Fax (219)762-1653 6100 Southport Road Portage, Indiana 46368 9690-897(912) Little Calumet River Basin Development Commission

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Mayor of Han GEORGE CARLSON, Chairman

WEELING NOLICE

Donald

6100 SOUTHPORT ROAD VI LHE COMMISSION OFFICES AT 6:30 P.M. THURSDAY, APRIL 7, 1994 **NOISSIWWOO** TILITE CYTOWEL KINEK BYZIN DENETOHWENL LHEKE MITT BE V WEELING OF THE

PORTAGE, IN

V G E N D V

Call to Order by Chairperson George Carlson

Recognition of Visitors, Guests

Approval of minutes of March 3, 1994

▶ Residents briefing sheet mailed

Minority Contracting Commitment report

Federal Flood Control Project - Construction

contracts report

▶ Project Construction Schedule ▶ Clinton/Congressional Budget process

- Commission Responsibilities

▶ Request for State Budget Release of \$2 million

► State Funding Implications

Executive Director DVN GVKDNEK

CONSTROL'S Appoint

Governor's Appoint ROBERT TRELO

POTIET COUNTY COM WILLIAM TANKE

Governor's Appointment ROBERT HUFFMAN naumoddy

Dept. of Natural Resources

Lake County Commussioners

CONSTRUCT & Appointment JOHN DEMEO, Treasurer

CONSTROIT & Appointment CHARLES AGNEW, Vice-Chairman

NATHANIEL LEONARD, Secretary

SLEAE DVAIS

WILLIAM CRITSER

Mayor of Gary's

VISTEME COLVIN

AVCVICA

Executive Director's Report

Wicker Park Manor Construction Report

► Contractor status

► Awaiting Corps letter

93/95 biennium

S alles of the forth 5. Reports of Standing Committees Land Acquisition/Management Committee - Charles A. Agnew, Chairman Appraisals, offers, acquisitions, recommended actions Transmittal of Oxbow Park (Hammond) study with request for participation O Corps Real Estate meeting held 3/30/94 Other issues Project Engineering/Construction Committee - Robert B. Huffman, Chairman • Federal project construction status report Town of Griffith request for Commission to support levee line protection from Cline Ave. to Colfax Other issues C. Marina Development Committee - Bill Tanke, Chairman NIPSCO lease agreement for marina development - Milo Vale appraisal update of surplus NIPSCO lots Sand excavation status Abonmarche services status - Services report - claims status - Recommended future services Other issues Finance/Policy Committee - John DeMeo, D. Treasurer Financial status report Approval of claims for February, 1994 Other issues 6. Other Business 7. Statements to the Board from the floor 8. Set date for next meeting; adjournment

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION HELD AT 6:30 P.M. THURSDAY, MARCH 3, 1994 AT THE COMMISSION OFFICES 6100 SOUTHPORT ROAD PORTAGE, INDIANA

Chairman George Carlson called the meeting to order at 6:40 p.m. Six (6) Commissioners were present. Quorum was declared and guests were recognized.

Development Commissioners:

George Carlson Charles Agnew Steve Davis Robert Huffman Robert Trelo Arlene Colvin

Staff:
Dan Gardner
Lou Casale
Sandy Mordus
Jim Pokrajac

Visitors:

Rick Markley - The Times
Bill Petrites - Highland
Kenneth Smith - DNR
Emerson Delaney - Hammond
Jim Flora - R.W. Armstrong
Pete Zak - South Shore Marina
Mary Jane Zak - " "
Mike Vander Heyden - Dyer
Construction

The minutes of the February 2, 1994 meeting were approved by Chuck Agnew; seconded by Robert Huffman; motion passed unanimously.

Executive Director's Report - Mr. Gardner reported that the contractor, Dyer Construction, has submitted several items required by the Corps before work can begin at Wicker Park Manor, Highland. They include the Accident Prevention Plan, Quality Control Plan, Environmental Protection Plan, Waste Disposal Plan and a Construction Schedule. The Corps must file a Notice of Intent with IDEM so that construction can begin. It is hoped that work can begin by mid March.

Erie R.R. bridge removal permit application is still being processed.

Mr. Gardner reported that we have not yet received a written commitment from INDOT as to the Grant Street interchange reconstruction. We have had a meeting with Gas City whose business is impacted by the levee line. We are attempting to work out an acceptable solution to their loss of parking caused by our project and minimize problems and impact to their business. Another meeting is scheduled.

LCRBDC Minutes March 3, 1994 Page 3

<u>Project Engineering Committee</u> - Mr. Huffman talked about preliminary work being started at Wicker Park Manor in Highland. We are very optimistic that by next meeting, we will have some progress to report.

Mr. Huffman referred to Corps status sheets contained in the agenda regarding reconstruction work on Cline Ave/I-80/94 interchange, Indianapolis Blvd. bridge, replacement of culverts under Georgia Street and I-80/94. The Commission had asked INDOT to reconsider the elevation height of the interchange to afford at least 100 year flood protection at Cline Ave. We have not heard back from INDOT yet.

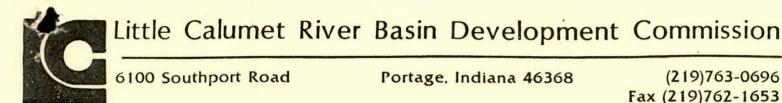
Mr. Huffman made a motion to approve an addendum to the Earth Source contract that would approve further engineering services for a cost not to exceed \$6,800; motion seconded by Robert Trelo; motion passed unanimously.

Attorney Lou Casale read a resolution committing the Commission to relocate two billboards for WHITECO (billboards are in levee line) onto Commission owned land and enter into an agreement with WHITECO for same; motion seconded by Robert Trelo; motion passed unanimously.

There was a discussion regarding the adopted policy by the Corps to encase pipelines. Not only do we disagree with this but the utility companies disagree also. They contend some of the pipelines do not require any work to be done and even if more protection were needed, encasing the line is not necessarily the correct method. Jim Flora, project engineer from R.W.Armstrong, will schedule a meeting to bring all entities together to resolve this issue. The time factor is critical.

Marina/Breakwater Committee - In Committee Chairman Bill Tanke's absence, Mr. Gardner reported that we have received the summary report of geotechnical soil conditions on the marina site. The report is available in the office. It defines the sand as being adequate and suitable for support buildings.

Mr. Gardner reported that he has been continually talking to Ron Schults and John Hannon about setting up another meeting with the contractor removing sand. A fast track for sand removal needs to be identified. The existing contract with the contractor has expired; an extension of that contract needs to be put in place.



Portage, Indiana 46368

(219)763-0696 Fax (219)762-1653

FEDERAL HIGHWAY FUNDING CREDIT ISSUE

ISSUE

A written approval is needed to be obtained from the Federal Highway Administration for the U.S. Army Corps of Engineers to credit the use of the 80% federal fund participation (as is normal cost share policy) for the reconstruction of three flood control project required interstate (I-80/94) bridge/crossings of the Little Calumet River by the Indiana Department of Transportation.

LITTLE CALUMET RIVER FLOOD CONTROL/ RECREATION PROJECT

BACKGROUND

PROJECT RESPONSIBILITIES

FEDERAL RESPONSIBILITIES

- Levees, floodwalls construction
- Channel dredging/modifications
- Pumping station improvements
- Railroad bridge modifications
- 50% recreation costs

Estimate - \$84.75 million Total project cost - \$113 million

NON-FEDERAL RESPONSIBILITIES

- · Lands, easements, rights-of-way acquisition
- Utility relocations/reconstructions
- * Highway bridge reconstruction/ improvements
 - 5% cash of total project cost
 - 50% recreation costs

Estimate - \$28.25 million

PROJECT HIGHWAY BRIDGE REQUIREMENTS

PROJECTS AT ISSUE

PROJECT ESTIMATED COST • Indianapolis Blvd. bridge raising/reconstruction \$2.1 million • Grant St. interchange/bridge raising \$2.3 million • I-80/94 and Georgia St. river crossings reconstruction \$3.0 million \$7.4 million (80% share = \$5.92 million)

ISSUE IMPLICATION

The 80% Federal Highway Administration share of the three required interstate projects is \$5.92 million. If this \$5.92 million FHA funding cannot be used for credit to the non-federal responsibility:

- (1) an additional \$5.92 million of state appropriations will be needed to comply with the contract agreement (at a time when state funding is already at risk) to meet non-federal construction items.
- (2) these interstate projects would in effect be constructed with 100% state funding certainly not the intent of the highway construction act nor the current cost share being used on other similar projects. To require this would put the very projects at risk of not being pursued.

A favorable ruling on the use of FHA cost share as credit will greatly aid the ability of the non-federal project interests (Development Commission, State legislature, INDOT) to continue meeting the contractual agreements for the Corps of Engineers construction project and keeping needed flood control construction on schedule.

RATIONALE

It is the contention of the Little Calumet River Basin Development Commission that it is the "intent" of the Corps of Engineers Local Cooperation Agreement for the non-federal responsibilities (i.e. highway bridges) to be accomplished by the programs available to the responsible jurisdictions (state highway department, county highway department, local municipality) for such projects.

These cost shared programs for interstate routes reconstruction (80% Federal - 20% State cost) are in effect current. To impose a credit requirement prohibiting the "use" of the current programs is unfair, contrary to practice and extremely damaging to the ability of the Development Commission and the State of Indiana to meet its participation requirements for the Little Calumet River project.

We request your assistance in only allowing the current fund programs to be used to meet our obligations.



NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION

6100 Southport Road Portage, Indiana 46368 Phone: 219/763-6060 Fax: 219/762-1653

LITTLE CALUMET RIVER BASIN

To: DEVELOPMENT COMMISSION

Contract Code: PARTP214

For: SERVICES PERFORMED DURING FEBRUARY, 1994

214

Date: MARCH 11, 1994

Invoice No:

Internal Code:

2/2

INVOICE	
SALARIES AND FRINGE BENEFITS: DAN GARDNER & SANDY MORDUS	\$ 5,775.00
ROOM RENTAL FOR ADDITIONAL LCRBDC STAFF	500.00
ACCOUNTING SERVICES	425.00
FACSIMILE MACHINE @ \$5.00/MO PLUS ATTACHMENTS	5.00
POSTAGE: FEBRUARY, 1994	75.12
COPYING CHARGES @ \$5.00/MO PLUS \$0.06/COPY	5.00
GRAPHICS/PRINTING TIME @ \$20.00 PER HOUR (ATTACHMENTS)	0.00
STAFF MILEAGE/EXPENSES:	0.00
OTHER CHARGES (ATTACHMENTS)	0.00
TOTAL: FEBRUARY, 1994	\$ 6,785.12
OUTSTANDING PAYMENT DUE:	0.00
TOTAL DUE:	\$ 6,785.12

EAST REACH LEVEE SYSTEM

DESIGN AND CONSTRUCTION SCHEDULE

	Real Estate Drwgs to Sponsor	Complete 167% B.C.O. Review	Cine & Specs. · Approved	Resi Estate Available	Advertiso	Award	Construction Conspiction	Construction Cost
Siego I, Plane 1		(AUG 15 1990)	(AUG 15, 1990)	(AUG 19, 1990)	(AUG 20, 1990)	(SEP 26, 1990)	(ROV 16, 1990)	(\$ 12,000)
Sugo I, Phus 2		(JAN 18, 1991)	(FEB 04, 1991)	(IAN 31, 1991)	(FREB 11, 1991)	(TUL 05, 1991)	(SEP 27, 1991)	(\$ 23,199)
Stage 1, Phone 3		OMAY 22, 1992)	(JUN 30 ₇ 1992) - ^ -	OUN OI, 1992)	(TUIL D1, 1992)	(SEP 30, 1972)	(JAN 25, 1993)	(\$ 95,562)
9 - Store L. Place 4 -	DEMO CONTRICT	BIAR 01, 1994	JUN 30, 1994	AUO 01, 1994	JUL 15, 1994	SEP 15, 1994	JAN 30, 1995	\$ 92,000
Stage II, Phone I	(SEP 09, 1991)	DAN 02' 1881)	(IUN 19, 1991)	(AUG 12, 1991)	(IUL 12, 1991)	(SEP 05, 1991)	QUL 10, 1992)	(\$ 365,524)
Stage II, Phien 2	(IAN 04, 1992)	(DEC 13, 1991)	(IAN 10, 1992)	(JAN 15, 1992)	(AFR 01, 1992)	(AUG 20, 1992)	(SEP 07, 1993)	\$ 1,220,385
Stage II, Phase 3A	(FEB 25, 1993)	(NOV 11, 1992)	(DEC 09, 1992)	MAR 30, 1994	(JUL 08, 1993)	MAR 30, 1994	DEC 30, 1994	\$ 2,000,000
Stage II, Photo 38	(FEB 69, 1994)	MAY 16, 1994	MAY 15, 1994	JUN 30, 1994	AUG 15, 1994	SEP 30, 1994	AUG 30, 1996	\$ 3,000,000
Singe II, Plane 3C	(FEB 09, 1994)	MAY 16, 1994	MAY 15, 1994	JUN 01, 1994	JUN 30, 1994	DEC 30, 1994	DEC 30, 1995	\$ 2,000,000
Sings IL, Phase 4	(NOV 11, 1993)	MAR 10, 1994	APR 15, 1994	OCT 30, 1994	ROV 15, 1994	DEC 15, 1994	SEP 30, 1996	\$ 4,000,000
Stage III	(SEP 18, 1992	(IUL 10, 1992)	(AUG 06, 1992)	(MAR 31, 1993)	(AUG 14, 1992)	(SEZP 30, 1997)	JAN 09, 1994	(\$ 6,564,529)
Stage IV, Plant 1	JAN 21, 1994	JUN 09, 1994	JUN 30, 1994	DEC 30, 1994	IAN 15, 1995	MAR 15, 1995	SEP 30, 1996	\$ 2,700,000
Stage IV, Phase 2	(FEB 09, 1994)	MAY 12, 1994	JUL 15, 1994	AUG 02, 1994	AUG 05, 1994	AUG 30, 1994	SEP 30, 1994	\$ 6,000,000
Receiving, Plant 1		MAY 25, 1994	JUN 10, 1994	APR 15, 1994	MAR 38, 1994	TUL OI, 1994	SEP 10, 1995	\$ 500,000
Fish & William	iscaping, Phase I	IAN 15, 1994	FEB 15, 1994	APR 15, 1994	MAR 15, 1994	TUL 01, 1994	SEP 30, 1993	\$ 500,000
Fig. & TRANSLAN	Secayong, Phone 2	AUG 15, 1995	NOV 15, 1995	JUN 30, 1996	MAR 15, 1996	JUL 30, 1996	SEP 50 1997	\$ 500,000
Non-Fod Leves		MAR 01, 1995	APR 15, 1995	JUN 15, 1995	JUL 21, 1995	SEP 21, 1995	SEP 30, 1997	\$ 2,000,000

NOTES:

Revised: February 17, 1994

^{1.} Grant Street must be raised prior to construction of Hart Dilch Control Structure.

^{2.} Broadway Street and entrance range must be raised prior to construction of Hart Ditch Control Structure.

Hon-Folicul Levce FDM approval - September 1994

Set-Amon are shorts to be advertised without real estate availability

WEST REACH LEVEE SYSTEM

DESIGN AND CONSTRUCTION SCHEDULE

	Initiate Fixae and Specifications	Real Estato Drwgs to Spotsour	B.C.O. Roview	Plans & Speen, Approved	Reel Estato Available	Advectino	A=ard	Construction Conspiction	Construction Cast
Suge V, Phase I	(TUN 01, 1993)	(MAY 30, 1 9 93)	(JUL 07, 1993)	(AUG 17, 1993)	(AUG 11, 1993)	(AUG 16, 1993)	(SEP 29, 1993)	MAR 01, 1995	(\$ 998,630)
Stage V, Fisse 2	AUG 01, 1994	DEC 01, 1994	JAN 31, 1995	APR 30, 1995	_ DEC 01; 1951	JAN 05, 1996	MAR 05, 1996	SEP 30, 1997	\$ 7,000,000
Stage V, Phase 3	SEP 30, 1994	-DEC 30, 1994	FEB 28, 1995	MAY 30, 1995	DBC 30, 1995	OCT 05, 1996	MAR 05, 1997	DEC 15, 1998	\$ 1,000,000
Stage VI, Phese 1	MAY 01, 1994	SEP 01, 1994	OCT 01, 1994	JAN 01, 1995	SEP 01, 1995	JUL 01, 1994	JAN 05, 1996	DEC 30, 1997	\$ 2,800,000
Stage VI, Phase 2	MAY 01, 1994	SEP 01, 1994	OCT 01, 1594	JAN 01, 1995	SEP Ot, 1995	OCT 12, 1995	JAN 05, 1996	DEC 10, 1997	\$ 3,500,000
Stage: VII	DBC 15, 1994	MAR 15, 1995	MAY 15, 1995	ADQ 15, 1995	MAR 15, 1996	AFR 04, 1996	JUN 15, 1996	SEP 15, 1998	\$ 3,500,000
Singe VIII	DBC 15, (994	MAY 15, 1995	TUL 15, 1995	OCT 13, 1995	MAY 15, 1996	JUN 15, 1996	AUG 15, 1996	SEP 15, 1998	\$ 6,500,000
Pung Stations, Photo	1 OCT 01, 1994	MAR 15, 1995	MAY 15, 1995	AUG 15, 1995	SEP 30, 1995	OCT 15, 1995	DEC 15, 1995	DBC 15, 1996	\$ 2,000,000
Pump Stations, Plant	2 JUL 15, 1995	DBC 15, 1995	· MAR 15, 1996	JUN 15, 1996	JUL 01, 1996	JUL 15, 1996	SEP 15, 1996	SEP 30, 1998	\$ 6,000,000
Landscaping, Phase 3	IAN 30, 1993	TUL 30, 1995	SEP 30, 1995	DBC 30, 1995	DBC 30, 1995	JUN 15, 1996	DBC 15, 1996	SEP 30, 1999	\$ 500,000
Lundscaping, Photo 4	AUG 01, 1996	AUG 01, 1996	OCT 01, 1996	IAN 30, 1997	MAY 15, 1996	MAR 30, 1997	SEP 10, 1997	SEP 30, 1999	\$ 500,000
Recention, Photo 2	OCT 01, 1996	FEB 01, 1997	MAR 01, 1997	JUN 04, 1997	FEB 01, 1991	MAR 01, 1993	SEP 01, 1998	SEP 30, 1999	\$ 250,000

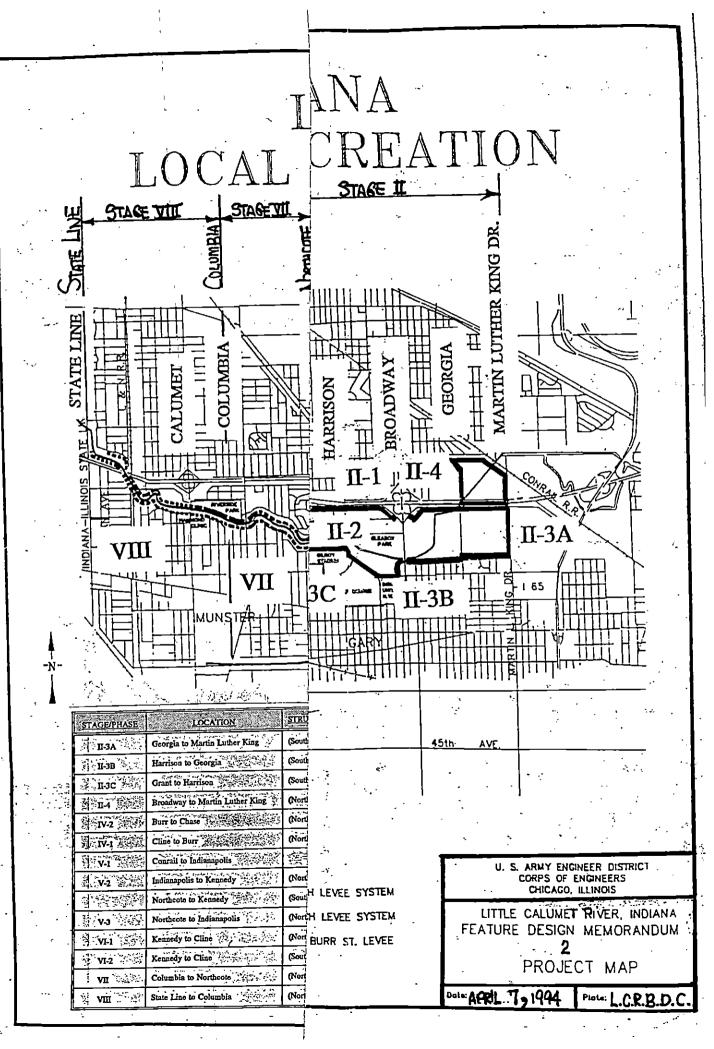
MOTES

Revised: February 1, 1994

Schedule for Store V. Phase 3 reflects construction within Woodman Gulf Course during non-playing season

Es Set-Arides are aboves to be advertised without real courte availability.

^{1.} Schools beyond the Approval of Plans and Specifications is correctly being eccontinued with the Local Sponsor.





Little Calumet River Basin Development Commission

April 7, 1994

TO:

Bob Huffman, Project Engineering Committee Chairman

FROM:

Jim Pokrajac

GENERAL

1. Gary Civil Defense has agreed to relocate closure material and have agreement to sign acknowledging receipt and conditions.

2. The March 28 meeting for the Kennedy Avenue borrow site was cancelled at the Corps request until soil boring samples are completed and results analyzed. This will determine the volume of clay available.

STATUS (Stage II Phase 3C - Grant to Harrison

- 1. Gas City truck stop Had coordination meeting on 3/15/94 to review levee through their property.
 - A. Need to obtain information from city of Gary regarding use of adjacent land for expansion.
- 2. Gas City will send letter to Corps agreeing to 100' opening at levee in order for Corps to proceed with design & scope of work for this segment.

STATUS (For Stage III - Chase to Grant St.)

1. Same as last month. Landscaping, hydroseeding & fencing to start approx. mid May.

STATUS (Stage V Phase 1 - Wicker Park Manor)

- 1. Construction has started with tree & brush removal east of Indpls. Blvd. Grubbing will be started approx. April 6th.
- 2. Pumps are being set up to de-water first areas of construction.
- 3. A "geotec type" silt fence will be installed along the river line to prevent material from washing into the river.
- 4. Four borrow sites are being considered & reviewed by Corps as submitted by Dyer (top of the list is Kennedy borrow pit)
- 5. Residents have expressed concern to Corps field rep about removal of old levee & improving drainage at north end of their lots.
 - A. We will make effort to get residents concerns & forward to Corps to include as part of the landscaping portion. (will receive concerns in writing).

MISCELLANEOUS

- 1. Received letter from Griffith saying they were going to complete the remaining portion of the levee between Cline & the E.J.& E. R.R., south of Griffith Golf Course.
 - A. Impact on adjacent areas to be reviewed hydrologically & taken into account in their overall design for that area.
- 2. Corps has given approval for WHITECO to proceed with permitting for their two signs between Chase & Grant
 - A. A third proposal has been submitted for us and the Corps to consider east of Grant that will require removal of two trees and replacement with a landscaping betterment.
- 3. Have received initial information from Stan Stann regarding a communications tower installation south of 35th Avenue and east of Chase St. that will culminate into a lease contract.

P.03

PAGE 2 OF 4				required Substantial Final	& COI	ipleth	
CONT NO.	DESCRIPTION	CONTRACTOR	AMOUNT	COMPLETION	SCH	ACT	COMMENTS
92-0044	flood Dewatering	CASE	\$3H	-	100	100	7 OF 7 REQUIRED AUDITS COMPLETED. 5 OF 7 COM- PLETED AUDITS RESOLVED.
							CO-S AWAITING RESPONSE FROM RUST CONCERNING INTERN. ISSUES BETWEEN CMC AND CHEM. WST.
92-0072	STGII, PHSII	Dyer/ELLAS	\$1.2H	PENDING	100	100	COMPLETING REMAINING PUNCHLIST ITEMS.
		·		01 DEC 93			POCO10 - TIME EXTENSION DUE TO ADVERSE WEATHER; AWAITING CONTRACTING OFFICER SIGNATURE.
							P00011 - CHANGES TO STRUCTURE AT WATERLINE; AWAITING CONTRACTING OFFICER SIGNATURE.
		and the second s	<u>'-</u>				
92-0095	STG III	KIEWIT	\$6.5H	30 APR 94	96	96	TURFING AND FENCE INSTALLATION YET TO BE COMPLETED
	-			-			CO-S DISCUSSED WITH KIEWIT THE PROBLEM THAT HAS DE LOPED WITH TRENCH COVER PLATES AT STRUCTURES 6-1 P

•								Charles and the second
Z	92-0095	STG III	KIRWIT	\$6.5H	30 APR 94	96	96	TURFING AND FENCE INSTALLATION YET TO BE COMPLETED.
7					-			CO-S DISCUSSED WITH KIEWIT THE PROBLEM THAT HAS DEVI- LOPED WITH TRENCH COVER PLATES AT STRUCTURES 6-1 AND 7-3. AWAITING WRITTEN RESPONSE FROM KIEWIT.
		•		1				CO-S REVIEWING FINAL QUANTITY INFO. SUBHITTED BY KIEWIT.
	.1							

93-0110 (ACO)	eurns harbor e/w repair	aherican Marine	\$324R	15 AUG 95 -	0	0	NO WORK UNTIL JUNE DUE TO TROUT SPAMMING EXCLUSIONARY PERIOD.
, ,		CONSTRUCTORS		-			

REQUIRED

SUBSTANTIAL

CONT NO.	DESCRIPTION	CONTRACTOR	THUONA	COMPLETION	SCII	ACT_	COMMENTS
93-0141 (ACO)	STAGE V - PHASE I	DYER	\$999K	29 MAR 95 - -	1	1	BEGAN CLEARING /GRUBBING OPERATIONS.
94-0039 (ACO)	UST REMOVAL AF PLANT NO. 39	Alistates Environmental	\$420K	_ 14 JUL -94 	-0	. 0	REVIEWING SUBMITTALS. ANAITING ED-P & IMPA COMMENTS ON CDAP & WORK PLAN; (60 DAYS = 12 APR).
94-004B (ACO)	TRAIL CREEK DREDGING	DONKI RSLOOT	\$206K	15 JUG 94 - -	90	90	DREDGING COMPLETED ON 02 APRIL. AFTER DREDGE SOUND- INGS, FINAL TRUCKING, AND CLEAN-UP REMAIN TO BE COMPLETED.
							CO-O LOCATING ADDITIONAL FUNDS, SINCE QUANTITY

OVERRUNS ARE EXPECTED.

required

MAZOTERA
SUBSTANTIAL

				Substantial			
CONT NO.	DESCRIPTION			PINAL	€ CO	MPLRTE	
	DBSCRIPTION	CONTRACTOR	AHOUNT	Completion	SCH	ACT	COMMENTS
92-0044	FLOOD DEWATERING	Case	\$3N	-	100	100	7 OF 7 REQUIRED AUDITS COMPLETED. 5 OF 7 COM- PLETED AUDITS RESOLVED.
				-	-	-	CO-S APPEARS TO HAVE FINALLY CONNECTED WITH DECI- SION MAKERS AT RUST. CHEN. WST. & CHC ARE HOW OWNED BY RUST. CO-S EXPLAINED-SITUATION AS UNDERSTOOD BY CO-S, NAMELY THE COE CONTRACT WITH CASE IS COST PLUS FIXED PEE, YET CHC FEELS IT HAD A COMMITMENT FROM CHEM. WST. OF \$X/HOUR FOR EQUIPMENT & LABOR. CO-S SUGGESTED THAT RUST HEEDS TO RESOLVE THIS INTERNAL PROBLEM BEFORE RESOLUTION CAN BEGIN.
92-0072	STGII, PHSII	DYER/ELLAS	\$1.2M	PENDING 21 NOV 93 01 DEC 93	100	100	COMPLETE REMAINING PUNCHLIST ITEMS IN SPRING. POODLO - TIME EXTENSION DUE TO ADVERSE WEATHER; AVAITING CONTRACTOR SIGNATURE.
	_						P00011 - CHANGES TO STRUCTURE AT WATERLINE; MODIFICATION ROUTING CHUCC FOR APPROVAL.
92-0095	STG III	KIEWIT	\$6.5M	30 APR 94	96	96	TURFING AND FENCE INSTALLATION YET TO BE COMPLETED.
	-			-	•		CO-S INVESTIGATING PROBLEM THAT HAS DEVELOPED WITH TRENCH COVER PLATES ON STRUCTURES 6-1 AND 7-3.
							CO-S REVIEWING PINAL QUANTITY INFO. SUBMITTED BY KIEWIT.
93-0110 (ACO)	Burns Harbor B/W Repair	american Marine	\$324K	15 AUG 95	0	0	NO WORK UNTIL JUNE DUE TO TROUT SPANNING

CONSTRUCTORS

EXCLUSIONARY PERIOD.

197621653	*
1215	

P. 05

REQUIRED SUBSTANTIAL

PINAL & COMPLETE CONT NO. DESCRIPTION CONTRACTOR AMOUNT COMPLETION SCH ACT COMMENTS 93-0141 STAGE V - PHASE I DYER \$999K 29 MAR 95 AWAITING NOI TO BE PILED BY ED-P/ED-HE WITH IDEM BEFORE WORK CAN BEGIN. ANTICIPATE START-ING 28 MARCH 1994, 94-0039 UST REMOVAL Allstates \$420K _ 14 JUL 94 (ACO) REVIEWING SUBMITTALS. AF PLANT NO. 39 ENVIRONMENTAL AWAITING ED-P & IEPA COMMENTS ON CDAP & WORK PLAN; (60 DAYS = 12 APR). 94~0048 TRAIL CREEK DONKERSLOOT \$206K 15 JUL 94 CONTRACTOR CONTINUING DREDGING. DREDGING COMPLETED (ACO) 50 50 DREDGING TO APPROX. STA. 81+00

03-21-1994 12:53PM FROM CALUMET AREA OFFICE

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SUBSTANTIA	ü

				FINAL	% CO	MPLETE	
CONT NO.	DESCRIPTION	CONTRACTOR	AMOUNT	Completion	SCH	ACT	COMMENTS
92-0044	FICOD Denatering	CASE	\$3M	-	100	100	7 OF 7 REQUIRED AUDITS COMPLETED. 5 OF 7 COM- PLETED AUDITS RESOLVED.
							CO-S REFERRED TO ANOTHER POC AT RUST REHEDIAL; CALLS NOT RETURNED.
	⁻						RUST REMEDIAL IS CONTINUING TO REVIEW CHEM. WASTE AND CMC AUDITS, & CMC SITUATION. POTENTIALLY LOOKING AT SCHEDULING HEETING IN MARCH FOR RESOLUTION.

*	92-0072	STGII, PHSII	Dygr/Ellas	\$1.2M	PENDING 21 NOV 93 01 DEC 93	100	100	COMPLETE REMAINING FUNCHLIST ITEMS IN SPRING. P00010 - TIME EXTENSION DUE TO ADVERSE NEATHER; MODIFICATION ROUTING CENCC FOR APPROVAL. P00011 - CHANGES TO STRUCTURE AT WATERLINE; HODIFICATION ROUTING CENCC FOR APPROVAL.
,	-							
*	92-0095	STĞ III	KIEWIT	\$6.511	30 APR 94	96	96	TURFING AND FENCE INSTALLATION YET TO BE COMPLETED.
•					- -			POOO19 - WOOD WEDGES AT CLOSURE STRUCTURES;

TN |

POOC21 - ADDITIONAL DEWATERING AT 7-5 DUE TO FARM FIELD DRAINS; AMAITING CONTRACTING OFFICER

AWAITING CONTRACTING OFFICER SIGNATURE.

Signature.

P00022 - TIME EXTENSION DUE TO ADVERSE WEATHER; AWAITING CONTRACTING OFFICER SIGNATURE.

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CONT NO.	DESCRIPTION	CONTRACTOR	THUONA	Final Completion		act Act	COMMENTS	-1994
93-0141 (ACO)	STAGE V - PHASE I	DYER .	\$999K	29 MAR 95 - -	0	0	RESUBHITTALS BEING REVIEWED. QA/QC COORD. MEETING SCHEDULED FOR 8 MARCH. AWAITING FOR NOI TO BE FILED BY ED-P/ED-HE WITH IDEM BEFORE MORK CAN BEGIN	47
94-0039 (ACO)	ust removal af plant no. 39	Allstates Environmental -	\$420X	14_JUL_94-	0	o-	REVIEWING SUNITTALS.	FROM
			:	-			AWAITING RD-P & IEPA COMMENTS ON CDAP & WORK PLAN; (60 DAYS = 12 APR).	CALUMET
94-0048 (ACO)	TRAIL CRHEX	DONKERSLOOT	\$206K	15 JUL 94 - -	15	15	CONTRACTOR BEGAN DREDGING ON 4 MARCH.	AREA OFFI
		•						Щ

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12197621653

P. 85



NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION

6100 Southport Road Portage, Indiana 46368 Phone: 219/763-6060 Fax: 219/762-1653

LITTLE CALUMET RIVER BASIN

To: DEVELOPMENT COMMISSION

Contract Code: PARTP214

For: SERVICES PERFORMED DURING FEBRUARY, 1994

214

Date: MARCH 11, 1994

Invoice No:

Internal Code:

2/2

INVOICE	200000					
SALARIES AND FRINGE BENEFITS: DAN GARDNER & SANDY MORDUS	\$ 5,775.00					
ROOM RENTAL FOR ADDITIONAL LCRBDC STAFF	500.00					
ACCOUNTING SERVICES	425.00					
FACSIMILE MACHINE @ \$5.00/MO PLUS ATTACHMENTS	5.00					
POSTAGE: FEBRUARY, 1994 75.12						
COPYING CHARGES @ \$5.00/MO PLUS \$0.06/COPY 5.						
GRAPHICS/PRINȚING TIME @ \$20.00 PER HOUR (ATTACHMENTS)	0.00					
STAFF MILEAGE/EXPENSES:	0.00					
OTHER CHARGES (ATTACHMENTS)	0.00					
TOTAL: FEBRUARY, 1994	\$ 6,785.12					
OUTSTANDING PAYMENT DUE:	0.00					
*						
<u>'</u>						
TOTAL DUE:	\$ 6,785.12					

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION MONTHLY BUDGET REPORT MARCH 31, 1994

100

ACCOUN'	T DESCRIPTION	BUDGET	AMOUNT PAID PREVIOUSLY	UNPAID BALANCE	AMOUNT READY FOR PAYMENT	PROJECTED BALANCE
			0.00	16 000 00	0.00	\$16,000.00
5119	PER DIEM EXPENSES	\$16,000.00	0.00	16,000.00		
5311	LEGAL EXPENSES	7,500.00	566.66	6,933.34	283.33	6,650.01
5312	NIRPC SERVICES	94,000.00	6,968.28	87,031.72	6,785.12	80,246.60
5313	TELEPHONE COSTS	3,000.00	1,476.66	1,523.34	426.31	1,097.03
5323	TRAVEL & MILEAGE	7,500.00	63.50	7,436.50	93.00	7,343.50
5331	PRINTING & ADVERTISING	2,000.00	0.00	2,000.00	253.24	1,746.76
5341	BONDS & INSURANCE	7,500.00	10.00	7,490.00	5,472.63	2,017.37
5399	MEETING EXPENSES	2,500.00	975.22	1,524.78	58.64	1,466.14
5410	LEGAL SERVICES	50,000.00	5,560.38	44,439.62	4,090.43	40,349.19
5420	PROFESSIONAL SERVICES	250,000.00	44,606.36	205,393.64	30,757.63	174,636.01
5430	PROJECT LAND PURCHASE COSTS	2,052,517.00	23,176.35	2,029,340.65	11,900.00	2,017,440.65
5440	PROPERTY/STRUCTURES INSURANCE	25,000.00	0.00	25,000.00	17,567.00	7,433.00
5450	UTILITY RELOCATION COSTS	250,000.00	107,669.47	142,330.53	24,978.04	117,352.49
5460	PROJECT LAND CAPITAL IMPROVEMENTS	150,000.00	0.00	150,000.00	0.00	150,000.00
5470	STRUCTURES CAPITAL IMPROVEMENT	40,000.00	0.00	40,000.00	0.00	40,000.00
5480	DNR/SHORELINE SAND FUND	1,053.00	0.00	1,053.00	0.00	1,053.00
5490	ESCROW ACCOUNT	1,260,087.00		1,260,087.00	0.00	1,260,087.00
TOTAL:		\$4,218,657.00		\$4,027,584.12	\$102,665.37	\$3,924,918.75

CLAIMS READY FOR PAYMENT

ACCOUNT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
		000.00	RETAINER FEE FOR THE MONTH MARCH 1994
5311	LOUIS M. CASALE		FOR SERVICES PERFORMED DURING FEBRUARY 1994
5312	NIRPC		TELEPHONE CHARGES FOR MARCH, 1994 (KRBC TO PAY A PORTION)
5313	GTE		
5313	MCI		TELEPHONE CHARGES FOR FEBRUARY, 1994 (KRBC TO PAY A PORTION)
5323	DAN GARDNER		MILEAGE EXPENSES MARCH, 1994
5323	SANDY MORDUS		MILEAGE EXPENSES MARCH, 1994
5331	MACTAVISH OFC. PRODUCTS		COST INCURRED RE: OFFICE SUPPLIES
5331	MACTAVISH OFC. PRODUCTS		COST INCURRED RE: OFFICE SUPPLIES
5341	DON POWERS AGENCY, INC.		DIRECTORS & OFFICERS LIABILITY INSURANCE
5341	LAKE CO. RECORDER'S OFC.		RECORDING FEE FOR EASEMENT FROM TRUSTEE'S OFFICE
5399	BEACH CAFE		MEETING EXPENSES INCURRED ON 3/9/94
5410	LOUIS M. CASALE		LEGAL SERVICES FROM 2/28/94 TO 3/30/94
5421	MILO VALE		APPRAISAL SVCS. RE: VARIOUS LOTS OWNED BY NIPSCO
5421	EUGENE HUTCHEN		APPRAISAL SVCS. ON: DC: 288, 319, 320, 322
5422	ABONMARCHE	7.	ENGINEERING SERVICES FOR PERIODS ENDING: 1/94 & 2/94
5423	CHICAGO TITLE INS. CO.		TITLE WORK INCURRED ON DC 258
5423	CHICAGO TITLE INS. CO.		TITLE WORK ON DC: 162,294,312,446,445,444,443,442,441,440,439,312
5423	R.W. ARMSTRONG		GENERAL SERVICES
5423	R.W. ARMSTRONG		GENERAL SERVICES
5423	NIPSCO		UTILITY BILL FOR PUMPING EXPENSES 2/9-3/14/94
5423	CHICAGO TITLE INS. CO.	- Control Control	TITLE WORK ON COMMISSION OWNED PROPERTIES
5423	CHICAGO TITLE INS. CO.		TITLE WORK ON DC: 319,366
5424	JAMES E. POKRAJAC		LAND ACQUISITION/MANAGEMENT SERVICES 3/16-3/31/94
5424	JAMES E. POKRAJAC		LAND ACQUISITION MANAGEMENT SERVICES 3/1-3/15/94
5424	ROBERT B. STOUFFER		LAND ACQUISITION/MANAGEMENT SERVICES 3/24-4/6/94
5424	ROBERT B. STOUFFER		LAND ACQUISITION/MANAGEMENT SERVICES 2/22-3/18/94
5431	FRELON & JACQUELIN HILL		PURCHASE PRICE OF PROPERTY DC 258
5431	CLEVELAND THOMAS		PURCHASE PRICE OF PROPERTY DC 303
5440	VALPO INS. PROFESSIONALS		COST INCURRED RE: GENERAL LIABILITY RENEWAL
5450	R.W. ARMSTRONG		UTILTIY RELOCATION SERVICES
5450	R.W. ARMSTRONG		UTILITY RELOCATION SERVICES
5450	NIPSCO	20,640.94	REIMBURSEMENT OF RELOCATION EXPENSES
		\$102,665.37	

SCHIFF HARDIN & WAITE

A Partnership Including Professional Corporations

7200 Sears Tower, Chicago, Illinois 60606-6473 Telephone (312) 876-1000 Facsimile (312) 258-5600 Chicago Washington New York Peoria Merrillville

Guenther M. Philipp (312) 258-5703

April 7, 1994

e Property and

TO BE PICKED UP BY COURIER

Mr. Louis M. Casale
Casale & Foley
8300 Mississippi Street, Suite E
Merrillville, Indiana 46410

Re:

Northern Indiana Public Service Company ("NIPSCO") - Little Calumet River Basin Development Commission

Dear Lou:

Enclosed are ten copies of a revised draft of the proposed NIPSCO/LCRBDC/City of Portage Lease for the Portage Marina Project, together with a black-lined version that will identify changes from the January 7, 1994 draft.

I received this redraft from Becky Margolin (who, as you know, is now out of town) on Tuesday and did not have a chance to review it until Tuesday night. Similarly, NIPSCO personnel did not have an opportunity to review this draft until today.

Because of your last minute timing on the changes in Article 3, I am under no illusions that this will be the actual "final" version of the contract - although I believe it is very close. Careful review by all of us is likely to disclose minor points that may need correction. Accordingly, I renew my suggestion that the resolution or ordinance you prepare for the LCRBDC include some flexibility for the officials to execute the lease in the form submitted, but with such minor changes or additions, not inconsistent with the basic business terms of this draft, as may be approved by the LCRBDC attorney and the official executing the document on behalf of LCRBDC.

SCHIFF HARDIN'S WAITE

Louis M. Casale April 7, 1994 Page 2

Depending on how quickly we finalize execution counterparts of the lease document, the same approach may or may not be applicable to the City Council and the City Attorney. I am forwarding a copy of this draft, together with the black-lined version, directly to Greg Sobkowski.

Very truly yours,

Guenther M. Philipp

GMP:jk Encls.

cc:

Don W. Carnahan (w/encls.) Gregory A. Sobkowski (w/encls.) Becky A. Margolin (w/encls.)

P.S. Under the word processing program that we use, the black-lined version of the table of contents may or may not be accurate, and should be disregarded by you; use the table of contents in the "clean" version of the Ground Lease.

SCHIFF HARDIN & WAITE

A Partnership Including Professional Corporations

7200 Sears Tower, Chicago, Illinois 60606-6473 Telephone (312) 876-1000 Facsimile (312) 258-5600

Guenther M. Philipp (312) 258-5703 Chicago Washington New York Peorla Merrillville

March 10, 1994

VIA FEDERAL EXPRESS

Mr. Louis M. Casale Casale & Foley 8300 Mississippi Street, Suite E Merrillville, Indiana 46410

Mr. Gregory A. Sobkowski Portage City Attorney City of Portage 5525 Broadway Merrillville, Indiana 46410

Re: Northern Indiana Public Service Company ("NIPSCO")

Little Calumet River Basin Development Commission ("LCRBDC")

City of Portage ("City")

Dear Lou and Greg:

We are advised by Stuart Summers and Don Carnahan of NIPSCO that they have agreed with representatives of the City on some final concessions and compromises on the business terms for the proposed NIPSCO/LCRBDC/City ground lease:

1. The ground lease will not contemplate street or alley vacations.

changed

- 2. NIPSCO will sell the so-called "fractional lots" to the LCRBDC. Stuart Summers indicated that Don Carnahan will take the initiative to agree upon a price directly with the City. On the basis of appraisal figures from Milo Vale that Don Carnahan has shared with Mr. Shepherd, we understand that the parties have agreed to a price of \$30,000 per acre, or \$19,260 for the entire .642 acres.
- 3. There will be no annual CPI adjustment in the ground rent. In lieu of the CPI adjustment, there will be pro rata increases in the ground rent based on and at the same times as increases in the slip rental rates over the rates for a "base year," which will be entirely within the control of LCRBDC. Because we assume that LCRBDC will want to maintain the flexibility of being able to charge different rental rates per foot for larger and smaller slips, we will need to come up with some formula for an average or "weighted average" rental rate as the basis for comparison to the rates in a "base year." My suggestion would be to use the fiscal year of the

SCHIFF HARDIN & WAITE

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Mr. Louis M. Casale Mr. Gregory A. Sobkowski March 10, 1994 Page 2

LCRBDC as the "base year" for these adjustments. Can you tell us what the fiscal year of the LCRBDC is?

4. We are told by our client that NIPSCO is willing to waive the reappraisal and base rent adjustment provisions for the first 20 years of the term to facilitate LCRBDC's bond financing. However, there will be reappraisals within the first 20 years, at NIPSCO's option, if a gambling casino or river boat gambling facility is opened anywhere in Porter County and NIPSCO determines that the value of the leased premises has more than doubled since the last appraisal. In any event, there will be reappraisals at five-year intervals beginning at the earlier of the expiration of 20 years, or the year of an appraisal, if any, based on the river boat/double value trigger described in the preceding sentence. Any lease year in which a reappraisal occurs will become a new "base year" for the purpose of the prorata adjustments described in paragraph 3.

Depending on how quickly you can let us know that your clients have approved these terms, we will try to meet your new target date. I expect to be out of town until approximately March 24, but in the meantime you can telephone Becky Margolin when you are ready to have us proceed with the lease revisions. We are, understandably I hope, reluctant to spend the time and money revising the lease until we have some assurance that the business terms are acceptable to all the parties. Assuming we can have a final (or substantially final) version of the lease ready for the next LCRBDC meeting, we assume that Greg will take responsibility for compliance with all required procedures for authorization by the City of Portage. Execution and delivery of the lease can then be scheduled after it has been formally approved by the City, LCRBDC and NIPSCO.

Finally, we understand that there have been some further design changes requested by the LCRBDC (e.g., provision for sidewalks and perhaps other changes), and that Abonmarche met with the engineering people at NIPSCO regarding these changes. We have recently seen the revised plans, and are trying to verify that they are acceptable to the NIPSCO engineering department. If so, they will require slight revisions in the legal description and perhaps the ground rent calculations.

Very truly yours,

GMP:jk

cc: Stuart D. Summers
Don W. Carnahan
Becky A. Margolin

Guchiher M. Philipp

MILO F. VALE & CO., INC.

Realtors

Developers Appraisers – 516 EAST B6TH AVENUE P.O. BOX 10236 MERRILLVILLE, INDIANA 46411

INDIANA CERTIFIED GENERAL APPRAISERS

FAX (219) 769-060B

MEMBER NORTHWEST INDIANA

BOARD OF REALTORS

NATIONAL ASSOCIATION OF REALTORS

*SRA MEMBER APPRAISAL INSTITUTE

"SINCE 1916"

TELEPHONE (219) 769-1335-36

MILD F. VALE, SR. (1983)

MILO F. VALE*

JEFF VALE

DEBBIE MORRIS

March 16, 1994

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

> Re: Updated Value Opinion of Various Lots in Heath's Addition to East Chicago City of Portage Porter County, Indiana

Dear Dan:

Following your request of March 9, 1994, I am enclosing herewith, the pertinent page in my 1992 appraisal which sets out the value of the individual parcels in Little Calumet River Basin Development Commission ownership. Also, a plat showing these portions of lots is Additionally, the report made in January 1992, is made a attached. part hereof, by reference.

The attached sheet shows the itemization by lot and block of those lots which you own in Heath's Addition, according to information furnished to me. Please remember that no survey of dimensions was provided to me. The dimensions are each scaled from the plat, and therefore should be perfected by survey for an accurate depiction.

I found a mathematical error in the schedule regarding a part of lot 10 in block 4. The attached sheet shows a corrected amount for that particular lot.

Mr. Dan Gardner March 16, 1994 Page - 2 -

Because these are bits and pieces of lots, and therefore use by themselves, it's my opinion that their values is since my expression of value on January, 1992. The opinion that the market value of these lots described in the attached list as of March 15, 1994, is:

EIGHT THOUSAND FOUR HUNDRED AND NO/100 DOLLARS

-----(\$8,400.00)------

Respectfully Submitted,

Milo F. Vale,

SKA

Indiana Certified General Appraiser

#CG69100291

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. . . .

SCHEDULE

STAGE/ PHASE	LOCATION	STRUCTURE			94				95			199				19				1998		—[
PHASE		JINOCIONE	APR	ונו זנו	LY 1 OC	T.1 JA	N.I API	RIL 1 JUI	LY 1 OC	Γ.1 JAN	.ı APRI	L1 JUL	Y 1 O	CT.1 JA	N.1 APR	וטן זוגו	Y 1 OC	T.1 JA	v.1 APRII	ו אות ו	ост.	l JA
II-3A	Georgia to MLK Drive	South levee	(3/30/94)		 	 	(12/30/9	 4) 						_				<u> </u>				
II-3B	Harrison to Georgia	South levee			(9/30/94)	-		:	- ·				(8	3/30/96)				,				
II-3C	Grant to Harrison	South levee	·	_	,	12/30/94)			1 g %	×	(12/30/9	i)										
II-4	Broadway to MLK Drive	North levee			(12	2/15/94)				: *.		Fr gall law		(9/30/96) 							
IV-1	Cline to Burr	North & South levee				(3	3/15/95)		:" 0					(9/30/96)					_		
IV-2	Burr to Chase	North & South levee			(9/30/94)	E E	z*-	¥ =	*	т. и				(9/30/96) 	1						<u> </u>
V-1	Indianapolis to Conrail	South levee	(9/23/93)	}	, j		(3	3/1/95) 														
V-2	Indianapolis to Kennedy Northeote to Indianapolis Conrail to Kennedy	North levee South levee South levee								. (3/	5/96)	quy tin.						(9/30/9	7)			
V-3	Northcote to Indianapolis	North levee												,	3/5/97) 🔳							_
VI-1	Kennedy to Cline	North levee								(1/5/9	5)	. *				• • • •	ete .		(12/30/97	,		
Vi-2	Kennedy to Cline	South levee						<u> </u>		(1/5/9	6	• •				9			(12/30/97			
VII	Columbia to Northcote	North & South levee									(4	5/15/96)									(9/	15/98)
VIII	State Line to Columbia	North & South levee			<u> </u>		1					(8/15/9	6)		-		<u> </u>	·			(9/	15/98)

CONST.
AWARD DATE

(\$) FEDERAL MONEY

ACTUAL COMPLETION DATE

NOTE:

BASED UPON INFO SUPPLIED BY A.C.O.E. 6/30/93 WEST REACH BASED UPON INFO SUPPLIED BY A.C.O.E. 2/4/94 EAST REACH

PLEASE

SIGN

I

	ATTENDANC		
Nar	me of meeting: LCCBDC	Date: APRIL 7	7
	NAME (please print)	Organization and/or Address	
1	RICK MARKLEY	La Place Marina CONTRACT + COMMUNITY SERVICES	1
2	Este Zah	La those Marina	2
3	RAY Young	SERVICES	3
4	JIM FLORA	R.W. ARMSTRONG	4
5	Gill Letretes	Heghland, Ind.	5
6	Kenneth Smith	ASST DIRECTOR DINJULTON	6
7	Jett Bartisek	Abenmarche Inc	7
8	Emerson Delaney	Hammed oftiger	8
9	DON Scott	URBAN LEAGUE LICOI	9
10			10
11			11
12			12
13			13
14			14
15			15
16			16
17			17
18			18
19			19
20			20
21			21
22			22
23			23
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25		2	25
26			26
27			27
28			28
29			29
30			30
31			31
Cha	rman:	Looption	
Cria	Timan:	Location:	



Little Calumet River Basin Development Commission

6100 Southport Road

Portage, Indiana 46368

(219)763-0696 Fax (219)762-1653

GEORGE CARLSON, Chairman Mayor of Hammond's Appointment

March 9, 1994

CHARLES AGNEW, Vice-Chairman

IOHN DEMEO, Treasurer Governor's Appointment

NATHANIEL LEONARD, Secretary

Lake County Commissioners'

Appointment

ARLENE COLVIN

Mayor of Gary's

Appointment

WILLIAM CRITSER
Governor's Appointment

STEVE DAVIS

Dept. of Natural Resources'

Appointment

ROBERT HUFFMAN

Governor's Appointment

WILLIAM TANKE
Porter County Commissioners
Appointment

ROBERT TRELO

Governor's Appaintment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

Mr. Bill Critser 940 Maxwell Court Crown Point, Indiana 46307

Dear Bill:

It has come to our attention that since your reappointment dated July 1992, you have not attended a monthly meeting of this Commission.

We ask that if your schedule continues to prohibit your attendance, you would have the courtesy to resign from the Commission so we can pursue an active member being appointed at this crucial time of the project's construction. In addition to your absence, there continues to remain a Governor's republican vacancy that has existed since June 1990. Your non-attendance and this vacancy have caused the Commission great concern for obtaining a quorum as well as assuring full board policy input.

If your schedule would permit you to attend, we would welcome your attendance. If not, we would request that you respond and act on this promptly. Since you are a Governor's appointment, a letter of resignation would have to be sent to the Governor's Office and a copy to us.

Sincerely,

George Carlson

Chairman, LCRBDC

Dan Gardner

Executive Director

/sim

Mayor Robert Pastrick, Democratic County Chairman Roger Chiabai, Republican County Chairman

95 West Main Street P.O. Box 1088 - Zip 49023 Benton Harbor, MI 49022 616-927-2295 FAX 616-927-4639 Granger, Indiana Michigan City, Indiana

Architecture

Engineering

Land Surveying

Natural Resources

Construction Management

April 4, 1994

John Hannon, P.E., City Engineer City of Portage 6070 Central Avenue Portage, Indiana 46368 Daniel Gardner, Executive Director LCRBDC 6100 Southport Road Portage, Indiana 46368

Re: Portage Municipal Marina

Dear Messrs. Hannon and Gardner:

The following are items which can be considered at your April 7, 1994 meetings, as follows:

- 1. NIPSCO issues per lease/purchase documents.
- 2. USCOE Permit
 - Review and adopt natural area plan (per attachments) subject to City and USCOE approval.
 - Accept INDOT conditions.
- 3. S.R. 249 Fencing East Boundary
 - Approve Change Order with Superior to add right-of-way fencing along U.S. 12 and Crisman Road, to replace fencing removed during sand mining process.
- 4. Abonmarche Authorization

See attached letter to authorize:

- · Final sheet piling design and bidding
- · Sand contract construction administration
- · Develop final overall project schedule/budget

\$ 20,234

John Hannon Daniel Gardner April 4, 1994 Page 2

Should you have any questions please do not hesitate to contact Jeffrey A. Bartoszek, P.E., or the undersigned.

Sincerely,

ABONMARCHE CONSULTANTS, INC.

Ronald E. Schults, P. E.

President

RES/f

95 West Main Street P.O. Box 1088 - Zip 49023 Benton Harbor, MI 49022 616-927-2295 FAX 616-927-4639 Granger, Indiana Michigan City, Indiana

Architecture

Engineering

Land Surveying

Natural Resources

Construction Management

April 7, 1994

John Hannon, P.E., City Engineer City of Portage 6070 Central Avenue Portage, Indiana 46368

Daniel Gardner, Executive Director LCRBDC 6100 Southport Road Portage, Indiana 46368

Re:

Portage Municipal Marina

Dear Messrs. Hannon and Gardner:

This letter will serve as your authorization to proceed with the following:

1. Sheet Piling Final Design

Authorize completion of final engineering sheet piling plans and bid plans. Plans to be completed and out to bid within three weeks after authorization (per agreement)

\$ 5,674

2. Sand Mining Contract Construction Administration

April - July

4 months @ \$3,125/month

\$ 12,500

3. Prepare Overall Project Development Schedule/Cost Estimate

This work would develop a project schedule and budget which would have flexibility with either a municipal project or a joint public/private lease project.

Principal Project En 12 hours @ \$85

\$1,020.00

Project Engineer

16 hours @ \$65

1,040.00

Not to exceed:

\$2,060

Total:

\$ 20,234

John Hannon Daniel Gardner April 7, 1994 Page 2

Should you have any questions, please do not hesitate to contact me.

Sincerely,

ABONMARCHE CONSULTANTS, INC.

Lonald G. Schults Arg.

Ronald E. Schults, P. E.

President

RES/f

Accepted by:	City of Portage
By:	
Date:	
Accepted by:	Little Calumet River Basin Development Commission
By:	
Date:	

Breakdown of Services - April - July

î

Estimated Monthly Services

• Survey crew allowance 16 hrs. @ \$73 = \$1,168

· Principal 4 hrs. @ \$85 = 340

• Project Engineer 12 hrs. @ \$65 = 780

Construction Engineer 24 hrs. @ \$35 = 840

Total: \$3,128 /month

Total = 4 months @ \$3,128 = \$ 12,512



95 West Main Street P.O. Box 1088 - Zip 49023 Benton Harbor, MI 49022 616-927-2295 FAX 616-927-4639

Architecture

Engineering

Land Surveying

Natural Resources

Construction Management

Granger, Indiana

Michigan City, Indiana

April 7, 1994

John Hannon, P.E., City Engineer City of Portage 6070 Central Avenue Portage, Indiana 46368 Daniel Gardner, Executive Director LCRBDC 6100 Southport Road Portage, Indiana 46368

Re: Portage Municipal Marina

Dear Messrs. Hannon and Gardner:

Listed below are items which we would recommend be authorized in order to proceed with the excavation of the Portage Municipal Marina, and related INDOT requirements:

Description	Quantity	Unit	Unit Price	Total
1. Remove ROW fence	800	LFT	\$0.90	\$720.00
2. Reinstall new ROW farm fence	1600	LFT	\$4.85	\$7,760.00
Total:				\$8,480.00

Please note that the removal of the ROW fence is along S.R. 249, while the reinstallation is along both US 12 and SR 249. Please let me know if you wish to proceed with the issuance of a contract or change order with Superior, or if additional proposals/quotes are necessary from other contractors.

Sincerely,

ABONMARCHE CONSULTANTS, INC.

Vice President of Engineering

NATURAL AREA EASEMENT AGREEMENT

AGREEMENT made this	day of	, 1994 by and between
---------------------	--------	-----------------------

Little Calumet River Basin Development Commission (LCRBDC)

6100 Southport Road Portage, Indiana 46368

and

The City of Portage 6070 Central Avenue Portage, Indiana 46368

WHEREAS, LCRBDC, the property owner, has a permit from the USCOE with respect to certain property located in the City of Portage, County of Porter, State of Indiana, which property is to be developed as a marina in accordance with the applicable City and State ordinances and statutes, which property is described as Exhibit A attached hereto and which property is referred to herein as "Marina Property"; and

WHEREAS, the Marina Property contains an area which has been identified to be established as a "natural area" as defined in said permit.

WHEREAS, LCRBDC, has agreed to establish a natural area as prescribed in the natural landscaping plan, that the area will remain in an undisturbed condition (no clearing, mowing, or thinning of vegetation) and will be referred to herein as the "Natural Area" as shown on the drawing attached hereto as Exhibit "B"; and

WHEREAS, LCRBDC has agreed to grant to the City of Portage an easement over the Natural Area as shown and described on Exhibit "B" attached hereto and incorporated herein by hereinafter referred to as the "Natural Area".

NOW, THEREFORE, for good and valuable consideration having been received, the parties agree as follows:

- 1. <u>Natural Area</u>. LCRBDC grants to the City of Portage a Natural Area easement. No clearing, mowing, or thinning of vegetation of the Natural Area shall be undertaken, except to re-vegetate barren areas, remove naturally fallen trees, and re-vegetate the site of a fallen tree.
- 2. <u>Development Work.</u> LCRBDC shall cause the Natural Area to be established according to the natural landscaping plan. A suitable control site along the waterway bank has been designated and will be used as a success standard.
- 3. <u>Binding Effect</u>. The easement created herein shall be a perpetual easement for the benefit of the City of Portage, and its successors, legal representatives, and assigns, with the provisions herein also to be binding upon the parties hereto and their respective successors, legal representatives and assigns. The USCOE, by its acceptance of this Agreement, shall have the right to enforce any of the provisions herein.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first set forth above. Little Calumet River Basin Development Commission Witnesses: City of Portage STATE OF INDIANA) SS: COUNTY OF PORTER day of ______, 1994, before me a Notary Public in and for said On this of the LITTLE CALUMET RIVER BASIN County personally appeared _ DEVELOPMENT COMMISSION to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be their free act and deed. Notary Public Porter County, Indiana My commission expires: STATE OF INDIANA) SS: COUNTY OF PORTER) On this _____ day of _____ , 1994, before me a Notary Public in and for said County personally appeared _____ of the CITY OF PORTAGE to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be their free act and deed. Notary Public Porter County, Indiana My commission expires: United States Army Corps of Engineers Approval to Natural Easement Agreement for Permit

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