderburgh County on September 12, 2006 and Lake County on September 13, 2006. I respectfully reserve the right to request assistance for additional counties as substantiating documentation is received and damage assessments reveal the need for assistance.

The State of Indiana experienced the effects of a low pressure system that extended from September 10-14 bringing torrential rainfall over several areas of the state. These rainfall events caused the greatest damages in municipalities of Vanderburgh and Lake Counties. These two counties were each severely damaged by flash flooding from the same low pressure system. The weather events that caused the damages sustained by the state are detailed below and in Attachment B to this letter. This attachment is a summary prepared by Mr. David Tucek, Warning Coordination Meteorologist, National Weather Service, Indianapolis.

In response to the situation and in accordance with Section 401 of the Stafford Act, the State Comprehensive Emergency Management Plan was executed on September 12, 2006. Under Indiana Code, I declared a State of Disaster Emergency on September 14, 2006 for Lake County and for both Vanderburgh and Lake Counties on September 26, 2006 (Attachments A and A1).

On September 15, I requested a federal, state and local damage survey of the affected areas of Lake County and on September 20, I requested Vanderburgh County be surveyed. Preliminary assessments indicate that the most severe impacts were to homes and businesses.

I have determined that this incident is of such severity and magnitude that effective response is beyond the capabilities of the state and local governments and supplementary Federal assistance is necessary. I am respectfully requesting the implementation of Individual Assistance Programs including Disaster Housing, Disaster Unemployment Assistance, Crisis Counseling, Individual and Household Programs and Other Needs Assistance, as well as Hazard Mitigation state-wide and Small Business Administration disaster loans. I respectfully reserve the right to request the Public Assistance Program when damages are more fully understood and assessments indicate that supplementary assistance is necessary for the recovery of government infrastructure.

Preliminary estimates of the types and amount of assistance needed under the Stafford Act are tabulated in Enclosure A. Estimated requirements for assistance from certain Federal agencies under other statutory authorities are tabulated in Enclosure C. Below is a detailed description of the damage caused by the storm in Lake and Vanderburgh Counties.

Vanderburgh County:

On the afternoon of September 12 torrential rainfall caused flash flooding to occur city-wide within the City of Evansville in Vanderburgh County and portions of the Town of Newburgh in Warrick County. However, the greatest impact occurred in the southeastern quadrant of Evansville. Rainfall rates of two inches per hour caused the National Weather Service in Paducah to issue flash flood warnings for Vanderburgh and Warrick Counties. At 3:09 p.m. law enforcement reported flooding was occurring in Newburgh. By 3:23 p.m. water rescues were being conducted in Evansville. Rainfall amounts of up to six inches fell in very short time causing extensive storm runoff. National Weather Service received reports of homes flooded with up to 10 feet of water. Local damage assessments conducted in Evansville indicate that over 200 homes were affected. American Red Cross damage assessments indicate that two homes were destroyed, 43 homes sustained major damages, 13 sustained minor damages and an additional 74 were affected. Damage assessments by local government officials indicate 27 homes sustained major damage, 119 homes sustained minor damage and 83 were affected. Low to moderate income housing sustained the greatest damages in Evansville. While the unemployment rate is at 5.5% or 16,323 persons, the population of the city living below poverty level is 10.1% or 29,915 persons. Nearly 30,000 residents are of retirement age. Additionally, over 6,100 residents of the City have an annual income of under \$10,000. Many of the damaged homes are occupied by residents who do not have the ability to acquire or repay a loan no matter how generous the terms.

Lake County:

Within hours, this same system produced damages on the morning of September 13 causing heavy rainfall to occur over the northern third of Lake County. According to the National Weather Service Chicago Office, "strong thunderstorms on the back side of a slow moving low pressure system produced torrential rainfall on Wednesday, September 13 across the northern portions of Lake County, Indiana. Rain over the previous 4 days had preconditioned the soil for a possible flooding event. A few showers and thunderstorms began across the hardest hit area of Highland and Griffith at about 2:15 am CDT on early Wednesday morning. The main band of rain started at about 6:37 am CDT in this area as a light to moderate rain. The training of heavy rain and thunderstorms began at about 8:30am CDT and lasted until about noon CDT. This is when the bulk of the rain fell across the Little Calumet River basin and caused the flooding. At 9:01 am CDT, the National Weather Service issued an Urban and Small Stream Flood Advisory for Lake County. At 10:42 am CDT, on Wednesday, the National Weather Service upgraded the advisory to a Flash Flood Warning for Northern Lake County, specifically mentioning Schererville, Munster, Merrillville, Highland, Hammond, Griffith and Gary. Rainfall estimates according to Doppler radar indicated a widespread area of about 3 to 4 inches across Lake County. Ground truth reports from Highland showed amounts ranging from 3.79 inches to 7.94 inches." Highland officials reported local measurements of 7 to 9 inches.

This torrential storm runoff caused the flooding of homes both in basements and on first floors causing great damages in the municipalities of East Chicago, Gary, Griffith, Hammond and Highland. Numerous residents required water rescue from their homes. It is estimated that thousands of homes have received some degree of flood damage. The American Red Cross has indicated the Town of Highland alone has nearly 1400 homes affected. County-wide the affected homes will number 4000. On Wednesday evening the local American Red Cross chapter indicated that this event would require National American Red Cross assistance. Local damage assessments continue throughout the affected area at this time. A Red Cross Service Center has been established by the Red Cross at the Lincoln Center in the Town of Highland. From this location they have issued over 1450 cleanup kits, provided nearly 800 meals, 11764 snacks, and estimated that they would open 400 cases. As of close of business yesterday they had opened 501 cases. They have also made 362 mental health contacts. The ARC continues to operate one shelter.

The greatest impacts from this event were felt in the towns of Griffith and Highland. The Town of Griffith experienced not only town-wide overland flash flooding, but also riverine type flooding when the Cady Marsh Ditch overflowed spilling into nearby neighborhoods. Local officials have identified seepage and overtopping in the Cady Marsh Ditch. Backflow from toe drains along the Little Calumet River also impacted homes on the north side of Highland. Town officials believe there are from 50 to 70 homes with first floor flooding ranging from one foot to four feet.

The Town of Highland experienced flash flooding as well as riverine flooding from Cady Marsh Ditch, the Little Calumet River and Hart Ditch. As stated earlier, nearly 1400 homes are impacted. Some of the most serious damages include collapsed basements and first floor flooding.

The City of Gary experienced flooding from both overland and sewer backups. The Black Oak and Small Farms subdivisions of the city experienced some of the greatest impacts. These two areas of the city are very low income housing. Small Farms homes are on septic tanks and many have ceased to function due to soil saturation from the flooding. Regulations prohibit repair of septic systems in this area. Therefore, some of the affected homes may be uninhabitable. Additionally, 24.8% of the population, or 25,070 persons are at poverty level or below. Unemployment, as of March of 2005 was at 6.6% or 6,597 persons out of work. Over 22,400 residents or nearly one quarter of the City residents are of retirement age.

The City of East Chicago suffered flash flooding causing overland flooding, sewer backups, and structural damages. Damages to homes due to rain infiltrating roofs causing ceilings to collapse were reported. Twenty-four percent (24%) of the population of this city falls below poverty level. Of the 32,000 homes in the city, 2,418 households have an annual income of less than \$10,000.

Like the other cities and towns, the City of Hammond also experienced severe flash flooding that included overland flooding and sewer backups. They also share many of the same socioeconomic issues. Many of the affected households are on fixed incomes as well.

Literally, thousands of basements have been flooded by rainwater runoff or sewer backup. A very high percentage of the affected basements are used as living areas containing kitchens, bedrooms and other essential living space. These converted basements are predominately in the homes of low income working residents. The infiltration of fecal materials, hydrocarbons and other foreign substances carried by the flood waters pose the possibility of a serious threat to health and safety throughout the affected region. Mold has already started to form in some homes. Without the assistance that the Individual and Household program can provide, these residents may attempt to retain tainted household goods that will lead to health issues. Basement walls have been compromised by hydrostatic pressure. Many that were constructed of concrete block have developed cracks that will continue to allow infiltration of water. Again, collapsed and bowed walls have been verified during the preliminary damage assessment.

Several jurisdictions, as a matter of routine, send their building authority to inspect homes when residents report damages. Building officials tag unsafe homes and deny entry to its occupants. Therefore, some residents have not reported serious damages because they fear they would lose access to their home and have no means to finance temporary lodging.

Residents throughout the affected area are complaining to the Indiana Department of Insurance. Policy holders are finding that their insurers are not covering their damages. Even insurance agents have complained to the Department that they have written policies that the companies are not honoring due to the cause of damages. After improvements were made on the Cady Marsh Ditch and Little Calumet River homeowners were led to believe that flood insurance would no longer be required. Therefore, many did not renew policies. Flood insurance coverage throughout the entire affected area was found to be very low.

The vast areas of standing water have provided ideal breeding grounds for mosquitoes and have already begun to propagate populations. The Black Oak and Small Farms areas of the City of Gary are already experiencing high concentrations of mosquitoes. Due to the density of the populations and aging sewer systems or failed septic systems, the threat of water borne and mosquito born diseases exists. The flooding has come at the peak of the West Nile virus season and, therefore, is a serious public health concern requiring immediate monitoring/abatement programs.

Lake County is the second most populated county in the state. Most of the population of the county lies in its northern half. The county is very industrialized in the northern quarter and has experienced many plant closings and production reductions in the past few years. The layoffs have caused many residents further stress on financial resources and family suffering. Much of the affected area contains large segments of low income and high unemployment. Many of the cities and towns have high populations of retired and elderly residents on small fixed incomes. While there is progress being made in improving the local economies, it may not have an immediate effect on the most affected populations.

Road and bridge closures from flooding have been numerous throughout the affected areas. These closures have been a tremendous burden upon the various emergency response services as they have tried to provide law enforcement, fire and emergency medical services. The Town of Highland damaged a police car in the flood waters. Flood related problems have also caused the closure of schools, churches, businesses and many other public activities as well as disrupted essential services to the elderly and needy such as Meals on Wheels and other feeding programs.

Evacuations and water rescues were conducted throughout the affected areas. School children had to be taken by boat from South Ridge Elementary school in Highland. Automobiles floated through the streets, manhole covers washed away, and sewer collapses were reported in both Lake and Vanderburgh Counties.

The following information is furnished on the nature and amount of state and local resources that have been, or will be used, to alleviate the situation:

Local governments have responded to the fullest extent possible. Fire, police, emergency medical, street and highway departments, as well as utilities have provided

the assistance necessary to save lives and alleviate the threats to health and safety. Township Trustees are providing up to \$50 in assistance for cleaning supplies. The Lake County Economic Development Department is providing limited grants to homeowners from their limited emergency relief fund. Conversations with Economic Development Department officials indicate that the need for the grant program far exceeds their resources.

The State EOC was activated and the Comprehensive Emergency Management Plan was implemented on September 12, 2006. The situation was monitored to provide additional assistance upon request from local governments. The following state agencies have provided, and are continuing to provide, assistance:

- Indiana Department of Transportation (INDOT) provided emergency assistance to local street and highway departments in closing roads and bridges, providing signage and barricades.
- Indiana State Police (ISP) provided assistance with traffic control, rescue, security and aerial support.
- Indiana Department of Natural Resources (IDNR) provided assistance to local governments by monitoring flood levels, threatened dams and levees, and assisted in traffic control and water rescue. Indiana State Department of Health (ISDH) provided information on nursing homes and waterborne disease safety.
- Military Department of Indiana (MDI) monitored the situation for emergency needs.
- Indiana Utility Regulatory Commission (IURC) monitored outages and kept the EOC advised of the severity of the outages as well as estimated times that power would be restored.
- Indiana Department of Insurance (IDOI) provided on-site personnel to assist consumers by providing expert insurance information, claims assistance and complaints.
- Family and Social Services Administration (FSSA), Division of Mental, Health deployed the District 1 Mental Health Disaster Response Team to assist the American Red Cross in providing Crisis Counseling to victims in Lake County.
- Indiana Department of Homeland Security (IDHS) provided overall direction and control on my behalf, continuously monitored the situation, surveyed stricken areas, coordinated requests from cities, towns and counties, maintained a continual status of medical facilities, provided technical assistance, investigative services, monitored fire operations throughout the affected areas, provided building safety personnel and coordinated with federal agencies including the Federal Emergency Management Agency.

I intend to implement the Other Needs Assistance Program as shown in Enclosure A. I certify that for this major disaster, the state and local governments will assume all applicable non-Federal share of costs required by the Stafford Act. Total expenditures are expected to exceed \$637,000 in accordance with the table in Enclosure D.

Joint State/Federal preliminary Individual Assistance damage assessments were conducted. The results for Lake County alone are 4 destroyed, 87 sustaining major damage, 1142 with minor and 2391 were affected. The survey conducted in Vanderburgh County indicated that 17 homes were destroyed, 47 sustained major damages, 260 with minor damage and 206 were affected. The combined total of Destroyed homes and homes sustaining major damages equal 155 homes and 1,429 that have sustained minor damage. Nearly 3,000 homes are also affected.

The greatest impacts were found to be in the Town of Highland. This community suffered some form of damages to over 1,000 of its 1,472 homes or over 70% of its households.

It must also be taken into consideration that flash flooding results in "invisible" damages. Invisible in as much as the damages occur inside homes and in basements not observable from the exterior of the structure except in cases of total failure of basement walls. Waterlines, regardless of the depth of flooding, many times are difficult to detect, therefore, survey team members must be able to access the interior of the structures to make an assessment. The occupants of many of the homes in the affected areas were not available to allow entry to their homes. Aerial images of the impacted areas clearly demonstrate the massive extent and magnitude of the flooding. It is certain that additional serious damages exist throughout the flood damaged region. As I write this letter additional reports of damaged homes are being received by local emergency management officials. The soil remains saturated in the affected areas and any additional rainfall will be cause for concern.

In addition, I anticipate the need for debris removal, which poses an immediate threat to lives, public health, and safety. Pursuant to Sections 403 and 407 of the Stafford Act, 42 U.S.C. §§ 5170b & 5173, the State agrees to indemnify and hold harmless the United States of America for any claims arising from the removal of debris or wreckage for this disaster. The State agrees that debris removal from public and private property will not occur until the landowner signs an unconditional authorization for the removal of debris.

I have designated J. Eric Dietz, Executive Director of the Indiana Department of Homeland Security, as the State Coordinating Officer for this request. He will work with the Federal Emergency Management Agency in damage assessments and may provide further information or justification on my behalf.

During the past two years, Hoosiers have worked to restore the public infrastructure and their homes due to damages sustained by previous disasters. As you are aware, two of the affected counties, Vanderburgh and Warrick, are still involved in long term recovery from the November 2005 tornado disaster. Many of these same Hoosiers will again be repairing their disaster damaged homes as well as removing flood debris, repairing local public buildings, roads and bridges. The preliminary damage assessment

The President
September 26, 2006
Page 8

was completed in Vanderburgh County on the morning of September 23. In the afternoon and evening hours of September 23, the City was again hit by flash flooding. Flooding appears to be widespread in our southern counties. Local damage assessments are being conducted again at this time.

Supplemental federal assistance is warranted and necessary for the Hoosier communities affected by these severe flash floods. While the U.S. Small Business Administration operates an excellent disaster loan program, due to the large numbers of unemployed, retired and low income victims, a disaster loan program, will not in itself, provide the assistance for the residents, who number in the thousands, need to recover. Only the assistance provided under the Individual Assistance Programs will be capable to serve these less fortunate victims.

I shall look forward to your earliest possible reply.

Sincerely,


Mitchell E. Daniels, Jr.

Attachments A, A1 and B
Enclosures A, C and D

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER 06-15

FOR: DECLARING A DISASTER EMERGENCY IN LAKE COUNTY, INDIANA DUE
TO HEAVY RAINFALL, SIGNIFICANT FLOODING AND FLASH FLOODING

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, heavy rains swept through Lake County on September 12 and 13, 2006;

WHEREAS, serious flooding and flash flooding resulted from the heavy rains; and

WHEREAS, as a result of the flooding and flash flooding, there has been significant
damage to public and private property; and

WHEREAS, the Indiana Department of Homeland Security has mobilized and deployed
all available state resources to assist the victims, local officials and
political subdivisions affected by this disaster.

NOW, THEREFORE, I, Mitchell E. Daniels, Jr., by virtue of the authority vested in me
as Governor of the State of Indiana, do hereby

DECLARE, that a state of disaster emergency exists in Lake County, Indiana; and

ORDER the Indiana Department of Homeland Security, having already
implemented the State Emergency Plan, to provide needed
emergency services to the damaged areas of Lake County impacted by the
heavy rains and subsequent flooding and to coordinate assistance with
appropriate federal, state and local agencies.

This declaration of disaster emergency was in effect beginning September 12, 2006, and
continues.



IN TESTIMONY WHEREOF, I, Mitchell E.
Daniels, Jr., have hereunto set my hand and
caused to be affixed the Great Seal of the State
of Indiana on this 14th day of September, 2006.

M E Daniels Jr.

Mitchell E. Daniels, Jr.
Governor of Indiana

Todd Rokita

ATTEST: Todd Rokita
Secretary of State

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER 06-16

**FOR: DECLARING A DISASTER EMERGENCY IN LAKE COUNTY AND
VANDERBURGH COUNTY, INDIANA DUE TO HEAVY RAINFALL,
SIGNIFICANT FLOODING AND FLASH FLOODING**

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS:

- WHEREAS,** from September 10 through September 14, 2006, a single, large low pressure system moved slowly through the Great Lakes and Ohio Valley Regions providing an extended period of rain that, beginning on September 12, 2006, resulted in flash flooding and flooding in Lake and Vanderburgh Counties;
- WHEREAS,** in Lake County, significant flooding occurred in Hammond, Griffith, Highland, East Chicago, Gary and surrounding areas where over 3,500 homes were inundated, some severely, and water rescues were conducted in homes and schools due to the rapid rate at which the water rose;
- WHEREAS,** in Vanderburgh County, significant flooding occurred in Evansville resulting in the closure of several local roads and major highways, several homes were inundated, numerous cars needed towing, and thirty (30) or more water rescues were required;
- WHEREAS,** on September 14, 2006, after extensive damage was reported by Lake County, Executive Order 06-15 was issued, declaring a state of disaster emergency in Lake County due to serious flooding and flash flooding that occurred as a result of heavy rain that swept through Lake County on September 12 and 13, 2006; and
- WHEREAS,** subsequent to the issuance of Executive Order 06-15, extensive damage has been reported by Vanderburgh County as a result of the flooding caused by this storm system.

NOW, THEREFORE, I, Mitchell E. Daniels, Jr., by virtue of the authority vested in me as Governor of the State of Indiana, do hereby:

DECLARE that a state of disaster emergency exists in Lake and Vanderburgh Counties; and

ORDER the Indiana Department of Homeland Security, having already implemented the State Emergency Plan, to provide needed emergency services to the damaged areas of Lake and Vanderburgh Counties impacted by the heavy rains and subsequent flooding and to coordinate assistance with appropriate federal, state and local agencies.

This declaration of disaster emergency was in effect beginning on September 12, 2006.



IN TESTIMONY WHEREOF, I, Mitchell E. Daniels, Jr., have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 26th day of September, 2006.

M. E. Daniels, Jr.

Mitchell E. Daniels, Jr.
Governor of Indiana

ATTEST: Todd Rokita
Secretary of State

Todd Rokita

ATTACHMENT B

Weather System Causing the Evansville, Indiana and Lake County, Indiana Floods of 12-13 September 2006.

A strong weather system atypical for late summer impacted Indiana and the Midwest from 10 September through 14 September 2006. A single, large low pressure system moved slowly through the Great Lakes and Ohio Valley Regions providing an extended period of rain that moistened the ground, raised stream levels and raised the flash flood threat potential. Two events from this weather system, one in Evansville, and one in Lake County, proved particularly disastrous.

This single low pressure system pulled plentiful Gulf of Mexico air northward into Indiana culminating in available moisture for rain exceeding 150% of normal, a value the National Weather Service considers a threshold for flash flooding rain potential. This was the case for both the Evansville and Lake County events.

In the case of the Evansville event, beginning around 400 AM CDT and ending around 400 PM CDT 12 September, heavy rainfall from showers and thunderstorms repeatedly "trained" over the southeast side of Evansville. National Weather Service radar estimates and measured rainfall from weather observers indicated rainfall totals of 3 to 6 inches. The greatest concentration of heavy rainfall occurred in the afternoon hours. Several local roads and major highways were closed due to several feet of water. In addition, several homes were inundated, as many as 50 cars needed towing, and 30 or more water rescues were required.

In Lake County, throughout the morning of 13 September, this same slow moving low pressure system produced heavy rain and thunderstorms with rainfall totaling from 2 to nearly 8 inches. The slow movement and long duration of this heavy rain resulted in significant flooding in the Hammond, Griffin, and Highland areas. At least 1,000 homes were inundated, some severely, and water rescues were conducted in homes and schools due to the rapid rate at which the water rose.

Thus this single low pressure system moving slowly across the Great Lakes and Ohio Valley Region resulted in significant flood events in Northwest and Southwest Indiana. The total rainfall from these events was nearly twice the normal monthly rainfall either of these areas would receive.

Respectfully submitted,

David R. Tucek
Warning Coordination Meteorologist
National Weather Service Indianapolis
317-856-0368

ENCLOSURE A
Estimated Requirements for Individual Assistance
The Stafford Act

Temporary Housing	Repairs	Replacement	Permanent Housing Construction	Other Assistance	Other Programs (Disaster Unemployment Assistance, Legal Services, and Crisis Counseling)
400	700	TBD	TBD	724	TBD

ENCLOSURE C

Estimated Requirements for Other Federal Agency Programs

TBD

County	SBA Home Loans	SBA Business Loans	FSA Loans	NRCS
Lake	\$ 6,264,867	\$ 600,631	TBD	TBD
Vanderburgh	\$ 854,300	\$ 31,613	TBD	TBD
Totals	\$7,119,167	\$632,244	TBD	TBD

ENCLOSURE D

Governor's Certification

I certify that for this current disaster, State and local government expenditures and obligations will include the non-federal share of costs required by the Stafford Act. As stated in my basic letter, and based on information available at this time, tabulation of these estimated expenditures and obligations are as follows:

CATEGORY OF ASSISTANCE	AMOUNT	
	STATE	LOCAL
Individual Assistance		
"Other Assistance" under Individuals and Households Program	\$637,000	
Other NRCS		
TOTAL:		
Public Assistance:		
Category A - Debris Removal		Unknown
Category B - Emergency Protective Measures		Unknown
Category C - Roads and Bridges		Unknown
Category D - Water Control Facilities		Unknown
Category E - Buildings and Equipment		Unknown
Category F - Utilities		Unknown
Category G - Other (Parks, Recreational Facilities, etc.)		Unknown
TOTAL:		Unknown
Grand Total:	\$637,000	Unknown

* Preliminary amount. Assessments are continuing and amounts will increase.



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
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JOHN MROCZKOWSKI
Governor's Appointment

CHARLIE RAY
*Porter County Commissioners'
Appointment*

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

October 3, 2006

Mr. Kyle Hupfer, Director
IN Dept. Natural Resources
402 West Washington
Indianapolis, Indiana 46204

Dear Kyle:

I am writing you regarding our recent phone conversation in which we discussed need for assistance in the release of additional State funding committed in the IEDC's letter to Cabela's dated April 24, 2006 (Attachment 1) accelerating funding up to \$6 million to meet the development schedule. The Development Commission requests guidance in the release of \$2.5 million to keep construction on schedule. The use of the \$2.5 is broken down in the following way:

- (1) \$1,442,583 - For requested non-federal cash match on the Burr Street (Little Cal) Construction Contract to fully award the low bid proposal. This accelerated full contract award will save time and money vs. incrementally funding the construction and having to re-bid the work, as identified in the Corps of Engineers request letter (Attachment 2) dated September 27, 2006. This contract completion is in the critical path for the Stage V construction completion to Cabela's.
- (2) \$1,000,000 - For non-federal funding required to continue public easements acquisition in Stages VII and VIII. This additional funding is necessitated by the depletion of available funds due to the early transmittal of the \$1,315,000 for local cash share to support Federal construction in Stages VI-1 North and South and VI-2. The \$1,000,000 requested will allow the project required non-Federal acquisition to not be slowed (Attachment 3).

Mr. Kyle Hupfer
October 3, 2006
Page 2

- (3) \$57,417 - The remaining \$57,417 requested will be utilized to meet easement acquisition commitments in Stage V (Cabela's). Our letter to you dated August 25, 2006 indicated \$523,000 in easement offers to private parties and only \$490,637 in remaining funds (Attachment 4). The \$57,417 would be directed to covering the shortfall for closings of these properties to meet the December deadline to obtain all real estate easements in the Stage V (Cabela's).
-

\$ 2,500,000 Total Need Requested

In closing, all of these requests are directed to meeting the Stage V Federal construction completion by end of CY2008 and end of total project flood control construction by end of CY2009. They are coordinated with our State 2007-09 budget request of \$8 million.

Without release of this accelerated funding, the Burr Street contract will need to be re-bid and even more importantly, the Development Commission will not be able to continue to meet its non-Federal project obligations past November due to lack of funding available.

The Development Commission seeks your advice in approaching the Budget Committee to keep the project schedule on target and the Federal construction work continuing. Thank you for your assistance in this critical matter.

Sincerely,



Dan Gardner
Executive Director

/sjm
Attach.

Cc: Honorable Peter Visclosky, *Congressman*
Ron McAhrn, *Deputy Director, IDNR*
Charles Schalliol, *Director, State Budget Agency*
Kari Evans, *Governor's Office*
Chad Sweeney, *IEDC*
Thomas McDermott, *Mayor of Hammond*
Tim Sanders, *RDA*
Imad Samara, *Project Manager, ACOE*

INDIANA ECONOMIC
DEVELOPMENT CORPORATION

April 24, 2006

Mr. Kevin T. Rhodes
Cabela's Retail, Inc.
One Cabela Drive
Sidney, NE 69160

Project ID Number: 339687

Dear Kevin:

The Indiana Economic Development Corporation ("IEDC") is pleased to learn that Cabela's Retail, Inc. (the "Company") is considering Hammond as a site for its new 200,000 square foot store ("Project"). We have been advised that the Project involves a capital investment of approximately \$78 million and the creation of approximately 170 net new, full-time positions and 285 part-time positions for Indiana resident employees, earning an average wage of \$11.00 an hour by 2010.

The IEDC will assist the Company and the City of Hammond with off-site infrastructure improvements needed to serve the proposed project site. Specifically, the IEDC will commit up to \$3,000,000 to road improvements required to grant adequate access to the Company's property. It is estimated that the road project can be completed by December 31, 2007.

In addition, the IEDC will work with the Indiana Department of Natural Resources and the Little Calumet River Basin Development Commission to make a good faith effort to complete the Little Calumet levy project to Northcoast Avenue by December 31, 2008. In connection with that effort, the State of Indiana will accelerate funding of the project up to a maximum of \$6,000,000, which has been identified as the amount necessary to meet the proposed timeline. The Company confirms by acceptance of this letter that the Company will donate a portion of its property without compensation in connection with the levy project, as requested by the Army Corps of Engineers.

As part of our mission to increase jobs and wages for Indiana, the IEDC requires that a certain percentage of the Company's planned capital expenditures be spent with Indiana contractors and/or suppliers. The IEDC and the Company will jointly determine this percentage in addition to agreeing to terms relevant to monitoring and enforcement.

The proposal set forth in this letter shall remain available for acceptance by the Company until May 8, 2006. Failure to respond by this date will result in cancellation of this offer of assistance. All of the incentives described in this letter are subject to the Company's submission of an application, with wage, employment and investment information consistent with the representations set forth in this letter. All incentives are subject to the final review and approval of the IEDC. This letter supersedes all previous correspondence concerning this project.

Sincerely,

Michael S. Maupel
Secretary of Commerce



DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO IL 60606-7206

September 27, 2006

Planning, Programming and
Project Management Division

Mr. Dan Gardner
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, Indiana 46368

Dear Mr. Gardner:

As you know we have opened bides for the Burr Street Betterment levee on August 31, 2006. The contractor with the low bid is Dyer Construction Company, Inc. and their bid came in at \$3,342,583.20. We were in the process of awarding this contract when we found out that inadvertently a clause that would allow us to fund this contract incrementally was not added to the solicitation. And, for us to award this contract we would need to have all the contributed funds now. Your office did provide funds in the amount of \$300,000 we would like to request the rest of your contributed funds in the amount of \$1,442,583 ASAP so that we can ward this contract. If funds are not available we would have to cancel the solicitation and re-bid this contract.

This contract is on the critical path for this project. No property can get out of the floodplain along the Little Calumet River Flood Control Project before this segment of the project is constructed. Part of this project is preloading the ground for six months prior to construction of a concrete structure. If we are successful in awarding this contract very soon the contractor should be able to complete this preloading over the winter and complete the construction over the summer months. In the event we cancel this solicitation and re-bid this contract we may lose the winter months to perform the preloading. This would delay the completion of the construction at this area and delaying the process of getting people out of the flood plain.

I hope you are successful in obtaining the funds for awarding this contract now. This will helping us keep this project on the aggressive schedule that we committed ourselves to with congressman's Visclosky. If funds are not available please let me know ASAP so that we can re-bid the job without additional delays. Please let me know if you have any questions, you can call me at 312-846-5560 or email me at imad.samara@usace.army.mil.

Sincerely Yours

Imad N. Samara
Project Manager



DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO IL 60606-7206

August 17, 2006

Planning, Programming and Project
Management Division

Mr. Dan Gardner
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, Indiana 46368

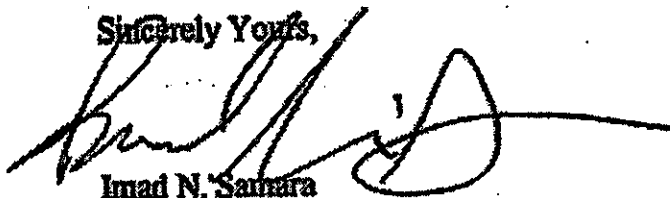
Dear Mr. Gardner:

When we coordinated the exercise to estimate the cost breakdown to complete Stage V-2 (which was included in a table submitted to the state) we identified an escrow cash payment to the Corps of Engineer (COE) in the amount of \$1,315,000 was projected for 4/2007. Dan, I would like to let you know that the progress of the construction contracts for Stage VI has been phenomenal. As you know, the summer weather this year has been great on helping construction move on a faster base. Because of this positive progress the COE is requesting the funding that was included in your table be available to us no later than August 25 2006. This construction progress is a first step in meeting our ultimate goal of project completing by December 2009. So I'm requesting that the Little Calumet River Basin Development Commission provide the local cash contribution of \$1,315,000. This cash contribution is for the Little Calumet River Flood Protection and Recreation Project and is in accordance with Articles II and VI of the Local Cooperation Agreement (LCA) executed on August 16, 1990. Please deposit the funds into the established escrow account (Number 7500-0244-4747) as specified in Article VI.6.2 of the LCA.

The Requested contribution represent the Commission's obligation to contribution in cash 5 to 7 present of the costs estimated to be incurred (related to structural flood control measures) through the end of the Federal Government's fiscal year ending on September 30, 2006. This funding will be used in FY 2006.

If you have any questions, please contact me at 312-846-5560.

Sincerely Yours,


Imad N. Samara
Project Manager



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
E-mail: littlecal@nirpc.org

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*Porter County Commissioners'
Appointment*

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

August 25, 2006

Mr. Kyle Hupfer
Director
IN Dept. Natural Resources
402 West Washington Street
Indianapolis, Indiana 46204-2739

Dear Kyle:

I am writing you to provide a progress report regarding the use of the accelerated state funding released to the LCRBDC by the State Budget Committee on June 2 to meet the end of calendar year 2008 schedule toward completing the Stage V construction (Cabela's property), and to seek your guidance and assistance in releasing the additional State funding made in the IEDC commitment for infrastructure to secure the Cabela's development. We have just received a letter and report from the U.S. Army Corps of Engineers that is extremely good news – with the accelerated funding released June 2, the project construction that is underway and needed to allow full site development for Cabela's after 2008, is ahead of the schedule that was submitted to the IDNR, IEDC, and State Budget Committee showing matching funding. Most pointedly, the \$1,315,000 non-federal cash match to leverage Federal construction projected to be requested 4/07 is being requested now (August 25) to keep the Federal construction contractors working. The acceleration of this funding request will leave \$490,637 remaining in state funds available to the Development Commission for draw down. With over \$523,000 in real estate easement offers currently out and additional escrow cash payments to be made before the new biennial budget, it is imperative the additional state funding committed as part of the Cabela's development agreement be made available now to avoid the Development Commission not keeping to the aggressive project completion schedule as directed by Congressman Visclosky. I ask your guidance how to proceed to request access to the remaining funding commitment.

(Attachment 4)

Mr. Kyle Hupfer
August 25, 2006
Page 2

To document the need for this funding, I have included: (1) the letter from the Corps of Engineers identifying the construction progress and the request for the non-federal matching funds; (2) the original schedule of needed non-federal funding to complete the Stage V-2 segment (Cabela's) by November 2008; and (3) chart of State Budget Agency releases from the \$3,000,000 allocated June 2 showing the \$490,637 remaining upon release of the \$1,315,000.

I have copied a number of the principal parties in my letter and will contact you next week to discuss how to best proceed. I thank you for your assistance and support of the project and look forward to working to keeping the momentum of the accelerated construction success.

Sincerely,



Dan Gardner
Executive Director

/sjm
encl.

cc: Honorable Peter Visclosky, *Congressman*
Ron McAhron, *Deputy Director, IDNR*
Charles Schalliol, *Director, State Budget Agency*
Chad Sweeney, *IEDC*
Thomas McDermott, *Mayor of Hammond*
Tim Sanders, *RDA*
Imad Samara, *Project Manager, ACOE*



DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, U.S. ARMY CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO IL 60606-7206

August 17, 2006

Planning, Programming and Project
Management Division

Mr. Dan Gardner
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, Indiana 46368

Dear Mr. Gardner:

When we coordinated the exercise to estimate the cost breakdown to complete Stage V-2 (which was included in a table submitted to the state) we identified an escrow cash payment to the Corps of Engineer (COE) in the amount of \$1,315,000 was projected for 4/2007. Dan, I would like to let you know that the progress of the construction contracts for Stage VI has been phenomenal. As you know, the summer weather this year has been great on helping construction move on a faster base. Because of this positive progress the COE is requesting the funding that was included in your table be available to us no later than August 25 2006. This construction progress is a first step in meeting our ultimate goal of project completing by December 2009. So I'm requesting that the Little Calumet River Basin Development Commission provide the local cash contribution of \$1,315,000. This cash contribution is for the Little Calumet River Flood Protection and Recreation Project and is in accordance with Articles II and VI of the Local Cooperation Agreement (LCA) executed on August 16, 1990. Please deposit the funds into the established escrow account (Number 7500-0244-4747) as specified in Article VI.6.2 of the LCA.

The Requested contribution represent the Commission's obligation to contribution in cash 5 to 7 present of the costs estimated to be incurred (related to structural flood control measures) through the end of the Federal Government's fiscal year ending on September 30, 2006. This funding will be used in FY 2006.

If you have any questions, please contact me at 312-846-5560.

Sincerely Yours,

Imad N. Samara
Project Manager

**ESTIMATED COST BREAKDOWN TO COMPLETE STAGE V-2 SEGMENT
(KENNEDY AVENUE TO NORTHCOTE AVENUE)
BY NOVEMBER 2008**

<u>Amount</u>	<u>Purpose</u>	<u>Status</u>	<u>\$ Needed</u>
(1) \$623,061	• Burr Street/Gary Cash Participation (Required by IDNR Permit to allow Stage V-2 Construction Letting)	• Claim Draw for funds release sent to State Budget Agency on April 10, 2006	4/06
(2) \$300,000	• Burr Street/Corps Cash Participation (Required by IDNR Permit to allow Stage V-2 Construction Letting)	• Corps of Engineers Letter of Request just transmitted (4/29/06 effective date) - Will necessitate allocation availability of remaining \$1,000,000 for use at earliest Budget Committee meeting. - With IDNR concurrence, will prepare letter of request to appear on next Budget Committee agenda	5/06
(3) Maximum \$700,000	• Stage V-2 Real Estate/Easement Acquisition • Total of 37 Easement Acquisitions - 18 easements accepted/closed - 18 easement acquisitions remain to be accepted/closed at an appraised value & professional services to close at \$693,222 (est)	• Real Estate Easements must be acquired before Construction Contract for Stage V-2 can be advertised. - Schedule for Acquisition 9/06 - Schedule for Advertisement 2/07 - Ongoing offers and closings will be dependent upon early availability of remaining \$1,000,000	4/06 (Ongoing \$'s needed to continue)
(4) \$516,000	• Stage VI Escrow Cash needed to continue Federal construction contracts - Federal Construction - \$16,275,609	• Will deplete all available remaining funding at Commission and in State Budget, with a gap of approximately \$100,000	6/06 (----- Fund gap begins)
(5) \$600,000	• Burr Street/Corps 2 nd installment needed to complete East Reach Project	• Currently No Funds Available to meet Schedule or allow Award of Contract	10/06
(6) \$1,250,000	• Utilities Relocation/Construction - Current Corps of Engineers estimate of of \$1,700,000 based on relocation - Detailed Engineering beginning 5/06 to seek revised "Bridging/Protecting" Design for Utilities - Design/Utilities Concurrence scheduled by 8/06 - Very Preliminary Cost Estimate of Bridging Non-Federal Cost - ±\$950,000 - Other small utilities in Stage V-2 - \$300,000(est)	• Currently No Funds Available to meet Schedule or allow Award of Contract	2/07
(7) \$1,315,000	• Stage V-2 & VI Escrow Cash payments to complete Construction Contracts - Federal Construction V-2 - \$13,699,700	• Currently No Funds Available to meet Schedule or allow Award of Contract	4/07

< pd.

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STATE BUDGET AGENCY RELEASES OF \$3 MILLION ALLOCATION

\$3 million approved on June 2, 2006 at State Budget Committee hearing in Valparaiso, IN.
\$1 million was allocated from 2005-07 biennial budget.
The other \$2 million was restored from 2003/05 biennial budget.

Account 3880/572500/378760 as per Deanna Oware, Budget Analyst:

<u>Amount</u>	<u>Claim #</u>	<u>Submission Date</u>	<u>Purpose</u>
\$ 3,000,000 (as released on June 2)			
<u>-128,384</u>	#148	June 6, 2006	• Ongoing Real Estate Acquisition for project use
\$ 2,871,616			
<u>-300,000</u>	#149	June 6, 2006	• Burr Street cash match (#2 on chart)
\$ 2,571,616			
<u>-516,000</u>	#150	June 6, 2006	• Stage VI cash match (#4 on chart)
\$ 2,055,616			
<u>-147,849</u>	#151	July 17, 2006	• Ongoing Real Estate Acquisition for project use
\$ 1,907,767			
<u>-102,130</u>	#152	August 25, 2006	• Ongoing Real Estate Acquisition for project use
\$ 1,805,637			
<u>-1,315,000</u>	#153	August 25, 2006	• Stage V-2 & VI cash match (#7 on chart)
\$ 490,637			

(Encl. 3)

The Times, Mm. Oct 2

Sen. Mrvan seated on Budget Committee

Times Staff Report

INDIANAPOLIS | Veteran state Sen. Frank Mrvan, D-Hammond, was appointed Monday to an advisory post on the powerful state Budget Committee. Mrvan, who is seeking reelection against Republican Chris Morrow, will not be a voting member of the Budget Committee, which withdrew consideration last week of an \$800,000 project to spruce up the State house lawn. The bipartisan panel, which has four voting legislators and is chaired by the governor's budget director, helps craft biennial state budgets and must give the final OK to state construction projects. "I'm excited about this appointment and the opportunities it will bring," Mrvan said in a news release. "Not only does this position bring additional influence and representation to Senate District 1 and all of Northwest Indiana, it ensures that our specific needs and concerns will have a voice at the table when the Legislature creates the state budget." Mrvan, a five-term incumbent, was appointed last month to the Indiana Commission on Hispanic/Latino Affairs.

janet moran

my turn

Partnerships not unusual for Highland

The current financial agreement between Hammond and Highland to pay for the demolition of the River Park Apartments is not by a long shot the first partnership between the two communities.

While today's inter-governmental agreement has had its own share of twists and turns, striking common ground between the two governments this time was not nearly as controversial as the Oxbow land swap along the Little Calumet River some 40 years ago. The shallow river, in its meandering path, created an oxbow similar to a hairpin curve in road vernacular.

The property in question in both instances borders the south side of the Borman Expressway between Kennedy and Cline avenues. It was to be a neighborly negotiation in the mid-1960s over a proposal calling for Highland to give Hammond the oxbow, which jutted north, and for Hammond to give Highland a similar amount of land on the opposite river bank.

At the time public hearings were held in Hammond and Highland. Sometimes things got very heated - once boiling over to the point that Hammond City Council President Joseph Bercik, who had misplaced his gavel, borrowed Hammond City Clerk Elmira Jens' high-heeled shoe to pound his elevated desk to bring the meeting back to order.

Back then on the Hammond side of the argument stood "stick to your guns" Councilman George W. Carlson and two "taxpayer's watchdog" councilmen, Paul T. Duncanson and John Skurka. Carlson's position was primarily concerned with building sorely needed flood control levees along that segment of the Little Calumet and secondarily, to add more park land to Hammond, which stood below standards for park acreage for a city its size.

Duncanson and Skurka cited excessive cost for buying and developing a park on land they referred to as a mosquito-infested bog.

Highland town fathers wanted land on their side of the river for recreation purposes, but their constituency feared Hammond would turn their newly acquired property into a dump or a sewage plant.

Supporters of the land swap thought it a prime opportunity to straighten and dike the flood-prone river. The opposition said there was no need to spend local money because the U.S. Army Corps of Engineers pledged to dredge the river and build levees.

Both communities eventually approved the measure and work bids were solicited in October 1968. In the intervening years, Carlson retired from the City Council after 35 years of service, but as a member of the Little Calumet River Basin Commission he continued to fight for development of the oxbow.

Now, some four decades later, the Army Corps is spending federal dollars to dredge the river and build levees. And the park, dedicated Oct. 7, 1998, was named Carlson-Oxbow Park after the individual whose support was unwavering for the low-impact, wetland nature park in the midst of urban America.

The opinions are solely those of the writer.
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