Sandy

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

Talk to NIPSCO paying Burnham plant fee into DBOW.

Go Season meet meeting to discuss W.C.C. per cent.

MEETING NOTICE

THERE WILL BE A MEETING OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION AT 6:00 P.M. THURSDAY, OCTOBER 5, 2000 AT THE COMMISSION OFFICE 6100 SOUTHPORT ROAD PORTAGE, IN

WORK STUDY SESSION - 5:00 P.M.

A G E N D A

1. Call to Order by Chairman Emerson Delaney
2. Pledge of Allegiance
3. Recognition of Visitors and Guests
4. Approval of Minutes of September 7, 2000 — 1-4
5. Chairman's Report
6. Executive Director's Report
   - Project Wetland Mitigation/Permit
     - Mitigation meeting held on September 27th – Property anlaysis
     - Next Steps

For Emerson 249 + I80/94 traffic counts! Give to Burhmann

Ask COE for map they got from Sandy O'B

7. Standing Committees

A. Land Acquisition/Management Committee – Chuck Agnew, Chairman
- Appraisals, offers, acquisitions, recommended actions
- Staff met with COE and viewed project mitigation sites
- COE Real Estate meeting held October 3rd
- Other issues

B. Project Engineering Committee – Bob Huffman, Chairman
- Partnering meeting held with COE on September 13th
- Meeting held Sept. 26th at INDOT request regarding I-80/94 widening project
- Meeting schedule Sept. 28th in Chicago office re: Thornton flood warning gage funding
- Utilities meetings scheduled for October 11th and 12th
- Other issues

C. Legislative Committee – George Carlson, Chairman
- Resolution declaring funding emergency – State funding
- Status of Legislative contacts
- Next Steps
- Other Issues

5-6
7

D. Recreational Development Committee – Curtis Vosti, Chairman
- Issues

E. Marina Development Committee – Bill Tanke, Chairman
- Issues

F. Finance/Policy Committee – Arlene Colvin, Chairperson
- Financial status report
- Approval of claims for September 2000
- Budget transfer approval
- Other issues

8
9-10

G. Minority Contracting Committee – Marion Williams, Chairman
- Issues

8. Other Business

9. Statements to the Board from the Floor

10. Set date for next meeting

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. THURSDAY, SEPTEMBER 7, 2000
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairman Emerson Delaney called the meeting to order at 6:20 p.m. Nine (9) Commissioners were present. Pledge of Allegiance was recited. Quorum was declared and guests were recognized.

Development Commissioners:
John DeMeo
Charles Agnew
Emerson Delaney
William Tanke
George Carlson
Steve Davis
Curt Vosti
Bob Huffman
Arlene Colvin

Staff
Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos

Visitors:

Bill Petrites, Highland resident
Jomary Crary, IDNR, Div.Water
Jim Flora, R.W. Armstrong Company
George Bowman, IDNR, Div.Water
Sandy O'Brien, Sierra Club
Mike Gooldy, Portage News
Mark Lopez, Congressman Visclosky's Office
Jim Sweeney, Izaak Walton
Myrna Nugent, Shirley Heinze Environmental Fund

Commissioner George Carlson made a motion after correcting the minutes on p.4 by stating that in the Legislative Committee report, he was not present at the meeting and therefore did not give the Legislative report. It should read that Mr. Gardner gave the Legislative report; motion seconded by Chuck Agnew; motion passed unanimously.

Chairman's Report – To be given later in meeting.

Executive Director's Report - Mr. Gardner updated the Board members on the project wetland mitigation report. We had solicited for proposals for land to serve as property for this mitigation. There were 2 proposals received – Lake Erie Land Company and the Shirley Heinze Environmental Fund. Mr. Gardner gave a brief description of the proposals received. Shirley Heinz had offered 198 acres at a cost of $8000 per each acre. Lake Erie Land had offered 634 acres in 5 separate locations. They proposed property they have optioned with the Commission. No cost was given in their proposal. Mr. Gardner further stated that we have received numerous letters of support for the Hobart Marsh area. He stated that these proposals would serve as a "floor" of lands to be considered, along with private property deemed suitable in the Hobart Marsh area. The main concern is getting the best property at the best dollar value. He has met with Mark Lopez & talked to Tim

Sanders about this. IDEM, IDNR and U.S. Fish & Wildlife will provide staff to screen the properties so that the best of the property is identified. There are 4 criteria used in evaluating the lands. They are hydrology, composition of soils, cost of establishment, and contiguity with other lands.

Mr. Vosti stated that he, Steve Davis and Bob Huffman had the opportunity to tour some of the Hobart Marsh property. Approximately 344 acres are needed for mitigation, both enhanced and restored. Jomary Crary, IDNR, reiterated that a permit could not be secured until a mitigation plan is in place. Mr. Vosti made a motion to accept the proposals received and forward them onto the COE and IDNR; motion seconded by John DeMeo; motion passed unanimously.

Public comment – Sandy O'Brien referred to a map she had given us earlier that may not be up to date. Some of the properties identified on it may have already been sold. She has a better map she will give us.

Mr. Gardner reiterated that those lands which are most suitable will determine the mitigation lands.

Land Acquisition/Management Committee – Committee Chairman Chuck Agnew made a motion for staff to file condemnation proceedings on DC526; motion seconded by Curt Vosti; motion passed unanimously.
Mr. Agnew reported that he, Bill Tanke, Dan Gardner, Judy Vamos and Don Ewoldt (LEL) attended the river Forest School Board meeting and made a presentation for the donation of the handicapped-accessible park and community building. School officials are delighted that this park will become a reality once LEL sells mitigation credits for the 32 acre area on Clay Street. There was discussion earlier if the project would have to be bid out. Mr. Agnew read a letter from the attorney stating that upon researching it, the project does not have to be bid out.

Mr. Agnew reported that the COE and LCRBDC met with North Township Trustee and Board members regarding Wicker Park golf course levee impact. John Snell of Indianapolis will be doing the appraisal.

Mr. Agnew also reported that a Great Konomick River Restoration project meeting was held September 6th. The group meeting now is pared down from the original larger group and it was decided that a mission statement should be developed for the group.

Mr. Agnew also mentioned that Real Estate meetings were held on August 8th and August 31st.

Project Engineering Committee – Committee Chairman Bob Huffman gave the engineering report. He reported that a meeting will be held on September 26th at INDOT's request to talk about I-80/94 widening project and how it will affect lands/easements we may need and drainage problems that may occur. A meeting was held yesterday with the city of Gary to review the Grant Street improvement project. He also reported a

pre-construction meeting was held August 8th on Pump Station 1B contract (S.E. Hessville & 81st Street). Also, some re-alignment along the west side of the Tri-State Bus Terminal will be done to minimize real estate impacts to parking.

A request had been submitted to the COE earlier asking for information on other projects that used the Stage VII design for the V.E. proposal. We have not heard from the COE yet. We would like this information before we have public meetings in Hammond, Highland and Munster.

Legislative Committee – Committee Chairman George Carlson informed the Board members that the Legislative Committee met on August 22nd for a 2-hour meeting to discuss funding issue - purpose was how we can get $12 million in the Governor's budget to keep the project going. Effort should be made to try to talk to Pete Manous, the Governor's representative for NW IN. We had previously met with the Congressman and he was very supportive and said he would talk to the Governor if needed. He would like the project completed so benefits will be received and he can channel monies toward other projects. Average monies received from each biennium has only been $2 million. A resolution declaring a funding emergency had been prepared and distributed to members. Discussion ensued on whether the resolution was formal enough and strong enough to critically define the situation. Board members decided it should be more strongly worded. It should then be sent to all elected officials, and especially the Governor. It was also suggested that a meeting should be arranged with the editorial board of the Times and Post Tribune newspapers. Board member John DeMeo suggested we should just send it to the Governor and let him distribute it if necessary. Fellow board members disagreed and thought it should be sent to as many as we can. Board member Arlene Colvin added that we probably have not been as forceful as we should have been so by passing this resolution, it will take the urgency of the funding situation up another notch. Curt Vosti made a motion that the Commission is declaring a funding emergency and directed staff to re-draft the resolution immediately with advice from legal counsel and Legislative Committee and send out; motion seconded by George Carlson; motion passed unanimously.

Recreational Development Committee – Discussion was held with Committee Chairman Curt Vosti and Board members regarding the trail development in Hammond/Highland. It was strongly felt that trail alignment would increase the enjoyment of the citizens walking the trail. Bob Huffman added that we will have to watch the re-alignment that INDOT does in this area. Mr. Vosti added that he was on vacation when the COE wanted to meet to talk recreation but he would still like to meet sometime with the COE in the near future.

Marina Committee – Committee Chairman Bill Tanke referred to the request letter in the packet addressed to the city of Portage for the October marina bond payment due. Mr. Tanke proceeded to make a motion to approve payment of the bond payment in the amount of $28,643.84; motion seconded by John DeMeo; motion passed unanimously.

Finance Committee – Committee Chairperson Arlene Colvin referred to the monthly financial status sheet and claims in the amount of $59,637.83. She proceeded to make a motion to approve the financial status sheet and the August claims; motion seconded by Bill Tanke; motion passed unanimously. Ms. Colvin further stated that the Finance Committee met on August 29th. Several items were discussed, i.e. funding, budget for the upcoming new year, contractors renewal, etc. She would like contractors request by November 1st. Also, she announced that we probably will have several budget transfers at the next meeting.

Minority Contracting Committee – In Committee Chairman Marion Williams' absence, Mr. Gardner stated that members received the monthly minority participation updates from the Griffith COE office. These are reports that are submitted by current contractors; i.e. Dyer Construction and Dillion Construction.

Chairman's Report – Chairman Emerson Delaney addressed John DeMeo, outgoing Commission member who is moving to Florida and has been a Commission member for 20 years. Since Mr. DeMeo has already been presented with a Sagamore of the Wabash award when he retired from Bethlehem, Mr. Delaney presented him with a Sagamore of the Little Cal award. He was thanked for his many years of dedicated loyal service and will be missed by all.

Other Business – There was none.

Statements to the Board – There was none.

There being no further business, the next regular Commission meeting was scheduled for **6:00 p.m. Thursday, October 5, 2000.**

/sjm

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
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RESOLUTION NO. 00-02

A RESOLUTION OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION, DECLARING A FUNDING EMERGENCY WITH REGARD TO THE STATE MATCHING FUNDS FOR THE LITTLE CALUMET RIVER FLOOD CONTROL/RECREATION PROJECT.

WHEREAS, the Little Calumet River Basin Development Commission is the State designated Local Sponsor for the Little Calumet River Federal Flood Control and Recreation Project in Northwest Indiana, which Project is, at present, approximately Fifty Percent (50%) complete; and,

WHEREAS, as the local sponsor, the Little Calumet River Basin Development Commission is obligated, by Contract with the United States of America, Army Corps of Engineers, to provide, at non-federal cost, among other things, all required land acquisition utility relocation as well as a cash contribution totaling 25% of the Project cost; and,

WHEREAS, the Federal Government has presently appropriated and available for the project the sum of Eighteen Million Dollars ($18,000,000.00), whereas the Little Calumet River Basin Development Commission has presently available to it the sum of One Million Five Hundred Thousand Dollars ($1,500,000.00) in State funds to meet its obligation towards letting of construction contracts; and,

WHEREAS, it is presently estimated that the sum of Twelve Million Dollars ($12,000,000.00) is needed in State appropriations to allow the Local Sponsor to meet its obligations under the Local Sponsor Agreement with the United States of America, Army Corps of Engineers and move the Little Calumet Project towards completion at a rate as allowed by the Federal Funds presently available.

NOW, THEREFORE, BE IT RESOLVED that unless significant dollars, presently estimated to be Twelve Million Dollars ($12,000,000.00), are included in the upcoming Governor's State biennial budget, the Little Calumet River Flood Control and Recreation Project will stop. New Federal construction contracts cannot be let and Federal dollars allocated to this project must be returned to the Federal Government which will shift them to other projects outside the State of Indiana; thereby, causing a serious delay in bringing flood protection to the communities of Hammond, Highland, Munster and Griffith and the potential permanent loss of millions of dollars in Federal funds. There will also be created a potential default by the Little Calumet River Basin Development Commission with regards to the obligations under the Federal Local Cooperation Agreement, and;

BE IT FURTHER RESOLVED, the Commission respectfully requests that the sum of Twelve Million Dollars ($12,000,000.00) be placed in Governor O'Bannon's 2001-03 budget to resolve this crisis.

Adopted this 7th day of September, 2000.

By: _____
Chairman, LCRBDC

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Portage News, 9-14-00

Little Calumet commission declares budget crisis

By Mike Gooldy

The Little Calumet River Basin Development Commission (LCRBDC) declared a funding emergency Thursday due to the lack of local matching funds available for federal flood control projects.

Unless Governor Frank O'Bannon ensures that $12 million in local matching funds is included in next year's state budget, the commission risks defaulting on the federal flood control project it has been working on for 20 years.

George Carlisle, LCRBDC legislative committee chairman, briefed the commission on an Aug. 22 meeting designed to secure the state funding required to keep the project on track.

"We're faced with a crisis that needs a solution," Carlisle told the commission. "This program will stop if we don't get the ($12 million)."

The funding will be used for land acquisition, utility relocation and the commission's share of construction costs.

U.S. Rep. Pete Visclosky, D-1st District, attended the Aug. 22 meeting and promised to talk to O'Bannon about budgeting the money.

"To my knowledge, he has not talked to the governor," Carlisle said.

The commission authorized its staff to draft a resolution to convey the situation's sense of urgency with the advice and consent of the legislative committee. The completed resolution will be sent to all appropriate elected and appointed officials in the hope that the needed money will be included in the upcoming state budget.

"It's been 20 years, the project is half-done and the areas prone to flooding haven't been fixed," Carlisle said. "Without funding, we can't match three federal dollars with one state dollar."

That project is the flood control and wetlands mitigation of the Little Calumet River, which parallels the Borman Expressway in Lake County. The half that hasn't been fixed is the western portion from Cline Avenue to the state line.

"If this project stops, the risk of flood control problems are increased for the communities west of Cline Avenue," said Dan Gardner, commission executive director. Those communities are Hammond, Highland and Munster.

In other business, LCRBDC Commissioner John DeMeo announced his retirement from the commission due to his impending move to Florida. The commission lauded DeMeo's tireless work on its behalf and wished him well in his future endeavors.

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LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
FINANCIAL STATEMENT
JANUARY 1, 2000 - AUGUST 31, 2000

CASH POSITION - JANUARY 1, 2000				
CHECKING ACCOUNT				
LAND ACQUISITION			244,197.40	
GENERAL FUND			143,144.40	
TAX FUND			0.00	
INVESTMENTS			1,188,076.15	
ESCROW ACCOUNT INTEREST			11,729.84	
				1,587,147.79
RECEIPTS - JANUARY 1, 2000 - AUGUST 31, 2000				
LEASE RENTS			31,016.76	
INTEREST INCOME			30,568.85	
LAND ACQUISITION			2,225,541.72	
ESCROW ACCOUNT INTEREST			8,418.17	
MISC. INCOME			2,569.65	
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE			1,184.21	
PROCEEDS FROM VOIDED CHECKS			198,778.63	
TOTAL RECEIPTS				2,498,077.99
DISBURSEMENTS - JANUARY 1, 2000 - AUGUST 31, 2000				
ADMINISTRATIVE				
1999 EXPENSES PAID IN 2000		88,437.89		
PER DIEM			8,850.00	
LEGAL SERVICES			4,138.64	
NIRPC			79,050.05	
TRAVEL & MILEAGE			1,252.30	
PRINTING & ADVERTISING			506.17	
BONDS & INSURANCE			5,802.63	
TELEPHONE EXPENSE			7,533.51	
MEETING EXPENSE			3,166.09	
LAND ACQUISITION				
LEGAL SERVICES			44,336.14	
APPRAISAL SERVICES			28,750.00	
ENGINEERING SERVICES			65,302.80	
LAND PURCHASE CONTRACTUAL			8,481.00	
FACILITIES/PROJECT MAINTENANCE SERVICES			33,660.00	
OPERATIONS SERVICES			0.00	
LAND MANGEMENT SERVICES			109,592.04	
SURVEYING SERVICES			80,676.59	
ECONOMIC/MARKETING SOURCES			1,400.00	
PROPERTY & STRUCTURE COSTS			219,336.30	
MOVING ALLOCATION			3,100.00	
TAXES			5,509.21	
LAND PURCHASE CONTRACTUAL			0.00	
PROPERTY & STRUCTURES INSURANCE			20,868.00	
UTILITY RELOCATION SERVICES			23,258.19	
LAND CAPITAL IMPROVEMENT			4,582.80	
STRUCTURAL CAPITAL IMPROVEMENTS			18,512.58	
BANK ONE (PURCHASED CERTIFICATE)			1,500,000.00	
BANK CALUMET(PURCHASE CERTIFICATE W/LEL FUNDS)			90,056.60	
TOTAL DISBURSEMENTS				2,367,721.64
CASH POSITION - AUGUST 31, 2000				
CHECKING ACCOUNT				
LAND ACQUISITION			428,583.12	
GENERAL FUND			45,565.46	
TAX FUND				
SAND MONEY			120,766.84	
INVESTMENTS				
BANK CALUMET	316,000.00	02/02/2001		
BANK CALUMET	700,000.00	02/02/2001		
BANK ONE	105,116.15	10/04/2000		
BANK CALUMET	92,831.76	01/02/2001		
BANK ONE	12,258.90	01/01/2001		
BANK ONE	1,500,000.00	05/25/2001		
TOTAL INVESTMENTS			2,726,206.81	
ESCROW ACCOUNT INTEREST			20,148.01	
				3,341,270.24

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

MONTHLY BUDGET REPORT, SEPTEMBER 2000

	2000 BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	6 MONTH ALLOCATED TOTAL	UNALLOCATED BUDGETED BALANCE
5801 PER DIEM EXPENSES	16,000.00	100.00	0.00	0.00	0.00	0.00	3,450.00	3,550.00	12,450.00
5811 LEGAL EXPENSES	8,500.00	283.33	283.33	579.33	379.33	475.33	395.33	2,395.98	6,104.02
5812 NIRPC SERVICES	125,000.00	18,062.13	8,874.12	8,782.12	8,347.14	9,851.88	8,411.83	62,329.22	62,670.78
5821 TRAVEL/MILEAGE	14,000.00	39.90	16.24	27.72	8.96	34.86	311.92	439.60	13,560.40
5822 PRINTING/ADVERTISING	5,000.00	0.00	62.58	0.00	55.11	0.00	506.17	623.86	4,376.14
5823 BONDS/INSURANCE	7,500.00	0.00	0.00	0.00	160.00	5,642.63	0.00	5,802.63	1,697.37
5824 TELEPHONE EXPENSES	7,000.00	438.76	216.26	1,827.68	611.31	433.27	416.01	3,943.29	3,056.71
5825 MEETING EXPENSES	8,000.00	729.60	132.20	0.00	0.00	542.31	435.04	1,839.15	6,160.85
5838 LEGAL SERVICES	125,000.00	5,866.80	5,266.54	8,499.50	5,901.48	5,417.60	3,699.54	34,651.46	90,348.54
5840 PROFESSIONAL SERVICES	500,000.00	28,441.52	28,955.95	31,571.03	35,876.29	42,961.89	21,626.57	189,433.25	310,566.75
5860 PROJECT LAND PURCHASE EXP.	807,630.00	147,954.58	66.74	102,565.17	3,015.96	11,537.00	640.00	265,779.45	541,850.55
5881 PROPERTY/STRUCTURE INS.	25,000.00	464.00	0.00	0.00	0.00	0.00	20,107.00	20,571.00	4,429.00
5882 UTILITY RELOCATION EXP.	200,000.00	557.50	0.00	472.50	775.00	3,446.45	12,018.44	17,269.89	182,730.11
5883 PROJECT LAND CAP. IMPROV.	250,000.00	550.00	0.00	0.00	0.00	0.00	0.00	550.00	249,450.00
5884 STRUCTURES CAP. IMPROV.	25,000.00	0.00	2,995.83	0.00	14,334.00	713.75	969.00	19,012.58	5,987.42
	2,123,630.00	203,488.12	46,869.79	154,325.05	69,464.58	81,056.97	72,986.85	628,191.36	1,495,438.64

	2000 BUDGET	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	12 MONTH ALLOCATED TOTAL	UNALLOCATED BUDGETED BALANCE
5801 PER DIEM EXPENSES	16,000.00	0.00	0.00	0.00	0.00	0.00	0.00	3,550.00	12,450.00
5811 LEGAL EXPENSES	8,500.00	715.33	739.33	1,283.33	0.00	0.00	0.00	5,133.97	3,366.03
5812 NIRPC SERVICES	125,000.00	8,249.52	8,493.73	8,173.33	0.00	0.00	0.00	87,245.80	37,754.20
5821 TRAVEL/MILEAGE	14,000.00	0.00	10.36	4,407.36	0.00	0.00	0.00	4,857.32	9,142.68
5822 PRINTING/ADVERTISING	5,000.00	0.00	0.00	431.77	0.00	0.00	0.00	1,055.63	3,944.37
5823 BONDS/INSURANCE	7,500.00	0.00	0.00	0.00	0.00	0.00	0.00	5,802.63	1,697.37
5824 TELEPHONE EXPENSES	7,000.00	490.28	595.07	487.88	0.00	0.00	0.00	5,516.52	1,483.48
5825 MEETING EXPENSES	8,000.00	0.00	140.50	5,188.65	0.00	0.00	0.00	7,168.30	831.70
5838 LEGAL SERVICES	125,000.00	3,100.00	7,162.00	4,251.08	0.00	0.00	0.00	49,164.54	75,835.46
5840 PROFESSIONAL SERVICES	500,000.00	66,385.15	28,199.16	35,713.62	0.00	0.00	0.00	319,731.18	180,268.82
5860 PROJECT LAND PURCHASE EXP.	807,630.00	68,801.26	7,117.68	917.58	0.00	0.00	0.00	342,615.97	465,014.03
5881 PROPERTY/STRUCTURE INS.	25,000.00	297.00	0.00	0.00	0.00	0.00	0.00	20,868.00	4,132.00
5882 UTILITY RELOCATION EXP.	200,000.00	3,965.00	1,080.00	4,522.50	0.00	0.00	0.00	26,837.39	173,162.61
5883 PROJECT LAND CAP. IMPROV.	250,000.00	6,590.00	6,100.00	15,252.00	0.00	0.00	0.00	28,492.00	221,508.00
5884 STRUCTURES CAP. IMPROV.	25,000.00	0.00	0.00	5,720.00	0.00	0.00	0.00	24,732.58	267.42
	2,123,630.00	158,593.54	59,637.83	86,349.10	0.00	0.00	0.00	932,771.83	1,190,858.17

CLAIMS PAYABLE FOR SEPTEMBER 2000

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5811	LOUIS CASALE	283.33	RETAINER FEE BILLED FOR SEPTEMBER 2000
5811	LOUIS CASALE	1,000.00	ADD'L LEGAL SERVICES 8/28/00-9/25/00
5812	PORTAGE FLOWER SHOP	45.95	COST INCURRED IN ORDERING FLOWERS FOR FAMILY OF COMMISSION MEMBER
5812	NIRPC	8,127.38	SERVICES PERFORMED AUGUST 2000
5821	SAND RIDGE BANK	3,962.50	AIRLINE TICKETS FOR NAFSMA CONFERENCE,SAN DIEGO CA
5821	WILLIAM TANKE	284.70	REIMBURSEMENT FOR NAFSMA CONFERENCE AIRLINE TICKET
5821	DAN GARDNER	149.52	MILEAGE 8/1/00-9/20/00
5821	SANDY MORDUS	10.64	MILEAGE 9/1/00-9/12/00
5822	KINKO'S	405.21	20 COPIES OF ACQUISITION PLAN FOR THE WEST REACH
5822	JIM POKRAJAC	26.56	REIMBURSEMENT FOR FILM DEVELOPING OF OGDEN DUNES SHORE LINE ORDERED BY LCRBDC ATTORNEY
5824	VERIZON	113.14	BILLING PERIOD 9/16/00-10/16/00(TOTAL BILL 242.51 KRBC 129.37)
5824	MCI	374.74	BILLING PERIOD 8/15/-9/14/00(TOTAL BILL 399.86 KRBC 25.12)
5825	SAND RIDGE BANK	58.60	EXPENSES INCURRED W/DISCUSSION FOLLOWING TOUR OF HOBAR MARSH MITIGATION 8/11/00
5825	SAND RIDGE BANK	37.90	EXPENSES INCURRED W/DISCUSSION FOLLOWING RIVER FOREST SCHOOL BOARD MTG 8/15/00
5825	SAND RIDGE BANK	90.80	EXPENSES INCURRED AT LEGISLATIVE COMMITTEE MEETING 8/22/0
5825	NAFSMA	4,939.00	11 REGISTRATIONS @$449 PER PERSON FOR NAFSMA CONFER.
5825	SAND RIDGE BANK	62.35	FINANCE COMMITTEE MEETING EXPENSE 9/20/2000
5838	LOUIS CASALE	4,251.08	LAND ACQUISITION/LEGAL SERVICES 8/28/00-9/25/00
5842	R. W. ARMSTRONG	1,618.53	PROFESSIONAL SERVICES FOR PERIOD ENDED 9/15/2000
5842	K & S ENGINEERS INC	7,601.00	COST INCURRED FOR SOIL BORINGS STAGE VI-2
5842	GREAT LAKES ENGINEERING	7,375.00	ENGINEERING SERVICES PROVIDED THROUGH 9/21/00
5843	MERIDIAN TITLE CORPORATION	275.00	TITLE WORK PREFORMED FOR DC-431-436
5843	CHICAGO TITLE INSURANCE COMPANY	50.00	ADDITIONAL TITLE WORK FOR DC-219
5844	JAMES POKRAJAC	3,990.00	LAND MANAGEMENT/ENG SERVICES 8/16/00-8/31/00
5844	JAMES POKRAJAC	212.80	AUGUST MILEAGE
5844	JAMES POKRAJAC	3,486.00	LAND MANAGEMENT/ENG SERVICES 9/1/00-9/15/00
5844	JAMES POKRAJAC	1,890.00	LAND MANAGEMENT/ENG SERVICES 9/18/00-9/22/00
5844	JAMES POKRAJAC	140.56	SEPTEMBER MILEAGE
5844	JUDITH VAMOS	2,430.00	LAND ACQUISITION/MANAGEMENT SERVICES 8/16/00-8/30/00
5844	JUDITH VAMOS	46.48	AUGUST MILEAGE
5844	JUDITH VAMOS	2,625.00	LAND ACQUISITION/MANAGEMENT SERVICES 9/1/00-9/15/00
5844	G. LORRAINE KRAY	577.50	CREDITING TECHNICIAN & LAND ACQUISITION ASST 8/16/00-7831/00
5844	G. LORRAINE KRAY	555.00	CREDITING TECHNICIAN & LAND ACQUISITION ASST 9/6/00-9/14/00
5844	SANDY MORDUS	502.25	CREDITING TECHNICIAN SERVICES 8/16/00-8/31/00
5844	SANDY MORDUS	318.50	CREDITING TECHNICIAN SERVICES 9/6/00-9/14/00
5847	DLZ	577.50	PROFESSIONAL SERVICES FOR STAGE VII
5847	DLZ	1,162.50	PROFESSIONAL SERVICES FOR STAGE VI-I
5847	GREAT LAKES ENGINEERING	280.00	SURVEY COST INCURRED IN STAGE VI-1
5861	PROPERTY LIQUIDATION INC	500.00	EARNEST MONEY FOR DC-743
5861	POST TRIBUNE	17.58	COST OF LEGAL AD MITIGATION LANDS
5862	REV KIRBY JEFFRIES	200.00	PARTIAL ADVANCE PAYMENT FOR DC-743 MOVING EXPENSE
5862	REV KIRBY JEFFRIES	200.00	ADVANCE OF MONIES DUE FROM MOVING EXPENSE (TOTAL $400)
5882	R. W. ARMSTRONG	1,080.00	UTILITY RELOCATION SERVICES FOR PERIOD ENDED 8/18/00
5882	DILLION CONTRACTORS INC	2,970.00	UTILITY RELOCATION WORK DONE IN STAGE IV-IN
5882	R. W. ARMSTRONG	472.50	PROFESSIONAL SERVICES FOR PERIOD ENDED 9/15/00
5883	CONGRESS ENTERPRISES	15,252.00	DEMOLITION OF STRUCTURES ON DC-793
5884	BOYD CONSTRUCTION CO INC	5,720.00	SEWER TAP-IN FOR COMMISSION OWNED PROPERTY
	TOTAL	**86,349.10**	

BUDGET TRANSFERS

(Prepared for October 5, 2000 Commission meeting)

Budget Transfer #1

$9,000 from Line 5812 (NIRPC Services) to Line 5821 (Travel/Mileage)

Budget Transfer #2

$5,000 from Line 5801 (Per Diem) to Line 5825 (Meeting Expenses)

Budget Transfer #3

$2,000 from Line 5883 (Project Land Capital Improvements) to
Line 5884 (Structures Capital Improvements)

RECREATION REPORT

Thursday, October 5, 2000

(Information in this report is from August 26, 2000 – September 25, 2000)

GENERAL STATEMENT:

Currently, the joint recreation venture with the Army Corps is completed; 85% of the completed east reach levees have stoned trails completed; the remainder of east reach trails should be completed by the fall of 2001.

RECREATION - PHASE 1.

(This contract includes recreational facilities for Lake Etta, Gleason Park, Stage III (trails), and the OxBow area in Hammond.

A. OXBOW (Hammond)

1. October 28th, 1998 was the date that this facility was turned over to the City of Hammond.

B. GLEASON PARK (Gary Parks & Recreation)

1. October 28th, 1998 was the date this facility was turned over to the Gary Parks and Recreation Department.

C. LAKE ETTA (Lake County Parks)

1. October 27th, 1998 was the date that this facility was turned over to the Lake County parks department.

D. CHASE STREET TRAIL (City of Gary)

1. October 27th, 1998 was the date that this facility was turned over to the City of Gary.

RECREATION – GENERAL

A. Survey work was ordered on August 24th, 2000, for the Broadway Recreational Trail re-alignment

- We have an existing agreement with Gary for constructing the ramp down from the levee West of Broadway.
- Agreements will be obtained for the remainder with INDOT and Gary
- **We received the legal descriptions and drawings for this crossing on September 10th, 2000, and are in the process of requesting easement agreements.** 1-2
- **A letter was sent to the City of Gary and INDOT requesting input, comments, suggestions, etc. on September 22nd, 2000.** 3

B. LCRBDC is going to coordinate a revised recreation trail alignment at Grant Street.

1. The original plan was to run the trail South of the existing levee, along the Ease side of Gas City. They objected and we will facilitate a meeting.

C. Tri-State recreational trail tie-in for the Highland/Wicker Park/Erie Lackawanna Trail Systems.

1. A letter was written to the COE on June 21st, 2000, enclosing field location survey data and current real estate requirements. We requested some modifications to accommodate our landside trail tie-in (no response as of August 1st, 2000).
2. A location survey was completed by DLZ and submitted to the COE with legals for easements for review.
   - Inaccuracies with background mapping are causing the COE to modify several Engineering and Real Estate drawings (refer to Engineering report – Stage V-2. **(We are awaiting revised design and real estate information to proceed.)**

D. A request was made by Curt Vosti at our August 3rd, 2000 board meeting to schedule a West Reach features coordination meeting the with Army Corps.

E. We received a letter from the Hammond City Planner on August 2nd, 2000, regarding the area North of the river between Kennedy and Cline Avenues.

1. His concern was that the contractor should leave as much growth as possible between the levee and developments to serve as a visual buffer.

F. The COE sent a letter to the Norfolk Southern Corporation on September 11th, 2000, requesting review, cost information, and response for engineering and a recreational trail crossing for Stage V – Phase 2 (west of Kennedy – East of Indianapolis Blvd.) 4

G. We received (3) alternatives for recreational trail alignment from the COE on September 11th, 2000 (submitted by Rani Engineering) for Stage VI – Phase 2 for our comments to cross Cline and just West of Cline. 5

DLZ

TRANSMITTAL

Date: September 10, 2000

To: James E. Pokrajac
Little Calumet River Basin Development Commission
6100 Southport Road
Portage, Indiana 46368

Re: Broadway Trail Easement
DLZ Account No.: 0064-3051-70

WE ARE TRANSMITTING HEREWITH THE FOLLOWING MATERIAL:

Date	Copies	Description
	1	11" x 17" Broadway Trail Easement from INDOT
	1	11" x 17" Broadway Trail Easement from the City of Gary

REMARKS:

DLZ Indiana, Inc.

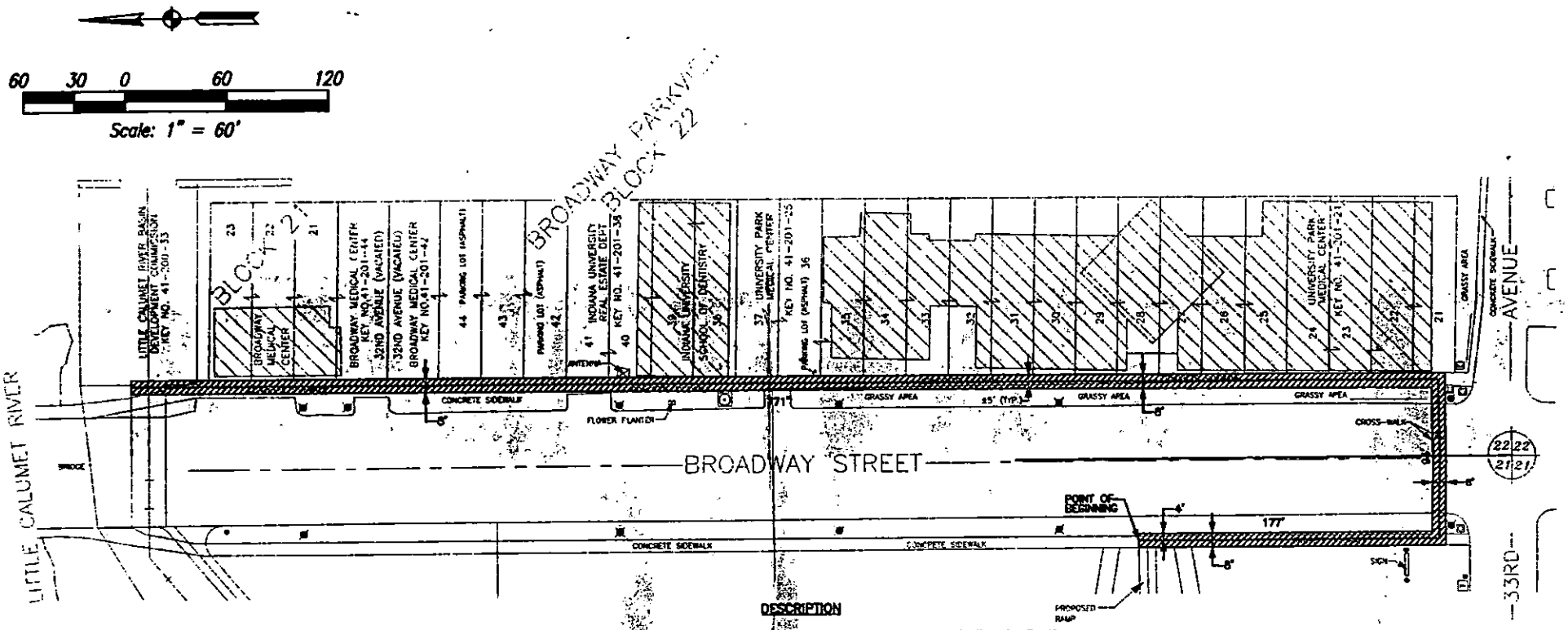
Gregg L. Heinzman PE LS
Engineering Manager

cc:

ENGINEERS • ARCHITECTS • SCIENTISTS • PLANNERS • SURVEYORS

7011 INDIANAPOLIS BOULEVARD HAMMOND, IN 46324 PHONE: (219) 845-1750 FAX: (219) 845-1755

Continuing The Tradition of Cole Excellence Since 1916



DESCRIPTION

An 8 foot wide strip of land lying 4 feet each side of a centerline in Sections 21 and 22, Township 38 North, Range 8 West of the Second Principal Meridian, in the City of Gary, Lake County, Indiana, said centerline being more particularly described as follows:

Commencing at the Southeast corner of the Northeast Quarter of said Section 21; thence North 00°00'00" West along the East line of said Section a distance of 283 feet; thence North 90°00'00" West a distance of 46 feet to a point 4 feet East of the West line of Broadway, said point being the Point of Beginning of said centerline;

thence South 00°00'00" East a distance of 177 feet; thence South 90°00'00" East a distance of 92 feet to a point 4 feet West of the East line of Broadway; thence North 00°00'00" East a distance of 771 feet to the Point of Ending of said centerline, said strip containing 0.19 acres, more or less.

CAD FILE: M:\PROJ\0064\3051\3051.DWG

DLZ INDIANA, INC.

DESIGNED: KMM	DRAWN: KMM
CHECKED: GLH	CHECKED: GLH

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

CITY OF GARY
BROADWAY TRAIL EASEMENT

HORIZONTAL SCALE	1"=60'
SHEETS	1 of 1
PROJECT	0064-3051-70

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

September 22, 2000

Mr. Roland Elvambuena
City Engineer
Gary City Hall
401 Broadway
Gary, Indiana 46402

Ms. Lisa Shrader
INDOT, LaPorte District
315 Boyd Blvd.
LaPorte, Indiana 46350

Dear Roland:

Enclosed for your review and comments is a plan of our proposed recreational trail alignment along both sides of Broadway that will be crossing at 33rd Avenue adjacent to I.U. Northwest. Also enclosed is our overall east reach recreational trail map.

Will you please review this proposal and provide us with any comments, questions, concerns, revisions, or engineering suggestions regarding the proposal. Would you also forward this to any other departments you feel would be involved.

Currently, the flood control project for the Little Calumet River has completed levee segments west of Broadway continuous to Burr Street. We have also completed levee segments east of Broadway to Martin Luther King Drive. It is our intent to have a contiguous recreational trail and to do that, we need to cross safely at Broadway.

Would you please respond to this request at your earliest convenience. We look forward to meeting with you to further discuss this matter. If you have any questions, please contact me at the above number.

Sincerely,

James E. Pokrajac

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.
cc: Imad Samara, COE
Arlene Colvin, LCRBDC
Curtis Vosti, LCRBDC

DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO, ILLINOIS 60606-7206

REPLY TO
ATTENTION OF:

September 11, 2000

Programs and Project Management Division
Project Management Branch

Mr. David C. Orrison
System Engineer, Public Projects
Norfolk Southern Corporation
Engineering Department
99 Spring Street, S.W.
Atlanta, Georgia 30303

Subject: Little Calumet River Flood Control Project, Stage V, Phase 2

Dear Mr. Orrison;

As per our phone conversation enclosed find please copies of our previous correspondence with Conrail regarding relocation of an overhead power line and construction of a recreational crossing together with a set of selected detail drawings (sheets G-1, C-15, C-18, C-43, C-44, R-11, S-8, S-9 and S-25). Stanley Consultants was the Corps A/E on the subject project. As you can see from the provided data missing still is the cost estimate and engineering plans for the relocation of electrical poles and a recreational crossing. The project local sponsor is the Little Calumet River Basin Development Commission. Presently we are finalizing the design documents, planning to advertise in the fall of 2001 and would like to begin the review process with you. Thank you for your assistance.

If you have any additional questions please contact me at the telephone number 312-353-6400, extension 1801.

Sincerely;

Jan S. Plachta

Jan S. Plachta, P.E.
Project Engineer

Encl
CF: LCRBDC – Jim Pokrajac ✓

DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
11 NORTH CANAL STREET
CHICAGO, ILLINOIS 60606-7206

September 11, 2000

Program and Project
Management Branch

Mr. Jim Pokrajac
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, Indiana 46368

Dear Jim

Rani Engineering has submitted these attached three layout alternatives for the recreation trail in Stage VI-2. These layouts show the trail as it runs east along the NIPSCO easement. The alternatives describes the trail as it comes off the levee and proceeds into Cline Avenue. There is three alternatives that Rani has developed. Please review these alternatives for local preference. Rani is directed to coordinate with INDOT and NIPSCO these three alternatives. Rani will copy you on any correspondence and keep you updated regarding their coordination afford. Our COE's technical team preference to the three alternative is in this order: Alternative 3, Alternative 1 and the lease preferable one is alternative 2.

We will set up a meeting to go over these alternatives once Rani get some answers from INDOT and NIPSCO. If you have any questions please let me know. You can reach me at 312-353-6400 ext. 1809.

Imad Samara
Project Manager.

Little Calumet River Basin Development Commission

WORK STUDY SESSION
ENGINEERING COMMITTEE
October 5, 2000

Bob Huffman, Committee Chairman

1. **We received information from the COE on September 14th, 2000, indicating a court decision that the COE should revise its cost estimate to accommodate to second low bidder (Overstreet Construction).**

2. **A partnering meeting was held with the COE and Thieneman Construction Company (Pump Station 1B contract) on September 13th, 2000.**

3. **Stage VI utility coordination meeting was held with Hammond and Highland on September 12th, 2000, to review existing plans, future development, or changes to existing utilities.**

4. **A meeting was held with INDOT on September 26th, 2000, to review the I-80/94 widening project.**

5. **A meeting was held with the COE on September 28th, 2000, to review the Thornton flood warning gage funding.**

6. **A phone conference was held with the Indianapolis project manager for their flood control project on October 4th, 2000, where they are using sheet pile protection in their levees.**

7. **Utility coordination meetings are scheduled with Hammond, Munster, and all utilities for Stage VIII on October 11th, and 12th, 2000.**

PROJECT ENGINEERING
MONTHLY STATUS REPORT
Thursday, October 5, 2000

(Information in this report is from August 16, 2000 to September 25, 2000)

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

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

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

1. Project completed on December 1, 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 13, 1995.
   Ramirez & Marsch Construction – Contract price $2,275,023

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

1. Dyer Construction – Final contract cost $1,292,066
   - Overrun (over original bid) $200,016

   Project completed June 11, 1999

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

1. Rausch Construction started on 11/20/95. (Construction is approx. 98% complete)
   - Currently $3,280,112.42 has been spent on this project.
   - Overrun (over original bid) $183,281.60
   - Balance (to be paid to contractor) $197,137.00
2. A final inspection with the LCRBDC and the COE will be scheduled for this entire portion of the project, including the pump station, no later than **November** of 2000.

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

1. The final inspection was held with the COE, Webb Construction, GSD, and the LCRBDC on May 19th, 2000.
   - We received a letter from the COE on June 6th referring to our final inspection; and on the second page, reference is made regarding turnover to the local sponsor. **A final inspection is tentatively scheduled for the first week in October, 2000.**
   - The LCRBDC request for plans, O & M, guarantees, as-built drawings, and spare parts will be submitted to us by the COE by the end of August, at which time we are expected to start O & M responsibility.
   - We received "as-built" drawings from the COE for this segment on August 3, 2000
   - Currently, $3,915,178.36 has been spent on this project.

- Overrun (over original bid) $463,196
- Balance (to be paid to contractor) $189,875

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

1. Project is approx. 98% completed, was anticipated for overall completion on September of 1999. (All work is completed except for the pump station.)
    - Overrun (over original bid) $1,096,378
    - Balance (to be paid to contractor) $11,070
    - Current money spent to date is $4,175,000
2. A final inspection will be scheduled with the LCRBDC and the COE for this entire project, including the Ironwood stormwater pumping station, no later than **November** of 2000.

STATUS (STAGE III) Chase to Grant Street:

1. Project completed on May 6th, 1994.
   Kiewit Construction – Contract price $6,564,520.
2. We received a letter from the COE on March 17th, 1999, including design recommendations, and requesting our comments and review for the STAGE III DRAINAGE REMEDIATION PLAN.
   A. A letter was sent to the COE with comments regarding their design on April 17, 2000.
      - It appears the design capacity for the three (3) proposed pump stations is inadequate.

   B. We received a letter from N.W. Engineering on August 7, 2000 regarding upcoming construction by the city of Gary for Grant Street. Drainage concerns need to be taken into account prior to their design completion.
      - This letter confirmed our meeting with them on August 4, 2000, and contained minutes of the meeting.

   C. A meeting was held, as a follow-up, on September 6th to finalize coordination between the city, LCRBDC, GSD, and the COE.
      - **We received minutes of the meeting from Greeley and Hansen on September 7th, 2000.**

1-4

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

1. IV-1 (North) The drainage system from Colfax to Burr Street North of the Norfolk Southern RR.
   A. This project was advertised on November 3rd, 1999, scheduled was awarded to Dillon Contractors on November 30th, 1999, and received the notice to proceed on January 14th, 2000.
      - The contractor has 360 days to complete the project from the date of the notice to proceed (January 14th, 2000). This would be January 8th, 2001.
      - It is anticipated that this contract will be completed by **November** 30, 2000. This includes all ditch work, structures, culverts, box culverts, fine grading and seeding.

   B. The low bidder was Dillon Contractors, Inc. with a total base bid of $2,708,720, which was approximately 80% of the government estimate.

- Extras on contract - $292,771.00
- Balance (to pay) - $1,608,719.00

C. Excavation from Burr to Calhoun Street is completed and the contractor has **completed the installation** of the 6'x8' concrete box culvert. From Burr St. to Calhoun St.
   - Calhoun St. **was opened back up on September 15th, 2000** – Drop structure and culvert has **been** installed.

D. The concrete ditch bottom has been completed from Colfax going West. De-watering is ongoing from Colfax to Calhoun – scheduled to excavate and pour concrete in early October.
   - **A letter was sent to the COE on September 25th, 2000, requesting a response to this change for the cost for credit and how the modifications will effect low flow drainage.** 5

E. We received an estimate of $17,071 on September 1st, 2000 from Ameritech to do an overhead utility re-locate at 29th and Stevenson for a buried line not included on COE prints. 6-7
   - **We received cost concurrence from the COE on September 18th, 2000 and are proceeding with the agreement.** 8

<u>STATUS (Stage IV Phase 1 – South) (South of the N.S. RR.)</u>

1. The pre-bid meeting was held on February 23rd, 2000. Bid due date is March 7th, 2000, price range $5 - $10 million – small business set aside
   A. Bid opening was held on March 29th, 2000.
      - Dyer Construction was low bidder at approximately $3.8 million. The COE estimate for this project was $4.2 million.
   B. Overall construction is approx. **30%** complete, approx. **50%** of the clay is placed, sheet piling is scheduled to be delivered end of September and start installation mid-October. **(Calhoun to Colfax) tentative project completion is the summer of 2001.**
2. NIPSCO and Ameritech both submitted costs for utility relocation for WIND Radio for review and concurrence.
   A. The installation of the re-located utilities **was completed successfully on September 9th, 2000, with no radio downtime.**
   B. WIND submitted a cost estimate on July 28th to remove and re-locate copper grounding and to do an "up and over" after the levee is completed in the amount not to exceed $37,960.70.
      - Work started on August 17th.
3. 450 days to complete (hopeful September 2001 completion of landscaping.)
4. We received a cost estimate from the EJ & E RR on July 8th, 2000, in the amount of $22,758.
   - We are awaiting a cost estimate from the N.S.RR to do the work on their adjacent spur, and a letter of authorization allowing the EJ&E to do the work with their labor.
   - **A meeting was held with Dave Orrison (NSRB) on September 15th, 2000, and we anticipate a letter of authorization by the end of September.**
5. **We received a letter from the COE on September 11th, 2000, reviewing a cost estimate in the amount of $37,960 for the radio ground system repair by <u>WIND</u>** 9-10

radio. COE estimate is $22,270 – WIND said their estimate only represented ballpark figures.

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

1. Dyer Construction-95% complete.
   A. Currently, $3,477,249.66 has been spent on this project.
      - Overrun (over original bid) $183,281.00
      - Balance (to be paid to contractor) $197,137.00
2. The North Burr Street stormwater pumping station has been completed.
   A. The operational test was held on March 2, 1999. The follow-up inspection was held on March 30, 1999.
   B. A meeting was held on February 8th, 2000, with the COE and GSD to review design and installation of auxiliary power hook-up with a portable generator.
      - This will be done as an addendum to the contract with Dyer Construction sub-contracting the work. Anticipated start mid-**October**; anticipated completion mid-**November**.
3. A final inspection will be scheduled with the LCRBDC and the COE for this entire project, including the pump station, no later than **November** of 2000.

STATUS (Stage IV Phase 2B) Clark to Chase

1. 100% of levee construction has been completed, and the projected overall completion is for the Fall of 2000. A final inspection will be held at that time with the LCRBDC prior to turnover.
   - The stoning for that area East to Chase St. for our recreation trail **has been** completed **as of September 6th, 2000.**
2. Project money status:
   - $1,938,358 has been spent.
   - Overrun (over original bid) $408,000
   - Balance (to be paid to contractor) $155,980
3. Grouting behind closure structure culvert is completed.
   - North road at Chase is access road, South road is for recreation trail. Signage, stoning & paving will be done by mid-October, 2000.

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

1. The bid opening was held on May 9th, 2000
   - The low bidder is Dyer Construction.
   - Government estimate is $2,108,500 and Dyer bid $2,078,523.
2. Overall construction is approx. **40%** complete, and the overall construction is expected to be completed in August, 2001.
   - The clay base plate is approx. 95% installed and approx. **80%** overall of the clay is placed.
   - Ditch work north of the Mansards is scheduled to start in early September
   - Colfax Road raise is scheduled to start in the spring of 2001.

- Tie-in work to the EJ&E embankment is scheduled to start on both sides in late fall, 2000. **This work will be done simultaneously as per EJ & E request to avoid potential, differential lateral loads during a major flood event.**

3. Received signed Marathon agreement in the amount of $255,000 on June 26th, 2000.
   - The final signed agreement was sent to Marathon on July 10th, 2000, and the re-location is scheduled to start in **early October and be completed by late October.**

STATUS (Betterment Levee – Phase 2) Colfax to Burr Street, then North NSRR, then East (North of RR R/W) ½ between Burr and Clark, back over the RR, then South approx. 1,400 feet:

1. Current schedule is to advertise by November, 2000; award contract by January, 2001, and a construction start of March 2001 – 360 days to complete.
2. Engineering is ongoing. (Anticipated completion by Corps is for September, 2000. (At this point we will be involved in the review process)

STATUS Cline to EJ&E RR – Local Project:

A. We are including this work with Burr Street Betterment Phase 1 – Anticipated construction start in this area is in the fall of 2000.

STATUS (Stage V Phase 1) Wicker Park Manor:

1. Project completed on September 14, 1995.
   Dyer Construction – Contract price $998,630
2. As per a conversation with Phillips Pipeline on 9/30/96, consideration is being given to do a directional bore or both 8" lines, rather than do 2 "up and overs" for both levees (This has been ongoing with the COE since November of 1996)

STATUS (Stage V Phase 2):

1. At the June 7th, 2000 partnering meeting, the current schedule shows a March 2002 advertising date.
2. A letter was sent to the COE on June 21st enclosing the location survey work for the Tri-State bus terminal. Asked for engineering re-considerations for the location of the I-wall
   - DLZ wrote a letter on August 11th indicating problems with outdated COE background mapping with the topography, sheet piling, parking lot boundaries, and the new Indianapolis bridge.
   - We wrote a letter to the COE on August 21st enclosing this letter and requesting a future discussion to assure overlay accuracy and how to address it on ongoing engineering projects as well as previously completed segments.
   - **We are awaiting modified engineering and real estate drawings from the COE in order to proceed. (Refer to Land Acquisition Report.)**
3. **The COE sent a letter to the Norfolk Southern Corporation on September 11th, 2000, requesting their review of attached plans to tie into their RR embankment, and to supply cost date for them to do the work.** //

STATUS (Stage V Phase 3) Woodmar Country Club:

1. Refer to Land Acquisition report for status of appraisal process and revised schedule.
   - As per our June 7th, 2000 partnering meeting , the schedule shows a March 2002 advertising date.
2. Appraisal work ongoing (refer to Land Acquisition report).

STATUS Stage VI – Phase 1 (Cline to Kennedy – North of the river, and Kennedy to Liable, South of the river.):

1. A meeting was held with the city of Hammond on June 28th to review community concerns and answer questions for the area north of the river from Cline Avenue to Kennedy.
2. We received a copy of a permit application by the town of Griffith from the IDNR on august 18th to do a directional bore for a 30' water line under the river.
   - This is engineered by Butler Seufert who is presently coordinating with the COE to get their engineering approval.
3. **A utility coordination meeting was held with the Town of Highland and City of Hammond on September 12th, 2000, to update original Stage VI – plans from 1996 and gather information on new or proposed utilities.** 12-13

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

1. Rani Engineering was awarded the A/E contract by the COE in January 2000. (They are out of St. Paul, Minnesota.)
2. Soil borings were completed on July 21st, 2000, and this information is currently being used in the design process. (from Komark, Ltd.)
3. 50% plans and specs, and real estate drawings have not been received, pushing the schedule back.
4. **A conference call was held with DLZ, the Coe, and Rani Engineering on September 7th, 2000, to review survey coordination between Rani and DLZ.**
   - **A letter was sent to Rani on September 14th, 2000, by DLZ addressing their concerns and questions.** 14-15

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. A final value engineering review was done by the LCRBDC and sent to the COE on July 25th, 2000. These concerns need to be addressed before it is implemented into their final plans.
   - A letter was sent to the COE on August 23rd requesting information on whether this will be used on other west reach segments. **(We have not received a response to this request as of October 5th, 2000.**
3. A public meeting will be scheduled with both communities around the **middle of October.** (This will be after the 50% BCOE review process).

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

1. The A/E award was given to S.E.H. (Short, Elliot & Henderson Inc.)
2. A pre-construction meeting was held with the COE & SEH on July 21st, 2000. At this meeting, the COE agreed they would do property ID & modified the scope of work accordingly. The COE also agreed they would do the survey work internally. We received a letter on July 24th, 2000, confirming this.
3. **Letter was sent out 9/22/00 from A/E (SEH) to utilities scheduling utility coordination meetings for October 11th and 12th at SEH office in Hammond.** 16-17

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

1. Dyer Construction is the contractor. Construction was started on September 13th, 1999, and is anticipated to be completed by **September 30, 2000.**
2. Contract price - $1,657,913
   Extras - $145,483
   Balance (to be paid to contractor) - $287,950
3. **The entire project is completed with the exception of minor gate and sign installations. Anticipated inspection should be scheduled for mid-October, 2000.**

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. Pump station Government estimate was $2,915,265 – Low bid was $4,638,400 (63% overrun).
   A. Low bidder was Kovilic Construction, based upon RFP's. A protest was filed, protest was denied, but have appealed to Federal court.
   B. **We received information from the COE on September 14th, 2000, indicating a court decision that the COE should revise its cost estimate to accommodate to second low bidder (Oversteet Construction).**
      - **Attached are the sequences of e-mail up to September 18th, 2000.** 18-21

West Reach Pump Stations – Phase 1B:

1. The Two (2) pump stations included in this contract are S.E. Hessville (Hammond), and 81st Street (Highland).
2. The current COE schedule, as per our January 26th, 2000 coordination meeting, is to start construction by late September – **350** days to complete.
3. Thieneman Construction (from Griffith, IN) was the successful bidder.
   - The government estimate was $2,092,000
     The low bid was $1,963,400
     which was under estimate by $128,600
   - A pre-construction meeting was held on August 8th. We received minutes of the meeting on August 15th (available to commissioners upon request).
4. **A partnering meeting was held with the communities, LCRBDC, COE, and contractor on September 13th, 2000, to establish inter-working relationships and answer questions.**

West Reach Pump Stations – General

1. **A letter was sent to the Hammond Sanitary District on Sept. 20 to provide general information on ongoing and upcoming stations and asking their consideration for incorporating any future plans into upcoming review.** 22-23

North Fifth Avenue Pump Station:

1. We received a request from the COE on July 5th, 2000 (dated June 28th, 2000) to complete 100% review of P. & S. for this station. We submitted our comments on July 17th, 2000.

GENERAL:

1. Alternate Concrete Formliners:
   A. The COE has agreed to using the formliner for their base bid on all future projects and will bid the "fin-type" finish as an alternate. We received a letter from the COE informing us of this decision on June 5th.
2. Utility Re-locations:
   A. On June 7, 2000 a coordination meeting was held with the COE and the LCRBDC to review, discuss, and establish an accelerated schedule to complete the entire west reach.
      - A committee was established with Jim flora as Chairman and includes Jim Pokrajac and Emmett Clancy and Jan Plachta from the COE.
   B. Lou Casale submitted a utility relocation memo to Don Valk (COE attorney) on September 5th, 2000, requesting review and comments for reimbursement on public right-of-ways. 24
3. A request was made to the COE on August 10th to obtain information regarding the Stage VII V.E. proposal by Bob Huffman at the August 3rd Board meeting to see if this had been used on other COE projects, and if so, to establish a point of contact to discuss this system.
   A. Contact was made with the City of Indianapolis, who are having their engineering done by the Louisville Corps, and are using this same method to save money, time, and reduce real estate impacts.
      - **This has been done on previous projects**

GREELEY AND HANSEN
ENGINEERS
567 SOUTH LAKE STREET • GARY, INDIANA 46403
(219) 938-8354 • FAX (219) 938-8376

September 7, 2000

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

Attention: Mr. Jim Pokrajac

Subject: South Grant Street Improvement Project
I-80/94 to Ridge Road, Gary, IN STP N-501
Storm Drainage Coordination Meeting with USCOE and GSD

Dear Mr. Pokrajac:

As a follow-up to the meeting held on September 6, 2000 at your office, we are providing meeting minutes for your review. We have also included the meeting agenda.

Organization	Represented by
LCRBDC	Jim Pokrajac
R.W. Armstrong	Jim Flora, LCRBDC Engineer
Gary Sanitary District	Otho Lyles III, President BOC James Meyer, GSD Attorney
WREP	Dean Button, Project Engineer
Greeley and Hansen	Jay Niec, GSD Consultant Engineer Eric Tonk, GSD Consultant Engineer
US COE	Imad Samara, Project Engineer Sue Davis, Hydraulics Engineer Tim Kroll, Civil Design
North West Engineering	Aravind Muzumfar, President Ravi Chigurupati, Project Engineer

- Mr. Niec distributed an agenda for the meeting.

- Mr. Muzumdar stated that the INDOT Grant Street Project includes curbs and gutters from Ridge Road to the end of the new entrance/exit ramp rehabilitation project for I-94. Mr. Muzumdar then inquired if the existing 84" box sewer will be able to handle this additional flow from the Grant Street Project because the initial design included connecting the Grant Street storm sewers to the 84" box sewer.

- Mr. Niec stated that there are some potential flooding problems with the Box Sewer at the levee and the general consensus at the last meeting was that the box sewer will be modified to penetrate the levee wall, permitting storm water runoff to directly enter the Little Calumet River rather than be pumped. The question was raised regarding whether or not the existing USCOE lift station on the east side of Grant street should be renovated to accept additional storm water from Grant street, or the should the new lift station on the west side of Grant Street be designed to accommodate these flows. It was asked when the box sewer project would be completed by the USCOE. Mr. Imad Samara stated that a schedule is needed, however, the contract should go out to bid by May 2001. Mr. Niec inquired about the additional calculated flow anticipated from the Grant street project.

- Mr. Muzumdar stated that from Ridge Road to the levee, 48 cfs of additional storm runoff will enter the sewer from the street, and then he inquired if the 84" box sewer will be able to handle this additional capacity. It was realized that the existing box sewer does not have the capacity to handle this additional flow during rain events. Mr. Niec presented to the group results from an XPSWMM model, which showed that during certain scenarios, the 84" box sewer will back-up and flood Grant street using only the flow from the upgraded 42nd and Johnson lift station and the flow from the 42 inch storm sewer on 35th street. This was not including any additional flows from the Grant street improvements. A discussion was held regarding storm water flows generated from the Grant street project and focused around the new lift stations at the north end of Grant street. Mr. Meyer inquired about the additional 40 cfs of runoff that was discussed at the last meeting. Mr. Muzumdar stated that most of the runoff west of Grant Street will flow west via the ditch on 35th Avenue, and most of the runoff east of Grant Street will flow into the 42 inch sewer that empties into the box sewer.

- Mr. Muzumdar stated that if the 84" box sewer will not be able to handle the additional capacity from the flows generated from the Grant street project, storm sewers will need to be installed on both sides of Grant Street because the 84" box sewer is to shallow to permit a single sewer system to be used. These storm sewers should flow to the north towards the new lift stations that will be built by the USCOE. Ms. Sue Davis stated that two or three new lift stations

will be built on the west side of Grant Street. The existing lift station on the east side is to be left as is, therefore, if storm sewers are decided to be installed, the flow should eventually be directed to the west side of Grant street at the north end of the project.

- Mr. Muzumdar stated that verification is needed to determine if there are any other connections to the box sewer. Smoking the sewer or using dye will not work because of the size of the box sewer. It was agreed upon that a walk-thru of the sewer should be completed to determine if there are other connections to the box sewer. It was decided that North-West Engineering would complete the walk through and provide a proposal to the GSD for review and approval.

- Mr. Meyer inquired as to a time line for this project. Mr. Imad Samara stated that a bid should be awarded by May 2001, and that he would prefer that all the projects (including the box sewer penetration and the new lift stations) be placed within one contract. It was then discussed that the pumps at 42nd and Johnson will have to turned off during rain events until the USCOE's project is completed. Mr. Meyer indicated that in order to avoid flooding, at least one pump will need to be used at the 42nd and Johnson pumping station. Ms. Sue Davis stated that she will be looking at the topos to determine were sand bagging or berming will be needed in order to prevent flooding from the one pump and suggested that an operational plan be completed for the interim time period between activation of 42nd and Johnson pumping station and completion of the USCOE's work. Mr. Niec requested that North-West Engineering coordinate their efforts with the USCOE to finalize the anticipated storm flows from the Grant street project using existing topo maps and provide a cost for adding two (2) 36" storm sewers along Grant street.

The following action plan was decided upon by the meeting attendees:

- USCOE and Greeley and Hansen will jointly prepare a operational plan for the new 42nd and Johnson Pump Station for the interim period before work begins on the new USCOE lift station and box sewer penetration, including any necessary sand bagging of berming.
- North-West Engineering will present a proposal to the GSD Board of Commissioners to conduct a walk-through inspection of the 42nd and Johnson box sewer to locate and document all interconnections.
- North-West Engineering will coordinate with the USCOE and finalize the expected total flow to be collected and transported from the Grant Street Improvement Project to the LCR Levee area and provide this information to the USCOE.
- The USCOE will investigate the feasibility of placing a lift station at the north-west corner of the levee and Grant Street to accept storm flow from the Grant Street Improvement Project.
- North-West Engineering will provide a cost estimate for the Grant Street

storm sewer and coordinate their efforts regarding the storm sewers with the USCOE and the LCRBDC.

Meeting adjourned.

The next meeting was schedule for Wednesday October 11, 2000 at 9:30 AM at the LCRBDC office.

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

September 25, 2000

Mr. Imad Samara
U.S. Army Corps of Engineers
111 N. Canal Street
Chicago, Illinois 60606-7206

Dear Imad:

It is my understanding that currently the concrete ditch bottom has been poured from Colfax Avenue west to 29th Avenue and it is intended to continue pouring this concrete ditch bottom from Colfax to Calhoun over the next month. We were advised by e-mail that the modification to eliminate the half pipe proposal and to install a V-shaped ditch bottom had been proposed and was going to be installed in these areas.

During the review process to change the half pipe design, Jim Flora and myself were concerned about the low flow drainage consideration, which was why we intended to use that design in the first place. We were not involved in the final process to change the design and would request from you the section detail along with information as to how this modified design will conduct low flow drainage. If this will not address low flow problems adequately, we would expect remediation of this design. Will you also provide us the cost differential between these 2, which would account for the amount of credit that would be applied to this project.

During the preliminary engineering process and the real estate acquisition process, we assured the neighbors adjacent to this ditch that provisions would be made that would conduct water away from this area to prevent standing water that could cost mosquitoes as well as unwanted plant growth.

Please provide this information at your earliest convenience and if there are any questions regarding this request, please contact me.

Sincerely,

James E. Pokrajac

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.
cc: Tim Kroll, Tom Deja, Jan Plachta, Jim Flora

Ameritech of Indiana
An Ameritech Company

Estimate of Cost and Authority for Work
Special Construction Charge and Invoice

AM4408A
(11-95)

Customer Request Number : 56999
Undertaking Number : 6156692

Date : 09/01/2000
Customer ID : 57636

Billing Information

Billing Party's Name : DILLON CONTRACTORS
Phone : (219) 405-9001
Billing Address : 4742 SWISHER RD
W LAFAYETTE, IN 47906
Contact Name : GREG MITCHELL
Phone : (219) 405-9001
Work Description & Engineering Remarks : RELOCATE BURIED CABLE TO AERIAL FOR SEWER WORK AT NW CORNER OF 29TH AVE & STEVENSON , GARY, IN

Expenses	Amount
Engineering Labor	$ 2,322.39
Material Cost	$ 5,574.43
Construction Labor	$ 9,174.10
Contractor Cost	$0.00
Misc. Tax	$0.00
Total Estimated Costs	**$ 17,070.92**

OSPE Representative: SUSAN UMHOEFER
Title:
Phone #: 888-618-6812

302 South East Street
Crown Point, IN 46307

Ameritech.

Cost breakdown for 29th & Stevenson

Material: $5,574.43

350' of 1500 pair cable
300' of 10m strand
2 down guys and anchors
1 buried closure

Construction Labor: $9,174.10

Place aerial cable and strand
Place anchors, guys and buried closure
Trench from buried cable to pole locations
Splice 3000 pairs (2-1500 pairs) in 2 locations

Engineering Labor $2,322.39

Engineering time
Administrative costs (drwing job, pricing materials ordering materials, etc)

Total $17,070.92

DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO, ILLINOIS 60606-7206

REPLY TO
ATTENTION OF

September 18, 2000

Programs and Project Management Division
Project Management Branch

Mr. James E. Pokrajac
Agent, Land Acquisition
Little Calumet River Basin
Development Commission
6100 Southport Rd.
Portage, Indiana 46368

Dear Mr. Pokrajac;

Subject: Ameritech Utility Relocation

Per your request we reviewed the Ameritech utility relocation as part of the LCR IV-1.S flood protection project and find the Ameritech proposal of $17,070.92 reasonable. We will recommend however that you ask them to justify their prices in detail before the work and after completion. We reviewed the costs they provided and conducted a parallel cost estimate. We used the MCACES of the previous utility relocation as reference to complete our estimate and included standard mark-ups for contingency and overhead. We summarize the costs below:

Category	Ameritech	Corps
Material	$5,574.43	$5,574.00
Labor	$9,174.10	$7,381.00
Others	$2,322.39	$5,760.00
Total	**$17,070.92**	**$18,715.00**

We were able to contact Mr. Greg Mitchell of Dillon Contractors who provided us additional information about the Ameritech work that supports this estimate.

If you have any additional questions please call Mr. Jan S. Plachta of this office, at (312) 353-6400, ext. 1801.

Sincerely;

Imad Samara
Project Manager

CF: Jim Flora

DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO, ILLINOIS 60606-7206

REPLY TO
ATTENTION OF:

September, 11, 2000

Programs and Project Management Division
Project Management Branch

Mr. James E. Pokrajac
Little Calumet River Basin
Development Commission
6100 Southport Rd.
Portage, Indiana 46368

Dear Mr. Pokrajac;

Enclosed find please the WIND Radio Ground System Repair Estimate as part of the LCR IV-1.South flood protection project. We find the WIND proposal of $37,960.70 to be high and recommend you ask them to justify their prices in detail after completion of work. We reviewed the costs they provided and conducted a parallel cost estimate. We used the TRACES Unit Price Book 2000 to complete our estimate and included standard mark-ups for contingency and overhead.

ITEM DESCRIPTION	QUANTITY	UNIT	WIND PRICE	ED-C PRICE
1. Copper Strap 4" X .032"	1,250	EA	$1,362.50	$1,362.50
2. Shipping/Strap	1	LS	$ 65.00	$ 65.00
3. Wire #10 bare copper	36,000	LF	$1,652.40	$2,237.00
4. Solder 15% Silver	10	EA	$ 350.00	$ 350.00
5. Acetylene/Oxygen	1	LS	$ 175.00	$ 175.00
6. Copper Rods 8'	40	EA	$ 304.40	$ 304.40
7. Trenching	2,200	LF	$3,850.00	$1,258.00
8. Plowing of Copper (New)	36,000	LF	$3,600.00	$5,817.00
9. Clearing brush 10' wide	1	LS	$8,150.00	$ 677.00
10. Soldering/install labor (man-hours)	80	MH	$2,000.00	$2,000.00
11. Supervisor (WIND CE) per diem	6	MD	$3,000.00	$2,000.00
12. Surveying	1	LS	$2,500.00	$1,233.00
13. Removal of old copper (plowing)	1	LS	$2,250.00	$1,000.00
14. Antenna Consultant (before and after signal check)	5	LS	$3,750.00	$3,000.00
Subtotal			$33,009.30	$20,245.90
Contingency			$ 4,951.40	$ 2,024.59
Total			$37,960.70	$22,270.49

We were able to contact Mr. Paul Easter the Chief Engineer for WIND Radio for an explanation of the source of his numbers. He explained to us that the numbers in his estimate are ballpark figures. After the ground system has been replaced he will provide specific documentation regarding all related expenses. The contingency that we used in our estimate is 10% based on ER 1110-2-1302 whereas WIND used 15% contingency. There is a big difference in the cost of clearing brush. We estimated that the cost of clearing a one-acre brush is $677.00 whereas WIND estimated cost is $8,150. If they adjust these costs, the estimates will be compatible; their cost will be acceptable.

If you have any additional questions please contact me at the telephone number 312-353-6400, extension 1801, or FAX 312-353-4256

Sincerely,

Imad Samara
Project Manager

DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO, ILLINOIS 60606-7206

REPLY TO
ATTENTION OF:

September 11, 2000

Programs and Project Management Division
Project Management Branch

Mr. David C. Orrison
System Engineer, Public Projects
Norfolk Southern Corporation
Engineering Department
99 Spring Street, S.W.
Atlanta, Georgia 30303

Subject: Little Calumet River Flood Control Project, Stage V, Phase 2

Dear Mr. Orrison;

As per our phone conversation enclosed find please copies of our previous correspondence with Conrail regarding relocation of an overhead power line and construction of a recreational crossing together with a set of selected detail drawings (sheets G-1, C-15, C-18, C-43, C-44, R-11, S-8, S-9 and S-25). Stanley Consultants was the Corps A/E on the subject project. As you can see from the provided data missing still is the cost estimate and engineering plans for the relocation of electrical poles and a recreational crossing. The project local sponsor is the Little Calumet River Basin Development Commission. Presently we are finalizing the design documents, planning to advertise in the fall of 2001 and would like to begin the review process with you. Thank you for your assistance.

If you have any additional questions please contact me at the telephone number 312-353-6400, extension 1801.

Sincerely;

Jan S. Plachta

Jan S. Plachta, P.E.
Project Engineer

Encl
CF: LCRBDC – Jim Pokrajac ✓

//

DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO, ILLINOIS 60606-7206

REPLY TO
ATTENTION OF:

September 6, 2000

Programs and Project Management Division
Project Management Branch

Mr. John M. Bach
Public Works Director
3333 Ridge Road
Highland, IN 46322

Subject: Little Calumet River Flood Control Project, Stage VI, Phase 2

Dear Mr. Bach;

On July 16, 2000, we mailed you a letter concerning the subject project. Next week, on September 12, 2000, we will be meeting to discuss details regarding relocations of Town of Highland utilities. We would like to present to you a tentative agenda for this meeting. We plan to discuss:

a. Fifth Street Stormwater Pump Station. Access hatches on top of the walls.
b. Water main crossing Little Calumet River at Kennedy Ave,
c. Any new construction since the last review and planned for in the near future.

If you have any additional questions please contact me at the telephone number 312-353-6400, extension 1801.

Sincerely;

Jan S. Plachta, P.E.
Project Engineer

Encl

DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO, ILLINOIS 60606-7206

REPLY TO
ATTENTION OF:

September 6, 2000

Programs and Project Management Division
Project Management Branch

Mr. Stanley J. Dostatni, City Engineer
City of Hammond Municipal Bldg.
5925 Calumet Ave.
Hammond, IN 46322

Subject: Little Calumet River Flood Control Project, Stage VI

Dear Mr. Dostatni;

On July 16, 2000, we mailed you a letter concerning the subject project. Next week, on September 12, 2000, we will be meeting to discuss details regarding relocations of Town of Hammond utilities. We would like to present to you a tentative agenda for this meeting. We plan to discuss:

a. Modification to Hessville Pump Station. Concrete walls on top of the discharge chamber.
b. Existing Hammond storm sewers, gate wells and headwalls.
c. Any new construction since the last review and planned for in the near future.

If you have any additional questions please contact me at the telephone number 312-353-6400, extension 1801.

Sincerely;

Jan S. Plachta, P.E.
Project Engineer

Encl

DLZ

PHONE RECORD

Date: September 14, 2000 **Time:** 11:00 AM
To: Humam El-Sherif
Organization: Rani Engineering, Inc.
Phone: 651-225-9789

Project: Little Calumet River Basin Development Commission
Stage 6 Property Lines
Re: Rani Questions

Account No.:

As a follow-up to the conference call between the Development Commission, DLZ, Rani, and the Corps held on September 7, 2000, I spoke with Humam regarding their specific needs. The following items were requested:

1. Explain the over 100 foot difference between the deed record distance and the DLZ distance between points 15 and 21.
2. Attempt to tie point 16 to the Quarter Section line to the south.
3. Explain the placement of point 21 relative to the Quarter corner to the west and the Section corner to the east.
4. Provide a list of all coordinates in the vicinity of Cline avenue and Liable Road, noting which ones where found points and which were calculated.
5. Provide any available information on all Quarter corner coordinates for Section 22.

A general discussion was held regarding DLZ's methodology of determining the property corner coordinates. It was explained by DLZ that after GPS surveying of the certain found property corners, the remaining properties were calculated using deed records, Sidwell maps, etc. Due to the cost and schedule, it was not the intent to perform a detailed parcel survey on all affected parcels. Detailed lot surveys will only be performed when necessary to avoid impacting existing improvements. Additional points not calculated by DLZ can be obtained by using lot dimensions from the Sidwell drawings and/or deed records.

DLZ will address the above listed request for information and forward e-mailed or faxed responses to Rani, the Corps, and the Development Commission.

The foregoing constitutes our understanding of matters discussed and conclusions reached. Please review these items and advise the undersigned, in writing and within five (5) business days, of any errors or omissions.

DLZ Indiana

Gregg L. Heinzman PE, LS
Engineering Manager

cc: Jim Pokrajac
Tim Kroll

SEH
3800 179th Street, Hammond, IN 46323-3035 219.554.4000 219.844.2044 FAX
architecture • engineering • environmental • transportation

September 22, 2000

RE: US Army Corps of Engineers
Little Calumet River Project
Flood Control, Stage VIII
SEH No. A-USCOE9902.00

Mr. Brian Woodberry
Utilities Highway Affairs Department
NIPSCO
801 E. 86th Street
Merrillville, IN 46410

Dear Mr. Woodberry:

As the architect/engineer (A/E) for the above referenced project, we will be conducting a utility coordination meeting with representatives from the utility companies, Town of Munster, City of Hammond, Army Corps of Engineers, and the Little Calumet River Basin Development Commission (local sponsor).

These meetings will be held at Short Elliott Hendrickson, Inc. 3800 179th Street, Hammond, Indiana. A map showing the location of our office is attached. The following meeting schedule is proposed:

Wednesday, October 11, 2000	1:00	City of Hammond
	2:30	Town of Munster
Thursday, October 12, 2000	9:30	NIPSCO
	11:00	Ameritech
	1:00	INDOT
	2:30	Old Monon RR Corridor

Please let us know if you are unable to attend at these times. Additional project and utility information will be sent out to you by September 29, 2000.

If you have any questions or need to reschedule your meeting time, please call me at 219-544-4003.

Sincerely,

Charles B. Childs

Charles B. Childs, P.E.
Project Engineer

dlh
Attachments
c: James Murphy O'Riley – USACE
Imad Samara – USACE
Jim Pokrajac – LCRBDC
Jim Flora – R.W. Armstrong
Mike Hickey – SEH
Jeff Davis – SEH
Ron Farmer – SEH
Dave McKenzie – SEH
f:\clients\usace\9902\lrutil092200.doc

Utility Coordination Meeting

September 22, 2000

2nd Letter

TITLE	F- NAME	LAST NAME	JOB TITLE	COMPANY	CORRESPONDENCE / DATE		Contact Can't Attend Mtg.
Mr.	Brian	Woodberry	Utilities Highway Affairs Department	NIPSCO	Utility Coordination Mtg.	9/22/00	
Mr.	Neal	Arndt	Gas Engineering System Design	NIPSCO	Utility Coordination Mtg.	9/22/00	
Mr.	Jim	Hayward	Transmission Engineering	NIPSCO	Utility Coordination Mtg.	9/22/00	
Mr.	Stanley	Dostatni	City Engineer	City of Hammond	Utility Coordination Mtg.	9/22/00	
Mr.	James	Mandon	Town Engineer	Town of Munster	Utility Coordination Mtg.	9/22/00	
Mr.	Michael T.	Unger, Ph.D.	District Manager	Hammond Sanitary District	Utility Coordination Mtg.	9/22/00	
Mr.	Scott	Mitchell	Superintendent	Hammond Sewer Department	Utility Coordination Mtg.	9/22/00	
Mr.	Richard	Mercer	Supervisor	Hammond Water Department	Utility Coordination Mtg.	9/22/00	
Ms.	Ruth Ann	VanNoort	Engineer	Ameritech / SBC	Utility Coordination Mtg.	9/22/00	
Mr.	James	Knesek	Director of Operations	Munster Water Department	Utility Coordination Mtg.	9/22/00	
Mr.	Larry	Koebcke	Area Engineer	INDOT	Utility Coordination Mtg.	9/22/00	
Mr.	Chris	Beck	Old Manon RR Corridor	NICTD	Utility Coordination Mtg.	9/22/00	

17

This list contains all recipients of the attached mail merge letter.

From: Samara, Imad LRC <Imad.Samara@lrc02.usace.army.mil>
To: 'Sandy Mordus' <smordus@nirpc.org>; 'thefirm@cswblaw.com' <thefirm@cswblaw.com>
Date: Monday, September 11, 2000 5:08 PM
Subject: FW: Little Calumet River, Pump Station 1 A Bid Protest

---

Sandy,
Please call Lou and see if he received this email, if not please fax it to him. I will give a copy of the court judgement to Dan today when I see him to go to Indiana.

This is some back ground regarding the Pump Station 1A contractor Protest.
PS I'm going to try to email it to Lou.
Imad Samara
Project Manager
111 N. Canal Street
Chicago, IL 60606

—Original Message—
From: Keith, Joe M LRL02
Sent: Monday, September 11, 2000 3:32 PM
To: Samara, Imad LRC; Pessolano, Robert W LRL02; Bauer, Denise A LRL02
Cc: Solomon, Sanford A LRC; Holmes, Dale LRL02; Abou-El-Seoud, Shamel LRC
Subject: RE: Little Calumet River, Pump Station 1 A Bid Protest

I'm assuming that the PM would need to be involved in that decision because of the funds issue and local sponsor input. Correct? JMK

—Original Message—
From: Samara, Imad LRC
Sent: Friday, September 08, 2000 1:29 PM
To: Pessolano, Robert W LRL02; Bauer, Denise A LRL02
Cc: Solomon, Sanford A LRC; Holmes, Dale LRL02; Keith, Joe M LRL02; Abou-El-Seoud, Shamel LRC
Subject: RE: Little Calumet River, Pump Station 1 A Bid Protest

Greetings,
Has there been a final decision made regarding this contract. I just want to caution everybody that if the decision is to go ahead with award to the original low bidder, I need to coordinate that decision with the local sponsor. The budget for this contract went from $2.9 mil to $3.5 Mil. If we award to the original low bidder that means a $1+ Mil more. So I just would like to get a chance to coordinate your decision before it is finalized.

Imad Samara
Project Manager
111 N. Canal Street
Chicago, IL 60606

—Original Message—
From: Solomon, Sanford A LRC
Sent: Friday, August 25, 2000 12:19 PM
To: Holmes, Dale LRL02; Samara, Imad LRC; Keith, Joe M LRL02; Pessolano, Robert W LRL02
Subject: RE: Little Calumet River, Pump Station 1 A Bid Protest

Dale, I really appreciate all the great support from your office and the other great team members of the Louisville District.

Sandy

—Original Message—
From: Holmes, Dale LRL02
Sent: Friday, August 25, 2000 9:47 AM
To: Samara, Imad LRC; Solomon, Sanford A LRC; Keith, Joe M LRL02; Pessolano, Robert W LRL02
Subject: RE: Little Calumet River, Pump Station 1 A Bid Protest

Imad,

Here is the latest. Joe Keith (LRL ED Deputy Chief) has worked with an LRLED cost estimator and they have essentially completed their work on an estimate revision consistent with the court decision. An LRD reviewer is engaged to review the results. This should all be done by end of day Monday. Our Contracting Officer was out all week, but we have done advance preparation for her to make her determination on whether the bids are fair and reasonable, based upon the revised government estimate and other relevant factors in the FAR (other bids, comparison of bids on similar work - Sandy did some checking on this issue and Joe Keith is also checking on possible comparable projects also). Don't know exactly when the Contracting Officer will make her final decision, but the staff is prepped to assist her quickly with advice. We will keep relevant players informed as soon as a decision is made.

—Original Message—
From: Samara, Imad LRC
Sent: Friday, August 18, 2000 6:31 PM
To: Solomon, Sanford A LRC; Travia, Anthony J LRC; Schmidt, Joseph J LRC; Pessolano, Robert W LRL02; Holmes, Dale LRL02

Cc: Bauer, Denise A LRL02; Sirles, John E LRC; Abou-El-Seoud, Shamel LRC; Jacobazzi, Joseph D LRC; Marella, Guy J LRC; Dickert, Tom E LRL02; Pepper, Ronald L LRL02

Subject: Little Calumet River, Pump Station 1 A Bid Protest

I initiated a conference call between the Chicago District and the Louisville District. This call was made to discuss the judge's ruling in the protest that the low bidder, Overstreet, filed in federal court against us for the Pump Station 1 A Contract. The reason for the discussion is to formulate a plan to proceed with the judges order. All the participants are on this email To list including myself. Here are what this group agreed to:

- **The estimate will be revised in accordance with the Judge ruling. Only the items discussed in the ruling will be revised.**
- **LRP will not do the revision of this estimate. It is also preferable not to have LRC to do the estimate revisions. Dale Holmes will contact Ron Pepper an estimator (LRL) to make the estimate revision.**
- **The contractor Officer, concurrently with the work to revise the government estimate, will look into deciding to wither the contract should be awarded if the contractor, Overstreet, is within the 25% after the revision to the estimate, .**
- **I, as the project manager, will contact the local sponsor and evaluate if there is sufficient funds to award the**

contract with a higher cost.

- **We agreed by the end of next week (Friday 25, 2000 or sooner) to have the revised estimate and the decision by the Contracting officer completed.**

Imad Samara
Project Manager
111 N. Canal Street
Chicago, IL 60606

From: Samara, Imad LRC <Imad.Samara@lrc02.usace.army.mil>
To: 'Sandy Mordus' <smordus@nirpc.org>; Louis M Casale (E-mail) <thefirm@cswblaw.com>
Date: Monday, September 18, 2000 2:52 PM
Subject: Status of Pump Station 1A

Dan I will put this on a letter head and send to you. Please let me know if you have a comment.

Dear Dan

I'm writing this letter to up date you of the status of Pump Station 1A Contract. As you know we opened bids on the contract on January 4, 2000. And since then the contract been held up in courts due to the low bidder contractor's bid protest. As you know that Overstreet Electrical Company was the apparent low bidder when bids where opened. The low bid came at $4,638,400 where the Government estimate was at $2,915,265. The other 2 bids came at $4,773,545 and $4,827,770. So you can see that the three bids where about $200,000 a part. The Government (COE) realized that an adjustment in the government estimate was needed so the Government estimate was revised to $3,510,910. The Government changed the solicitation to RFB and rejected the 3 original bids and requested that the 3 bides resubmit their bids. Overstreet protested bid rejection to the General Accounting Office in Washington DC. On May 12, 2000 GAO office ruled in favor of the Government. But Overstreet did not stop there they then protest in federal courts. On August 16, 2000 U S Court Of Federal Claims Judge Allegra ruled in favor of Overstreet. I did furnish you a copy of the judges' ruling on the case. The Judge requested that the Government re-do the estimate in accordance with his judgement and then evaluate the overstreet bid in acordance with the new revised estimate. We have revised the government estimate in accordance with the judges' ruling and we have evaluated the Low bidder bid as directed by the judge. The revised estimate in accordance with the judge ruling came at about $3,850,000 which puts the contractors bid at 17% of the revised government estimate.

The contractor officer has reviewed the revised Government estimate and Overstreet's original bid and is ready to award the contract to Overstreet.

As you can see the budgeted amount for this contract went from about $2,900,000 to $4,650,000. If you have any concerns or questions please let me know.

Imad Samara
Project Manager
111 N. Canal Street
Chicago, IL 60606

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

September 20, 2000

Dr. Michael Unger
Hammond Sanitary District
5143 Columbia Avenue
Hammond, Indiana 46320

Dear Dr. Unger:

This letter is to provide information to you regarding the ongoing, as well as the upcoming, pump station contracts that will be part of the flood control project for the Little Calumet River. Following is a list of these stations and their projected schedule as provided by the Army Corps of Engineers:

A. Southeast Hessville Pump Station
   81st Street Pump Station:
   - These 2 stations comprise the Pump Station 1B contract and have been awarded to Thieneman Construction. The current schedule projects a completion in the fall of 2001.

B. Baring Pump Station
   Walnut Avenue Pump Station
   Hohman-Munster Pump Station
   South Kennedy Avenue Pump Station
   - These 4 pump stations are designated as the Pump Station 1A contract. These 4 stations are currently under review by the Army Corps of Engineers prior to awarding the contract. We are anticipating that renovation of these stations may begin early in 2001.

C. The following pump stations remain to be completed:
   Indianapolis Blvd. Pump Station
   North Grace Street Pump Station
   Kennedy Apartments Pump Station
   Southside Pump Station
   Tapper Avenue Pump Station
   Calumet Avenue Pump Station
   Jackson Street Pump Station
   Forest Avenue Pump Station

- It is anticipated that these stations will be scheduled for advertisement in the summer of 2002.
- Please review this list of pump stations to determine if any considerations should be given to increasing pump capacities or if any other significant modifications should be addressed due to future plans by either the city of Hammond or the Town of Munster.
- We anticipate your opportunity to review sometime during the fiscal year of 2001 and this would allow the Sanitary District the opportunity to discuss and review any future plans for expansion that may be incorporated into what the Corps of Engineers has proposed for these stations.
- The flood control project will provide for the general upgrading of these stations as we have previously discussed. However, any inceases in capacity or major structural changes will be considered a "betterment" and the HSD would pay the incremental difference.
- These stations will have new pumps installed and, as have been presented on the previous pump station contracts 1A and 1B, there will be internal modifications for ventilation, lighting, electrical, and piping.

Also enclosed is a copy of the map provided by the Army Corps of Engineers that show the locations of the pump stations and outfall locations, and design capacities, as part of the Feature Design Memorandum 5 dated July 30, 1993.

If you have any questions regarding this information or this request, please contact me at 219/763-0696.

Sincerely,

James E. Pokrajac

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.
cc: James Mandon, Town of Munster
Stan Dostatni, City of Hammond
Imad Samara, COE
John Kannaby, COE
Jim Flora, R. W. Armstrong Company
Curt Vosti, LCRBDC

ATTORNEYS AT LAW

CASALE, SKOZEN, WOODWARD & BULS, LLP

5201 FOUNTAIN DRIVE-SUITE A • CROWN POINT, IN 46307 • TELEPHONE: 219-736-2163 • FAX: 219-736-5025 • E-MAIL: thefirm@cswblaw.com

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DAVID A. BULS
LISA K. MISNER
JAMES M. SPIVAK
DAVID M. BLASKOVICH

JOSEPH L. SKOZEN
1915 - 1997

LEGAL ASSISTANTS
DEBRA L. KOZLOWSKI
ANGELA M. OGRENTZ
SUSAN M. SEVERA

September 5, 2000

Don Valk
U.S. Army Corps of Engineers
111 N. Canal Street, Suite 600
Chicago, IL 60606-7206

RE: Utility Relocation Memorandum

Dear Don:

Enclosed please find a memorandum regarding relocation of utilities within public right of ways. Please review and contact me with your comments. We should also begin discussing a date for another committee meeting to finalize the utility relocation standard operating procedure.

I await hearing from you in the near future.

Sincerely,

Louis M. Casale
Attorney at Law

LMC/amo

Enclosures

cc: Dan Gardner, LCRBDC

WORK STUDY SESSION

5 OCTOBER 2000

LAND ACQUISITION / MANAGEMENT REPORT

CHUCK AGNEW, CHAIRMAN

1.) There are no increased offers.
There are no condemnations.

2.) Wicker Park Golf Course Update:
Appraiser John Snell of Indianapolis will be visiting LCRBDC and the Wicker Park Golf Course for a preliminary inspection for the appraisal.

3.) "Great Konomick River Restoration Project"
Focus group met on 4 October. Maps of green space land 1/5 mile either side of the Little Calumet and Grand Calumet Rivers (for possible future mitigation land) are still being collected from City of Gary, Shirley Heinz, The Nature Conservancy, etc. New name is "Northwest Indiana River Corridor Partnership."

NIRCP

4.) Demolition of the Oswald property (DC 793) is complete ($15, 225) on time and under budget ($16,000). Army Corps has approved removal of DC 505, owner Frank Gray, from the flood project as he requested. Corps accepted our presentation that Mr.. Gray's property at the edge of the project is not necessary. Corps hydrology states he will flood one (1) to three (3) %.

5.) Need recommendation from Commissioners to cut levees one more time this year – or not – by C.& H. Mowing, same amount of 51,927 linear feet for the same amount $5,000. This schedule could start a June/October two mowing cycle which would control weeds in August and July.

6.) For your information (see attached letter):
Attendance at Lake Etta in Gary is increasing according to Sandra Basala, Visitor Center Manager. (Yeah, Little Cal and Lake County Parks partnership!)

DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO, ILLINOIS 60606-7206

REPLY TO
ATTENTION OF

September 29, 2000

DC 505

Real Estate Division

SUBJECT: Blocking Out DC-505 (Frank Gray) From Project

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

Dear Mr. Gardner:

Reference Judy Vamos letter of September 11, 2000, requesting that subject tract be removed from the project. Request is approved. DC-505 has been removed from the project.

Further questions may be directed to Emmett Clancy at 312-353-6400, X-5005.

William G. White
WILLIAM G. WHITE
Chief, Real Estate Division

Enclosures

Times, 10/2/00

County park attendance holds steady

BY CARRIE RODOVICH
Times Staff Writer

Despite an unusually cool summer, attendance at Lake County parks remained virtually unchanged from last year.

Through August, 708,777 people visited Lake County parks. That number is down only 1 percent through the same time period in 1999.

While parks like Deep River Water Park, Buckley Homestead and Deep River County Park saw substantial declines through August, the Grand Kankakee Marsh, Oak Ridge Prairie and Whihala Beach thrived during the same period.

As the seasons change, park activities change, as well. In the coming months, more than half of the 11 county parks will see an influx in visitors who are taking advantage of hiking, hay rides and hunting, as well as several special events geared toward cele-

See ATTENDANCE, A4

Attendance

Continued from A3

brating the fall season.

This year, attendance at Whihala Beach showed the greatest increase. Park attendance increased 14 percent through August, based on 104,200 visits so far this year.

"We were fortunate we had no closings due to E. coli," said Sandra Basala, the visitor services manager with the Lake County Parks Department. "We were open when some other facilities were closed, and that may have helped us."

Attendance at Deep River Water Park slipped to 226,000 through Labor Day weekend, down from 249,000 in 1999. That decline was attributed to a cooler summer, Basala said.

Basala said other water parks in Indiana and Wisconsin also showed a decline in attendance.

"Everyone in the industry seems to be tracking between 10 and 20 percent fewer customers and we think that's tied to the weather," she said. "Also, on good weather days we have about 5,000 people, and so we know that our attendance is good."

During the next few months, parks like Buckley Homestead, Deep River, Lemon Lake, Stoney Run, Oak Ridge Prairie, Gibson Woods and Grand Kankakee Marsh are expected to see the most use.

Grand Kankakee Marsh is the only county park that permits hunting; therefore, attendance rises during hunting season, Basala said. Gibson Woods is popular during the fall for school field trips.

The Buckley Homestead Fall Festival is planned from 10 a.m. to 5 p.m. Saturday and Sunday. The event includes campfire singalongs and ghost stories along with historical re-enactments. Admission is $3 per person with children 7 and younger admitted free.

Lemon Lake will be holding a Forbidden Forest from Oct. 26 to 28. Visitors take haunted tours through the forest. Gates open at 5:45 p.m., with tours beginning at 6:30 p.m. Gates will close at 8 p.m. Oct. 26 and 10 p.m. Oct. 27 and 28. The cost is $5 per person.

The park also offers numerous hay rides through Deep River County Park and Buckley Homestead. At Deep River park, hay rides are $1.50 per person, with tractors leaving at 1, 2 and 3 p.m. Tickets go on sale at the visitors center 45 minutes before each ride.

Buckley Homestead offers horse-drawn hay rides Saturdays and Sundays through Oct. 29, except this Saturday and Sunday because of the Fall Festival. The rides are $2 per person.

Lemon Lake, Stoney Run, Oak Ridge Prairie, Deep River and Buckley Homestead offer private hay rides for up to 35 people through October. The cost is $50 per ride on weekends and holidays and $30 per ride Mondays through Thursdays. Horse-drawn hay rides at Buckley Homestead are $70.

For more information, call (219) 769-PARK.

Park attendance

Park	through August 2000	through August 1999	percent change
Buckley Homestead	17,244	19,790	down 13%
Deep River	63,294	69,773	down 9%
Deep River Water Park	226,000	249,00	down 9%
Gibson Woods	8,543	8,104	up 5%
Grand Kankakee Marsh	22,196	20,352	up 9%
Lake Etta	69,271	66,517	up 4%
Lemon Lake	104,482	103,162	up 1%
Oak Ridge Prairie	46,350	42,300	up 10%
Stoney Run	21,800	20,880	up 4%
**Three Rivers	6,285	2,000	up 214%
Turkey Creek	10,202	8,501	up 20%
Turkey Creek (Golf Course)	20,735	21,161	down 2%
Whihala Beach	104,200	91,800	up 14%

** Three Rivers County Park opened in July 1999.
Source: Lake County Parks Department

LAND MANAGEMENT REPORT
Thursday, October 5, 2000

(Information in this report is from August 26, 2000 – September 28, 2000)

NON-PROJECT LAND MANAGEMENT

A. Handicapped-Accessible Park
   1. **A letter was received from attorney Casale on September 5th, 2000, enclosing a letter from the State Board of Accounts with clarifications on why this project need not be bid.** 1

B. Chase Street to Grant Street land management issues
   1. A coordination meeting was held with the COE, GSD, and the LCRBDC on February 16th, 2000 to review ongoing drainage concerns in this area.
      - Sue Davis from the COE was assigned to address GSD concerns, including drainage in this area, **and a meeting was to be scheduled. Meeting has not taken place.**
   2. **The tower lease with Stan Stann has been increased from $1250 to $1400 annually.** 2

C. Dave Woodward, attorney with Casale, Skozen, Woodward and Buls, is researching the property disposal laws for state agencies. Depending on his findings, we may be able to sell the property at 3120 Gerry Street.

PROJECT RELATED LAND MANAGEMENT

A. O&M (Project manual review/accepting completed segments)
   1. The COE has requested since August 28, 1997 that we complete our project manual review and accept completed levee segments (ongoing).
   2. It is anticipated to start accepting levee segments (after inspections are completed and found acceptable) as early as September 2000.
   3. Although we have not accepted any levee segments for O & M, we have assumed responsibility for mowing all of the completed East Reach segments due to local complaints and for better recreational trail usage.
      - **A letter was written to the COE on September 20th, 2000, requesting COE policy for doing a controlled burn.** 3

B. Mitigation (entire project area)
   1. **To review the LEL and Shirley Heinze bids, the new "team" (approach) of IDEM, IDNR, COE, and LCRBDC staff met on Sept. 27, 2000 to discuss mitigation. Representatives walked the Hobart Marsh and Little Cal properties on the 27th and 28th to review suitable properties for mitigation.**

C. Emergency Management

1. A coordination meeting was held with the COE, Lake County Emergency Management, the USGS, and representatives from Hammond and Gary on June 27th, 2000 to review new monitoring software and provide technical training.
   - It is our intent to update the current computer equipment for the city of Hammond and to install the new equipment for monitoring for Gary at the Gary Sanitary District no later than the end of September.
2. **LCRBDC is still reviewing COE mapping which shows locations of emergency management equipment. A plan to coordinate each community flood event response needs to be formulated.**

D. Landscaping

1. It has been established in all contracts since June 3, 1999, that the contractor will assume all responsibility for a period of three years after planting to assure the native grasses, plantings, shrubs, or bushes on the levees will flourish.
   - We are still awaiting a response as to whether a controlled burn could be used as the "preferred method" to enhance native grasses.
   - **We completed mowing all the completed levee segments on August 9th, 2000, in the amount of $6,100, and received a proposal for mowing again this fall for $5,000.** 4

E. Gary Parks & Recreation – Driving Range

1. A letter was sent by the LCRBDC on August 22, 2000 to the COE supporting the proposed new plan located north of 30th Avenue.
   - COE then sent letter to City of Gary saying COE permit still needed **(Ongoing)**

F. Lake Erie Land Company – Wetland banking

1. **A meeting was held on Sept. 6, 2000 of the new "focus" group of the "Great Konomick River Restoration" project. LEL hopes to have more action of the project from a smaller group. Meetings with the full committee will still beheld as needed.**

G. A meeting was held with Lamar Advertising Company (formerly WHITECO) on January 28th, 2000, to review & update current leases.

1. A new balance will be calculated (formerly $124,825) for removal of WHITECO signs for our project and we will pay this off as per a previous motion by the commissioners.
   - Lamar is anticipating a final draft for our review an comments for this final balance, as well as updating current leases, by the end of September.

H. Gary Sanitary District (White River Environmental Partners (WREP)) O&M

1. A field meeting was held with Dean Button (WREP) on August 24th to review security for all (4) east reach pump stations. The LCRBDC has agreed to install fencing and locks as necessary to secure the stations and their equipment.

ATTORNEYS AT LAW

CASALE, SKOZEN, WOODWARD & BULS, LLP

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JOSEPH L. SKOZEN
1915 - 1997

LEGAL ASSISTANTS
DEBRA L. KOZLOWSKI
ANGELA M. OGRENTZ
SUSAN M. SEVERA

September 5, 2000

Dan Gardner
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, IN 46368

RE: Bidding the Charles Agnew Park Project.

Dear Dan:

Enclosed please find a letter from the State Board of Accounts which was in response to a letter that I sent requesting an opinion pertaining to bidding the Charles Agnew Handicap Park Project. The conclusion of the letter is that if Lake Erie Land donates and builds the project and the River Forest Community School System operates it on public land as a public facility, the project need not be bid.

If there are any further questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Louis M. Casale
Attorney at Law

LMC/amo

Enclosures

cc: Bill Tanke, LCRBDC
Chuck Agnew, LCRBDC
Don Ewoldt, LEL
Jim Rice, River Forest School Corp.

3

From: Lisa K. Misner <lmisner@cswblaw.com>
To: littlecal@nirpc.org <littlecal@nirpc.org>
Date: Friday, September 08, 2000 4:40 PM
Subject: ATTN: Jim Pokrajac

Memorandum

TO: Little Calumet River Basin Development Corporation
RE: Stan Stann
FROM: Lisa K. Misner

This e-mail shall serve to confirm our conversation earlier today with regard to Stan Stann. Under the terms of the Lease with Mr. Stann, the Little Calumet River Basin is not entitled to renegotiate the Lease in order to obtain a higher, more "fair market value" rental rate.

Regardless of the Lease terms, however, I believe that we should inform Mr. Stann of his slight increase in rent under the current terms, and advise that he should contact us within ten (10) days in order to renegotiate the rental obligation to something more in line with fair market rentals for like properties in the area. If he indicates that he is not required to do so under the terms of the Lease, I believe that Little Cal has a very strong response: the alternative is to provide him with the one-year notice to quit, which is provided under the Lease terms. After the notice to quit is given, the parties are always free to negotiate a new Lease under more favorable terms.

If Mr. Stann is the businessman that you believe, he should agree to renegotiate the rental obligation. Since he is doubtless aware that he is getting a wonderful deal, he should also be aware that he eventually will have to pay something more reasonable.

Please let me know your thoughts, and advise as to how I should proceed.

Lisa K. Misner

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

4

September 20, 2000

Mr. Imad Samara
U.S. Army Corps of Engineers
111 N. Canal Street
Chicago, Illinois 60606-7206

Dear Imad:

In the past, we have requested information from you regarding controlled burns of the native grasses on completed east reach levee segments. In our previous conversations, we understand that the "preferred" method of enhancing the native grasses would be to do the controlled burns rather than mowing.

During the past 2 years, we have assumed responsibility of mowing these levees due to complaints from residents and the communities because of the unsightliness of the grass and weeds. Through recent conversations with Greg Moore, it is our understanding that the potential for doing a controlled burn is possible and that he has established a point of contact that specializes in these controlled burns.

Will you please provide us a written response as to the Corps policy for doing a controlled burn relative to mowing in order to facilitate a better-finished project. If you have any questions regarding this, please call me.

Sincerely,

James E. Pokrajac

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
cc: Greg Moore, COE

(2)

C & H Mowing, Inc.

918 So. 250 West • Hebron, IN 46341

Phones: (219) 996-7273 • (219) 996-3223 • Fax# (219) 996-7273

August 12, 2000

Mr. Jim Pokrajac
Land Management/Engineering
Little Calumet River Basin
Development Commission

Mr. Pokrajac -

Our Bid proposal -

We would mow the same amount - 51,922 linear ft. - a second time after October 30, 2000 for $ 5,000.00

We feel then you might start a June - cycle 1, late October, early November Cycle 2 program. This would control the weed's in August ~~and~~ July.

Thank you

John Kelly Hay

4

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
ATTENDANCE ROSTER

NAME OF MEETING: LCRBDC DATE: 10-5-00

LOCATION: 6100 Southport Rd, Portage CHAIRMAN: Emerson Delaney

PLEASE SIGN IN

	NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER
1	Monty Crary	DNR
2	Sandy O'Brien	
3	JIM FLORA	R.W. ARMSTRONG
4	DORRINE CARY	CITY OF GARY
5		
6		
7		
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Post Tribune, 9/29/00

A piece of the money pie

Federal appropriations bill includes millions for water projects

By Tania Anderson
States News Service

WASHINGTON — More than $17 million in flood control money could be making its way to Northwest Indiana after passage Thursday of a large funding bill.

The Fiscal 2001 energy and water appropriations bill, worth more than $20 billion, passed 301-118 in the House and will move to the Senate, where it is expected to pass.

Of the 10 local projects potentially receiving money, the Little Calumet River flood control project garnered the most federal assistance.

More than $8.8 million will help move along the $181 million Little Cal project, which is at the peak of its progress, in the coming year.

"It's a multi-faceted type of project that is really needed and is now coming to fruition," said Dan Gardner, executive director of the Little Calumet River Development Commission, a local non-federal sponsor with the U.S. Army Corps of Engineers. "It has a tremendous transportation impact and affects economic development with the moving of goods."

The project, scheduled for completion between 2006 and 2008, will include 22 miles of levee and floodwall construction, 13 pumping plants, channel and bridge modifications and a flood warning system.

The bill also includes $3.3 million for construction of a confined disposal facility at the Indiana Harbor and Ship Canal in East Chicago. The channel will be dredged to increase its depth from 22 to 29 feet, increasing the harbor's efficiency and addressing a long-standing environmental problem by removing contaminated sediment that may flow into Lake Michigan.

The remainder of the funding will go to the following local projects:

- $500,000 for the dredging of the Grand Calumet River.
- $429,000 for operations and maintenance of the Indiana Harbor Ship Channel.
- $2.4 million for operations and maintenance at Burns Harbor, including emergency funds to provide for the dredging of the Port of Indiana due to low lake levels.
- $1 million for beach nourishment project at the Indiana Dunes National Lakeshore (Mount Baldy).
- $600,000 for the Great Lakes Remedial Action Plan, a study to improve Roxana Marsh and other waterways.
- $300,000 to replace the head works facility of the Gary Sanitary District.
- $250,000 to complete the design for the Cady Marsh Ditch flood control project in Griffith, Highland and Calumet Township.
- $100,000 to initiate the reconnaissance study for the Whiting Shore Protection project.

OCTOBER 4, 2000

INDIANAPOLIS (WHITE RIVER) FLOOD CONTROL PROJECT:

REF.: USING SHEET PILING INTO EXISTING LEVEES AS SUGGESTED BY EARTHTECH FOR STAGE VII V.E. PROPOSAL.

LOCAL PROJECT MANAGER FOR INDIANAPOLIS:

- LORI WEISS - ph.# 317-327-5047

ENGINEER: LOUISVILLE ARMY CORPS OF ENGINEERS.

PROJECT MGR. - LINDA MURPHY (502) 625-7189 OR (502) 315-6784

FIELD SUPERVISION - BOB HESS (317) 532-4196 (HAS GOOD FIELD KNOWLEDGE OF SHEET PILING, METHODS, IMPACTS, ETC.)

PROJECT:
- APPROX. 3500 CONTIGUOUS LINEAR FEET OF FLOOD CONTROL PROTECTION USING BOTH EARTHERN LEVEE AND SHEET PILING IN EXISTING LEVEES.
- $17,000,000 PROJECT COST ESTIMATE.
- PROJECTED COMPLETION - FALL, 2001

CONSIDERATIONS:
- THEY WILL WIDEN EXISTING LEVEE TOP TO 20' BY CLEARING TREES & VEGETATION AND CUTTING LEVEE DOWN IN ELEVATION.
- THIS ALL WILL ALLOW WORK AREA ON TOP FOR SHEET PILE DRIVING & AND TRUCK TRAFFIC. (ARE USING VIBRATORY DRIVING - NEEDS LESS ROOM)

Lou -
did you get ahold of Dennis Otto?

Emerson -
Going to be another $100 for hotel for Debi

Lou -
- Going to be another $100 for hotel for Mary Lynn
- I sent check to Angie

Curt - Chuck -
did I send you a San Diego package?

Somday
Send letters to Sheila Reilly
- golf
- wives checks

ATTORNEYS AT LAW

CASALE, SKOZEN, WOODWARD & BULS, LLP

5201 FOUNTAIN DRIVE-SUITE A • CROWN POINT, IN 46307 • TELEPHONE: 219-736-2163 • FAX: 219-736-5025 • E-MAIL: thefirm@cswblaw.com

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DAVID M. BLASKOVICH

JOSEPH L. SKOZEN
1915 - 1997

LEGAL ASSISTANTS
DEBRA L. KOZLOWSKI
ANGELA M. OGRENTZ
SUSAN M. SEVERA

October 2, 2000

Dan Gardner
Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, IN 46368

VIA FACSIMILE (219/762-1653)

RE: Pump Station 1A

Dear Dan:

Enclosed please the Memorandum you requested outlining the findings in the administrative preceding held regarding the above project. This is an overview that we were able to derive from the Court records presented to us by the Corps.

Please contact me if there are any further questions regarding this matter.

Sincerely,

Louis M. Casale
Attorney at Law

LMC/amo

Enclosures

MEMORANDUM

TO: Louis M. Casale
FROM: Lisa K. Misner
RE: Little Calumet River Basin Development Commission
Overstreet Electric Co., Inc. v. United States (Fed Cl. No. 00-314C).

Attorneys:

Michael H. Payne
Starfield & Payne, Fort Washington, PA
Attorney for Plaintiff

Michael F. Kelly and David W. Ogden (Acting Attorney General)
U.S. Department of Justice, Washington, DC
Attorney for Defendant

Summary:

This action is a pre-award bid protest, before the Court on cross-motions for judgment on the administrative record. The Court found for the Plaintiff, granting its Motion for Judgment, as well as its requested injunctive relief.

Issue:

Did the Defendant act arbitrarily and capriciously, and contrary to law, in rejecting plaintiff's low bid because it found the bid unreasonable?

Facts:

On 6 December 1999, the Defendant, through the Army Corps of Engineers, issued a solicitation for sealed bids for a construction project regarding the rehabilitation of pump stations on the Little

Calumet River Basin. The solicitation involved the awardee purchasing and installing the pumps and piping that are the basis of the facility, and rehabilitating and/or replacing electrical wiring, ladders, hoists, floor plates and fencing, with the understanding that much of the work would be subcontracted.

The solicitation provided that it was 100% set aside for small business, and had an opening date of 5 January 2000. On 23 December 1999, the Corps issued an Amendment (0001): it changed the project length from 900 to 700 days, as well as some of the specifications and drawings. The second Amendment (0002) was issued on 27 December 1999, which added two previously omitted drawings.

Three sealed bids were submitted and opened on 5 January 2000. The Plaintiff had the lowest bid at $4,638,400.00. The other bids were from HRP Construction, Inc. ($4,773,545.00) and Kovilic Construction ($4,827,770.00).

The Corps original estimate, without profit, was $ 2,915,265.00. Obviously, the lowest bid exceeded the estimate by over 59%. The Corps decided to increase its bid estimate to $3,510,910 (since it received new quotes on several major components of the job),

which still left the lowest bidder in excess of 32% over the estimated cost.

Thereafter, on 2 February 2000, the Corps issued its "Findings and Determination with Respect to Unreasonable Prices," which provided that all three of the bids would be rejected as excessive, and that the IFB would be converted into a negotiated procurement pursuant to Federal Acquisition Regulations (FAR) Section 14.404(c)(6), (e)(1) and (f). In connection with its Findings, the Corps issues Amendment 0003, which essentially restates same and provides that the award will be made to the responsible bidder with the lowest negotiated price.

After receipt of these documents, on 15 February 2000, the Plaintiff filed its protest. The Corps responded that, in addition to the bases cited in its Findings and Amendment 0003, it also relied upon 33 U.S.C. Section 624 (1994) in rejecting the offers. Said section of the U.S.C. provides that a contract for river and harbor improvements cannot be issued if the bid is more than 25% in excess of the estimate.

The GAO denied the Plaintiff's bid protest on 12 May 2000. Thereafter, the Plaintiff filed this bid protest on 25 May 2000,

seeking a temporary restraining order, a preliminary injunction and a permanent injunction. The Corps voluntarily stayed all further action on the solicitation and bid award until 18 August 2000, and as a result the Plaintiff withdrew its request for a temporary restraining order.

Legal Background: In pre-award bid protests, the Court will only enjoin performance where the agency's actions are arbitrary, capricious, an abuse of discretion, or not in accordance with the law. 5 **U.S.C.** Section 706(2)(A) (1994); 28 **U.S.C.** Section 1491 (b)(4) (Supp. III 1997). This standard requires the Court to determine if relevant factors were considered in determining the estimate, and whether there has been a clear error in judgment. **Citizens to Preserve Overton Park, Inc. v. Volpe,** 401 U.S. 402 (1971). Thus, the Court only looks to determine whether the agency considered relevant factors and rendered a decision within the bounds of reason. **Baltimore Gas & Elec. Co, v. Natural Resources Defense Counsel, Inc.,** 462 U.S. 87 (1983). Court interference is only in "extremely limited circumstances." **CACL, Inc.-Federal v. United States,** 719 F. 2d 1567, 1581 (Fed. Cir. 1983).

The bidder must demonstrate that there was either no rational basis for the agency decision, or it involved prejudicial violations of

applicable statutes and regulations. **Seattle Security Services, Inc. v. United States**, 45 Fed. Cl. 560 (2000). The error must not only exist, but also be prejudicial. **Data General Corp. v. Johnson**, 78 F. 3d 1556 (Fed. Cir. 1996). By definition, therefore, but for that error, the bidder would have received the contract. **Alfa Laval Separation, Inc. v. United States**, 175 F. 3d 1365 (Fed. Cir. 1999). And this must be shown by clear and convincing evidence. **Bean Dredging Corp. v. United States**, 22 Cl. Ct. 519 (1991).

This matter was set on each party's motion for judgment on the administrative record. This is the equivalent of a motion for summary judgment, and is reviewed on the same standards.

Obviously, no Court wants to easily set aside a bid award since it gives bidders an unfair advantage in recompeting with knowledge of the prior bids. Generally, once the bids are opened, unless there is a compelling reason, the award must be made to the lowest responsible bidder. 48 **C.F.R.** 14.401-1(a)(1). If all of the bids are determined by the agency to be unreasonable, such is a matter of administrative discretion that will not be disturbed absent fraud or bad faith. **Caddell Construction Co. v. United States**, 7 Cl. Ct. 236 (1985). Further, the government estimate may be used as a

comparison to determine the reasonableness of bids. **Kinetic Structure Corps. v. United States**, 6 Cl. Ct. 387 (1984).

Some Actions by the Corps were Considered Arbitrary & Capricious:

The Plaintiff raised seven bases in support of its contention that the government estimate was unreasonable. Each bases will be summarized, with the Court's position with regard to same.

In Summary, the Plaintiff contended that the estimate of the Army Corps was not rational. Rationality is judged by whether the estimate is tainted with irrational assumptions or critical miscalculations. **OMV Medical**, No. 99-9058, 2000 WL 991624.

The estimate should be that of the cost of a well-equipped contractor doing the work, including labor and materials, proper charges for depreciation of plant, supervision expenses, overhead, workers' compensation, general liability insurance, taxes, interest on capital invested in the plant, and other appropriate expenses. **33 U.S.C. Section 624 (a)(2) and (c)**. The mere submission of the bids, which were clustered in the same general price, however, does not in and of itself indicate that the bids are reasonable and that the estimate is unreasonable. The Plaintiff alleged that, in

calculating the estimate, the Corps neglected seven distinct costs that impacted the reasonableness of the estimate.

Standard of Review For Issues Raised:

The standard that the Plaintiff had to meet in order to prevail as a bid protestor is quite significant: it must demonstrate that the errors were significant, and that it was prejudiced by same. In other words, but for the error, it was a reasonable likelihood that the protestor could have been awarded the contract. **Data General Corp. v. Johnson,** 78 F. 3d 1556 (Fed. Cir. 1996). In several of the issues, the Plaintiff satisfied that burden.

1st Issue:

The Plaintiff alleged that the Corps underestimated the amount of general home office overhead, or general and administrative expenses. Recall that the project was set aside for small businesses. The estimate contained a provision for those home office expenses at 2%, rather than the standard 10% empirical rate for small contractors. The percentage of general home office overhead (at 10%) was provided by the Engineering Instructions for the solicitation at EI01D010. Section 10-3.b. Further, the Plaintiff asserted that the Corps confused job overhead with home office overhead, and thus calculated incorrectly.

The Court agreed. The also found that the Corps also incorrectly decreased this percentage due to the assumption that much work would be subcontracted, which evidently is not entirely rational. Other allowances made in the estimate calculation did not offset the costs of home office overhead.

The Court, therefore, held that the Plaintiff prevailed on this issue, and required the Corps to recalculate its estimate to include the proper percentage for home office overhead.

2nd Issue: The Plaintiff alleged that the Corps omitted the costs of contractually required on-site facilities and utilities, excepting telephone service. The Corps argued in response that the site was only five (5) miles from the Corps resident offices, an that the work envisioned would take place inside the pump stations.

The Court, under the standard of review, agreed with the Corps since the IFP did not require field offices.

3rd Issue: The Plaintiff argued that the Corps underestimated the cost for quality control required under the terms of the solicitation. While the Corps was requesting quality control on at least five (5) different areas, it only included the cost of one person in its

estimate at a minimal cost of $1,000 per month for eighteen months.

The Corps asserted that since work would be subcontracted, the additional staff necessary would be provided by the subcontractors. The cost of this "subcontractor quality control" was included in a 10% allowance for subcontractor overhead.

The Court held that the solicitation required quality control staff, and the assertion that same would be provided by subcontractors out of a small percentage allowed for overhead, was unfounded. The Corps was ordered to include the costs for a quality control manager and staff in recomputing the estimate.

4th Issue: The Plaintiff contended that the Corps made an unreasonable estimate of job management and filed office personnel needed to conduct tasks ranging from shop drawing preparation, to inspection of mechanical work, to reporting and documentation. Only the cost of the Superintendent was included, omitting the need for an engineer and clerical staff.

The Court found that the Corps **had** included those costs in its estimate, and that same were reflected in the provisions for job overhead. Therefore, the Court held that this claim was refused.

5th Issue: The Plaintiff claimed that the time for performance of the contract was unreasonable, and that the calculations that were a part of the estimate were therefore skewed. While the time for completion of the work was twenty-three (23) months, the Corps based the estimate costs and expenses on eighteen (18) months of actual work. The Corps explained that there would only be eighteen (18) months of actual field time during the twenty-three(23) month period, since not all sites would be under construction and thus out of operation at the same time for public safety concerns.

The Court held that the Corps' estimate was reasonable.

6th Issue: The Plaintiff alleged that the Corps estimate did not contain provisions for subcontractor overhead and profit. However, the Corps countered that the record shows a specific amount for subcontractor work, and an additional sum that was 25% higher for "subcontractors," including costs, overhead, etc. The Plaintiff reasserted that another portion of the record reflected subcontractor overhead and profit as "0."

The conflicts in the record led the Court to rule that the Corps needed to explain the calculations for subcontractor overhead and profit more fully, and/or recalculate this omission in the estimate.

7th Issue: The Corps failed to include the proper calculations for insurance and bond costs.

The Plaintiff was Entitled to Injunctive Relief: After determination that the Corps' estimate was materially flawed and that the Plaintiff was prejudiced, the Court then looked to the entitlement to injunctive relief. The three showings necessary to obtain such relief are: that the Plaintiff will suffer irreparable injury if the solicitation cancellation is not overturned and the negotiated procurement is not enjoined; the harm to be suffered outweighs the harm to the government in granting the relief; and, the relief is in the public interest. **ES-KO, Inc. v. United States,** 44 Fed Cl. 429 (1999). The Plaintiff bears the burden, again by clear and convincing evidence. **Delbert Wheeler Construction, Inc. v. United States,** 39 Fed. Cl. 239 (1997), **aff'd** 155 F. 3d 566 (Fed Cir. 1998).

The Plaintiff in this matter satisfied that burden.

The Plaintiff did not have an adequate remedy at law absent the injunction. In the instant case, that lack of an adequate remedy is shown clearly by the following: even if the contract were awarded to the Plaintiff through negotiation, it would be at a price low enough that the Plaintiff would have no profit. The delay in starting the work did not counter-balance the Plaintiff's harm. Further, the public interest in honest, open and fair competition is always an overriding concern.

Conclusion: The Court found that some of the actions of the Corps in calculating the estimate were arbitrary and capricious, and that, therefore, the use of that estimate as some means against which to judge the bids was improper. The Corps was ordered as follows:

1. Recalculate the estimate consistent with the Court's opinion;
2. Issue a new set of Findings as to whether the Plaintiff's bid is reasonable in light of those revisions to the estimate;
3. If the Plaintiff's price is determined to be reasonable, issue a decision as to whether the bid should be awarded to the Plaintiff;
4. Issue: **a)** a rational decision that is
   b) clearly based on statutory authority,

c) is consistent with promulgated regulations and instructions,

d) that contains its rationale with some degree of clarity, and

e) which is justifiable on its basis;

5. Reinstate the original solicitation, and **not** go forward with the negotiated procurement;

6. Accomplish same before September 29, 2000.

In accomplishing these tasks, the Corps would need to follow the letter of the ruling by the Court, adhering to all specific calculations referenced. Basically, the Corps would need to follow the **Court's** calculations and recommendations, citing authority for all of its decisions. Any deviation must be strictly and clearly set forth, as well as a basis for that deviation, in order to avoid further action by this Plaintiff.

If the Corps were to revamp the solicitation and start over, it would draw another protest by the Plaintiff: it would be substantially the same project, with minor changes, and it would lead to allegations that the Corps is attempting to do an "end run" around the Court Order.

LAND ACQUISITION REPORT
Thursday, October 5, 2000

(Information in this report is from August 26, 2000 – September 25, 2000)

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

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

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

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

STATUS (Stage II, Phase 3A (8A) – Georgia to Martin Luther King – South Levee:

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

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

1. Project currently 98% complete.
2. Additional land will be required to extend a recreation trail off of the existing levee north of IUN to allow recreation trail users. (Refer to Recreation Report.)

STATUS (Stage II, Phase 3C2) – Grant to Harrison:

1. The final inspection was made on May 18th, 2000 – completion and turnover anticipated by **September** of 2000.
2. The re-location of the recreation trail due to the crossing at Grant St. would require agreements with the Gas City Truck Stop and the city of Gary to be able to cross Grant St. at the light at 32nd Ave.
   - LCRBDC and COE are considering moving the trail farther east (nearer Gilroy Stadium) and coming south off the existing levee to 32nd Avenue. LCRBDC to facilitate a meeting with Gas City to ask for re-consideration of the trail location.
   - This work to be done as part of an "East Reach catch all" scheduled for Fall, 2000.

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

1. **DC505, owner Frank Gray, has requested exclusion from the flood control project. Letter dated Sept. 11, 2000 sent to COE. Discussion is anticipated.**

1-2

STATUS (Stage III) – Chase to Grant:

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

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

1. All easements obtained, utility re-locations completed, and construction started. Anticipated completion of project is Summer of 2001.

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

1. Bids were reviewed and Dyer Construction is the contractor. Work started on May 23rd, 2000 – 450 days to complete project (see Engineering Report).

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

1. All construction is currently completed. Pump test is scheduled for mid-April. (Refer to Engineering Report)

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

1. Construction currently 95% complete. Projected completion in late fall, 1999. (Refer to Engineering Report)

STATUS (Stage V – Phase 1) – Wicker Park Manor:

1. Project completed September 14, 1995
   Dyer Construction – Contract price $998,630

STATUS (Stage V – Phase 2) – Indianapolis to Kennedy – North Levee:

1. Questions regarding real estate easements at the Tri State Bus Terminal need to be addressed. (Refer to Engineering Report)
   - **We are awaiting revised COE real estate drawings with new coordinates in order to do the legals.**
2. **A letter was sent to the COE on September 20th, 2000, enclosing information from DLZ indicating inaccuracies on background mapping West of Kennedy and North of the River. This includes Wendys, the Visitor Center, and WHITECO.** 3-5

STATUS (Stage V – Phase 3) – Northcote to Indianapolis – (Woodmar Country Club):

1. **LCRBDC attorney and appraiser met with Woodmar attorney to receive Woodmar financial information. Appraisal is continuing.**

STATUS (Stage VI-Phase 1) – Cline to Kennedy – North of the river, and Kennedy to Liable – South of the River:

1. We received a letter of request from the Hammond City planner on August 2nd regarding dates for acquisition for the Oak Brook Metro Development north of the river and east of Kennedy Avenue.
   - **A letter was sent to the Hammond City Engineer along with the plat of survey and real estate easements on September 12th, 2000, indicating there was no encroachment onto our work limits.** 6
2. **COE letter received Aug. 31 directing us to proceed with real estate acquisition for VI-1** 7

STATUS (Stage VI – Phase 2) Liable to Cline – South of the River:

1. **The Cline Avenue construction project has resulted in increased water on the 69 acre Liable to Cline mitigation tract. COE Environmental is reviewing feasibility of the site for mitigation.**

STATUS (Stage VII) – Northcote to Columbia:

1. A public meeting will be scheduled with Hammond and Munster upon completion of 50% engineering review **in October.**

STATUS (Stage VIII – Columbia to State Line (Both Sides of River)

1. We received a letter from Muta Advertising on August 22nd expressing concern for future development impacts on his property that would effect his comprehensive plan.
   - We submitted a letter to the COE on August 29th enclosing this information and asking to have discussion that may effect ongoing Stage VIII design.

STATUS (Betterment Levee – Phase 1) E.J. & E. Railroad to, and including, Colfax North of the NIPSCO R/W – Ditch is South of NIPSCO R/W from Arbogast to Colfax.

1. Construction started on July 28 (Refer to Engineering Report for details)

STATUS (Betterment Levee – Phase 2) Colfax to Burr Street, then North N.S. RR, then East (North of RR R/2) ½ between Burr and Clark, back over the RR, then South approx. 1,400 feet:

1. Current schedule is to advertise by October 15th, 2000, award contract by December 15th, 2000, and a construction start of February 2001 – 360 days to complete.

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

1. **DC793, the Oswald family, was relocated in March 2000. In the absence of Gary Redevelopment help, LCRBDC completed the relocation. Report is attached.** 8
2. **The vacated house and outbuildings on relocation DC793 were becoming a health hazard. Demolition was considered an emergency for the neighborhood. Bids were requested on Sept. 6, 2000 to do cleanup and demolition and authorization was given to Congress Enterprises, Inc. on Sept. 20, 2000. Cleanup was completed on Sept. 27, 2000.** 9-10
3. **DC792, owner Russell Halford, has been officially excluded from the project.** 11

WEST REACH PUMP STATIONS – PHASE 1A

1. These stations include Baring, Hohman-Munster, Walnut and South Kennedy.
2. This project is currently on hold due to the bid being 63% over the COE estimate.

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

11 September 2000

DC 505 packet 7 documents attached JP. 9/13/00

Mr. William White, Chief, Acquisitions
Army Corps of Engineers Real Estate
111 North Canal Street
Chicago, IL 60606

Dear Mr. White:

RE: Acquisition of DC 505 owner Frank Gray – Lots 37 & 38 Block 1 in the Broadway Parkway Subdivision in Gary, Indiana.

The Calumet River Basin Development Commission has been in negotiations since 1996 with landowner Frank Gray (DC 505) to acquire his property for the Little Calumet River Flood and Recreation Project. He is reluctant to allow us to impose a flowage easement on his property because it would interfere with his plans to develop the land as an environmental/ecological area. Mr. Gray also refuses to sell the property in fee. He has asked to be removed from the flood project.

Mr. Gray on several occasions has met with me and the LCRBDC attorney, Lou Casale, and asked to change the language in the standard easement agreement to state that once he provides compensatory storage facilities on the land the property, without our easement, would revert to him. I think he also visited your offices to explain the same changes to you and Chief of Acquisitions Emmett Clancy.

To explain again the problem I've enclosed with this letter several documents, letters, and personal notes explaining the history of my request. Please review the papers and you will find that:

-An Informal Value Estimate was completed and approved.

- Offer to Mr. Gray was sent and he rejected it. He requested a formal appraisal. (That appraisal is in your files.)

- Formal appraisal rejected. Several revisions under three reviewers were then approved. (Those revisions are in your file.)

- Second offer sent Mr. Gray. He rejected this one also. Meetings with LCRBDC, attorney, and COE.

- No agreement. Mr. Gray requested to be eliminated from the project.

At our last meeting I told Mr. Gray I will address this problem in two ways:

1.) Contact the Corps to obtain an easement agreement with acceptable language to all parties so Mr. Gray may pursue his plans while complying with our flood control requirements. His plans are, however, for an *undetermined future time* and after my conversations with Chief of Acquisitions Emmett Clancy, I think Mr. Gray's changes may be too drastic and take too long to implement.

2.) Contact the Army Corps and make a presentation to exclude him from the project. This is the focus of this letter.

After reasonable consideration and with the knowledge that Mr. Gray's property is at the very edge of the project and would have minimal effect on the hydrology, I respectfully request that the Corps eliminate Mr. Frank Gray, DC 505, Lots 37 and 38 in the Broadway Parkview Subdivision in Gary, from the Little Calumet River Flood Control and Recreation Project.

If you agree with my request please write a return response specifically stating that Mr. Frank Gray is an optional acquisition or eliminated from the flood project.

Please contact me if you have any questions. I send my thanks for your patience and cooperation.

Respectfully,

Judith A. (Judy) Vamos
Land Acquisition Agent

cc: Emmett Clancy, Chief, Acquisitions, USACE
Dan Gardner, Executive Director, LCRBDC

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

(5)

September 20, 2000

Mr. Imad Samara
U.S. Army Corps of Engineers
111 N. Canal Street
Chicago, Illinois 60606-7206

Dear Imad:

Attached is a copy of a letter and sketch from DLZ dated September 12, 2000 regarding impacts on existing development as part of the Stage V Phase 2 construction immediately west of Kennedy Avenue and north of the Little Calumet River. As shown on the attached sketch, the real estate requirements encroach onto the south end of the Wendy's Restaurant parking lot, as well as the south end of the Visitors' Center parking lot. The original real estate requirements established by the COE were based upon "old" background aerial information and, at that point in time, did not show the current development. We will be proceeding with the appraisals in this area but feel that impacts to real estate not originally anticipated will occur due to using outdated mapping as a background on both real estate and engineering drawings. Similarly, west of the Visitors' Center parking lot, we have a concern with the work limits relative to the south edge of the lake. We are conducting a survey which will be forwarded to you to assure that levee work in this area can be done safely, and that room exists to physically build an earthen levee.

As we had indicated to you in a letter dated August 21st, 2000 regarding the Tri-State Bus terminal, we feel that this could be a great concern on all future real estate and construction by using 10 year old aerial mapping. We have not received a response from you on that letter and would like to discuss this with you at our next real estate meeting. It is also our understanding that some of the communities have recently flown new aerials that could be used as background mapping for completed, as well as ongoing, west reach engineering segments. We could coordinate with you to obtain this information from the communities and to incorporate it into the plans.

Please review this attached information and provide us with a written response as to whether or not you feel any of the existing real estate requirements will be changed due to these background inaccuracies. Please contact me at your earliest convenience in order that we may discuss this at our upcoming real estate meeting on October 3rd.

Sincerely,

James E. Pokrajac

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.
cc: William White, COE
Emmett Clancy, COE
Tim Kroll, COE
James O'Riley, COE
Gregg Heinzman, DLZ
Lou Casale, LCRBDC attorney
Judy Vamos, LCRBDC

DLZ

ENGINEERS • ARCHITECTS • SCIENTISTS
PLANNERS • SURVEYORS

September 12, 2000

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

Re: DC 1104, 1105, 1106, 1107
Impact on Existing Development
DLZ Accounts 9964-3038-70 & 9964-3046-70

Dear Mr. Pokrajac:

As discussed in your office on September 7, we are concerned about the impact of the permanent and temporary easements on the existing development of the above referenced DC parcels. The Corps background mapping was made prior to the development of these sites.

Parcel 1104 is a fully developed Wendy's restaurant. Parcel 1105 is a developed parking lot for the Lake County Indiana Convention and Visitors Bureau. The Visitors Bureau also owns DC parcels 1106 and 1107.

Attached is a sketch showing the levee lines overlaid on a recent aerial photo of these sites. The Corp may wish to revise the easements to lessen the impact on these properties. If the easement limits are revised to avoid these properties, then no work will be required by us. Otherwise, we recommend a detailed site topo survey be performed to locate all improvements that may be affected by the easements.

We will hold further preparation of easement plats for these parcels until we receive further direction from you.

Sincerely,

DLZ INDIANA, INC.

Gregg L. Heinzman

Gregg L. Heinzman PE LS
Engineering Manager

Enc.
GLH/bf
\\HAM\SYS\PROJ\proj\0064\3038\Docs\Pokrajac.dot

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Little Calumet River Basin Development Commission

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E-mail: littlecal@nirpc.org

September 12, 2000

Mr. Stan Dostatni
Hammond City Engineer
Hammond City Hall
5925 Calumet Avenue
Hammond, Indiana 46320

Dear Stan:

Enclosed for your information is a copy of the plat of survey and the real estate requirements necessary for the flood control project east of Kennedy Avenue and north of the Little Calumet River. This land is shown under the ownership of Oak Brook Metro (Welsh Oil) and it appears that their southern work limits coincide with the work limits provided to us by the Army Corps of Engineers. The work limits necessary for this upcoming levee segment include both the permanent and temporary easements.

This information is based upon coordinates provided to us by the Army Corps of Engineers on their real estate drawings dated April, 2000. We also enclosed a copy of the letter sent to Bill Shaver on May 28, 1999 indicating the same information based upon Corps work limits at that time.

If you have any questions regarding this survey or of the Corps real estate requirements, please contact me at the above number.

Sincerely,

Dan Gardner

Dan Gardner
Executive Director

/sjm
encl.
cc: Brian Poland, Planning Dept.
Imad Samara, COE
Emmett Clancy, COE
Curt Vosti, LCRBDC
Lou Casale, LCRBDC attorney

DEPARTMENT OF THE ARMY
CHICAGO DISTRICT, CORPS OF ENGINEERS
111 NORTH CANAL STREET
CHICAGO, ILLINOIS 60606-7206

REC'D. AUGUST 31, 2010

(1)

REPLY TO
ATTENTION OF:

August 25, 2000

Real Estate Division

SUBJECT: Changes to Stage VI Real Estate Mapping

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

Dear Mr. Gardner,

Attached are 4 sets of Stage VI Real Estate Maps, sheets RE-01 thru RE-08, dated April 2000. These maps reflect Changes made at the request of the Local Sponsor and the Town of Highland at a meeting on 17 May 2000. A summary changes are provided as an attachment to this letter.

In accordance with Article III of the Local Cooperation Agreement dated 16 August 1990, you are directed to proceed with acquisition of the required real estate.

Please address any questions to Emmett Clancy at 312-353-6400, ext. 5005.

FOR THE COMMANDER

CHRISTOPHER D. BORTON
Acting Chief, Real Estate Division

Enclosures

DC 793

RELOCATION REPORT ON MABEL OSWALD DC 793
20 SEPTEMBER 2000

INTRODUCTION

The Little Calumet River Basin Development Commission (LCRBDC) relocated the Oswald Family in March of 2000. Previously the Gary Redevelopment Commission had relocated several families in the project area. This time, however, the Redevelopment Commission was involved in an extensive relocation project of its own for the City of Gary and did not respond to repeated requests for help. The LCRBDC, therefore, completed the relocation. Appropriate forms are attached to this document.

LAND/LANDOWNER INFORMATION

DC 793, the Oswald Acquisition and displacement is legally described as Lot 1 in Block 4 of the Second Addition to Liverpool Home Gardens in the town of Lake Station, County of Lake, Indiana. The family consists of owner Mrs. Mabel Oswald, her grandson, Kenneth Cawthon, his wife, and four children all under the age of 12 years. Mrs. Oswald, 78 years old, had developed walking problems and needed a handicapped-accessible ramp built on to the replacement house. The ramp was completed two weeks after they moved in.

RELOCATION COMPUTATION

The MLS feature sheets used to calculate the differential payment are attached along with DSS inspection sheet. These documents show that comparable properties fall in the $65,000 to $90,000 price range. The Oswald land and structures were valued at $44,000, thereby qualifying them for the maximum differential payment of $22,500. The Replacement dwelling cost $66,000 and the LCRBDC also paid for the closing charges at the title company. The Displacees opted to receive the maximum moving payment of $1,050 instead of professional moving assistance.

REPLACEMENT

The Replacement dwelling was inspected for Decent Safe and Sanitary (DSS) conditions on 2/16/00. Replacement dwelling at 2811 Floyd Street in Lake Station was acceptable. Landowner Mrs. Oswald requested a handicapped-accessible ramp be built at the back door. The ramp was completed after Oswalds moved in the house.

(Date) 9/20/00 Dan Gardner
(Executive Director)

(Date) 9/20/00 Judith A. Vamos
(Land Acquisition)

Sept 18, 2000

(3)

OSWALD PROPERTY
DEMOLITION & CLEAN-UP
(DC-793)

CONTRACTOR	BID
CONGRESS ENTERPRISES, INC.	* * 15,252.00
K.C. SIDING & CONSTRUCTION	* 27,500.00
DYER CONSTRUCTION	* 59,450.00

* WE RECOMMEND USING CONGRESS ENTERPRISES, INC. TO DO THIS WORK BASED UPON THEIR SUBMITTING THE LOWEST BID, PAST PERFORMANCE WITH THE LCRBDC, AND PARTICIPATION, AND COOPERATION WITH USING GARY MINORITY CONTRACTORS.

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

(4)

September 20, 2000

Mr. Fred Congress
Chief Executive Officer
CONGRESS ENTERPRISES, INC.
1001 South Lake Street
Gary, Indiana 46403

Dear Fred:

Enclosed please find a copy of the signed agreement between yourself and the Development Commission for demolition and clean-up of the Oswald property located south of 26th Avenue between I-65 and Colorado Street, in the N.E. quadrant of I-65 and I-80/94 in Gary, Indiana. This agreement is based upon your estimated cost not to exceed $15,252.00. It is also understood as per our pre-construction meeting on September 18th that Congress Enterprises is licensed by the city of Gary and that you will have all necessary and valid permits to do this work and provide us a copy of the same.

Please consider this as your notice to proceed. If you have any questions, please call me.

Sincerely,

James E. Pokrajac

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

DC 791/792

11 September 2000

Mr. Russell Halford
c/o Mike Halford
5296 Royal Avenue
Portage, IN 46368

Dear Mr. Halford:

RE: Your relocation as a landowner in the Little Calumet River Flood Control and Recreation Project. (DC 791/792)

The Army Corps of Engineers has decided to make the acquisition of your property an option because of your relocation concerns. I've spoken with our Land Acquisition Agent, Judy Vamos, and she informs me that you desire not to be relocated and that you understand and accept the risks involved.

The Little Calumet River Basin Development Commission, therefore, excludes you from the Little Calumet River Flood Control and Recreation Project. Please know also that plans to demolish the Oswald house and outbuildings are under way. The demolition should be completed within the next three weeks.

I send my thanks for your patience and invite you to call me at 219-763-0696 if you need further information about this letter.

Respectfully,

Dan Gardner

Dan Gardner, Executive Director
Little Calumet River Basin Development Commission

cc: Emmett Clancy, Army Corps of Engineers
Judy Vamos, Little Calumet River Flood Control and Recreation Project

RESULTS OF REAL ESTATE MEETING HELD 31 AUGUST 2000
ARMY CORPS & LITTLE CALUMET RIVER FLOOD CONTROL PROJECT

IN ATTENDANCE:

LCRBDC	COE
Dan Gardner	Imad Samara
Lou Casale	Emmett Clancy
Lorraine Kray	
Sandy Mordus	
Jim Pokrajac	
Judy Vamos	

Correction to last month's results:

Emmett Clancy questioned whether or not Don Valk actually commented that there were "no federal regulations for utility compensability" when, in fact, there are regulations. Results of Real Estate Meeting stand corrected.

1. RFP FOR MITIGATION LANDS - STATUS

a. Dan explained that two bids for the "public notice" to solicit mitigation lands were submitted on 8/28, one each from the Lake Erie Land Company and the Shirley Heinz Foundation . He suggested that he and Imad speak with Jomary Crary from the DNR and consider reviewing the two proposals from a "team" approach with staff from IDEM, DNR, COE, and LCRBDC. The team would set a criteria for enhancement or restoration, not pinpoint which properties to mitigate, but suggest which properties would have a "potential" for mitigation. Imad and Dan will call Jomary to schedule a a meeting at the LCRBDC.
(ACTION: Dan/LCRBDC and Imad/COE)

2. SURVEYS

a. V-2 Status - Jim reported that Great Lake Engineering will have the surveys for the railroad, Nipsco, K-Mart, residential properties, etc. delivered to LCRBDC by 9/8. Judy reported that she's meeting with appraisal consultant Dale Kleszynski the second week of September to finalize the new West Reach appraisal procedure and begin appraisal assignments. Imad confirmed that the real estate mapping for Oak Brook Metro Development and the Tri-State Coach Lines are correct.
(ACTION: Jim and Judy/LCRBDC)

b. AE contractor still having difficulty matching property lines with DLZ Surveys - Imad and Jim discussed the miscommunication between Stage Vl-2 AE (Architectural Engineer) Rani Engineering and DLZ. Jim suggested a conference call. Imad believes the problems are worked out and the matter should be dropped.
(NO ACTION)

3. EAST REACH REMEDIATION RELOCATIONS

a. Judy reported that Fred and Marilyn Jeffries (DC 748) have been relocated. The LCRBDC has not had the help of Gary Redevelopment because of their extensive involvement with relocating 60 families from the proposed Gary baseball stadium area. LCRBDC relocated the family. Jeffries were compensated $9,120 (creditable) for their trailer and lot. They qualified for the $22,500 relocation differential payment (creditable) and refused houses in the $30K, $40K, and $50K price range as being too rundown or in high crime areas. They did accept a house for $ 65,438.85 and the LCRBDC paid the $ 33,818.85 difference. Judy informed the COE that she will petition them for credit on the extra relocation payment of $33,818.85. Emmett does not think the COE will approve. Judy said the same problem is occurring with DC 743, the Reverend Kirby Jeffries.
(ACTION: Judy/LCBDC)

4. APPRAISAL STATUS

a. COE is requesting a Memo outlining the Kleszynski appraisal procedure agreement for the West Reach. Judy will meet with Dale in September to finalize the plan, however, this procedure is new, untested and until it starts to work she and Dan would rather not have a binding agreement for the next three years.

(Explanation:

The old procedure: a before and after narrative appraisal assigned to one appraiser for 30 days with COE review taking another possible three weeks. Appraisals were often lengthy, sometimes running 60 to 70 pages, at a cost of approximately $2,500 each, with months passed before an offer could be made to a landowner.

The new procedure: a "before" appraisal on a form assigned to one appraiser then a second appraiser completing the after portion with ongoing review by the COE reviewer. Appraisal completion time is shortened, costs are reduced to $ 800 to $ 2,000 each, and the offer can be made to the landowner faster.
(ACTION: Judy/LCRBDC and Chris/COE)

5. REAL ESTATE TRACKING PROGRAM

a. Emmett reported that the computer dbase tracking program still has problems and the contractor is still working on them. Judy and Lorraine reported on some of the glitches LCRBDC is having. Lorraine is documenting each problem so the COE can review for solutions.
(ACTION: Judy and Lorraine/LCRBDC)

b. Sandy reported again that the COE has not been returning submitted crediting packets. Emmett said the COE will be working on them.
(ACTION: Emmett/COE)

6. OTHER ISSUES

Jim reported a letter from landowner Ted Muta of Ted Muta Advertising. He's concerned about the fair market value of his property and amount being taken for the project. Imad said COE will look again at the engineering but it's early for Stage VIII.

A conference call was placed to Jomary Crary at the DNR to explain the mitigation bids and "team approach" to selecting potential mitigation sites in the Hobart Marsh Area.

7. NEXT MEETING

28 September 2000, 9:30 am, LCRBDC office
(later changed to 3 October 2000)

JV 9/21/00

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

MONTHLY BUDGET REPORT, SEPTEMBER 2000

	2000 BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	6 MONTH ALLOCATED TOTAL	UNALLOCATED BUDGETED BALANCE
5801 PER DIEM EXPENSES	16,000.00	100.00	0.00	0.00	0.00	0.00	3,450.00	3,550.00	12,450.00
5811 LEGAL EXPENSES	8,500.00	283.33	283.33	579.33	379.33	475.33	395.33	2,395.98	6,104.02
5812 NIRPC SERVICES	125,000.00	18,062.13	8,874.12	8,782.12	8,347.14	9,851.88	8,411.83	62,329.22	62,670.78
5821 TRAVEL/MILEAGE	14,000.00	39.90	16.24	27.72	8.96	34.86	311.92	439.60	13,560.40
5822 PRINTING/ADVERTISING	5,000.00	0.00	62.58	0.00	55.11	0.00	506.17	623.86	4,376.14
5823 BONDS/INSURANCE	7,500.00	0.00	0.00	0.00	160.00	5,642.63	0.00	5,802.63	1,697.37
5824 TELEPHONE EXPENSES	7,000.00	438.76	216.26	1,827.68	611.31	433.27	416.01	3,943.29	3,056.71
5825 MEETING EXPENSES	8,000.00	729.60	132.20	0.00	0.00	542.31	435.04	1,839.15	6,160.85
5838 LEGAL SERVICES	125,000.00	5,866.80	5,266.54	8,499.50	5,901.48	5,417.60	3,699.54	34,651.46	90,348.54
5840 PROFESSIONAL SERVICES	500,000.00	28,441.52	28,955.95	31,571.03	35,876.29	42,961.89	21,626.57	189,433.25	310,566.75
5860 PROJECT LAND PURCHASE EXP.	807,630.00	147,954.58	66.74	102,565.17	3,015.96	11,537.00	640.00	265,779.45	541,850.55
5881 PROPERTY/STRUCTURE INS.	25,000.00	464.00	0.00	0.00	0.00	0.00	20,107.00	20,571.00	4,429.00
5882 UTILITY RELOCATION EXP.	200,000.00	557.50	0.00	472.50	775.00	3,446.45	12,018.44	17,269.89	182,730.11
5883 PROJECT LAND CAP. IMPROV.	250,000.00	550.00	0.00	0.00	0.00	0.00	0.00	550.00	249,450.00
5884 STRUCTURES CAP. IMPROV.	25,000.00	0.00	2,995.83	0.00	14,334.00	713.75	969.00	19,012.58	5,987.42
	2,123,630.00	203,488.12	46,869.79	154,325.05	69,464.58	81,056.97	72,986.85	628,191.36	1,495,438.64

	2000 BUDGET	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	12 MONTH ALLOCATED TOTAL	UNALLOCATED BUDGETED BALANCE
5801 PER DIEM EXPENSES	16,000.00	0.00	0.00	0.00	0.00	0.00	0.00	3,550.00	12,450.00
5811 LEGAL EXPENSES	8,500.00	715.33	739.33	1,283.33	0.00	0.00	0.00	5,133.97	3,366.03
5812 NIRPC SERVICES	125,000.00	8,249.52	8,493.73	8,173.33	0.00	0.00	0.00	87,245.80	37,754.20
5821 TRAVEL/MILEAGE	14,000.00	0.00	10.36	4,407.36	0.00	0.00	0.00	4,857.32	9,142.68
5822 PRINTING/ADVERTISING	5,000.00	0.00	0.00	431.77	0.00	0.00	0.00	1,055.63	3,944.37
5823 BONDS/INSURANCE	7,500.00	0.00	0.00	0.00	0.00	0.00	0.00	5,802.63	1,697.37
5824 TELEPHONE EXPENSES	7,000.00	490.28	595.07	487.88	0.00	0.00	0.00	5,516.52	1,483.48
5825 MEETING EXPENSES	8,000.00	0.00	140.50	5,188.65	0.00	0.00	0.00	7,168.30	831.70
5838 LEGAL SERVICES	125,000.00	3,100.00	7,162.00	4,251.08	0.00	0.00	0.00	49,164.54	75,835.46
5840 PROFESSIONAL SERVICES	500,000.00	66,385.15	28,199.16	35,713.62	0.00	0.00	0.00	319,731.18	180,268.82
5860 PROJECT LAND PURCHASE EXP.	807,630.00	68,801.26	7,117.68	917.58	0.00	0.00	0.00	342,615.97	465,014.03
5881 PROPERTY/STRUCTURE INS.	25,000.00	297.00	0.00	0.00	0.00	0.00	0.00	20,868.00	4,132.00
5882 UTILITY RELOCATION EXP.	200,000.00	3,965.00	1,080.00	4,522.50	0.00	0.00	0.00	26,837.39	173,162.61
5883 PROJECT LAND CAP. IMPROV.	250,000.00	6,590.00	6,100.00	15,252.00	0.00	0.00	0.00	28,492.00	221,508.00
5884 STRUCTURES CAP. IMPROV.	25,000.00	0.00	0.00	5,720.00	0.00	0.00	0.00	24,732.58	267.42
	2,123,630.00	158,593.54	59,637.83	86,349.10	0.00	0.00	0.00	932,771.83	1,190,858.17

9,000

+3,000 ~~8,500~~

2,000

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SCOTT R. BEISE
JOHN P. REED

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219-937-3174

September 25, 2000

Louis M. Casale
Attorney at Law
5201 Fountain Drive – Suite A
Crown Point, IN 46307

In re: Woodmar Country Club – Little Calumet River Basin Development Commission (Flood Control Project)

Dear Lou:

Enclosed find two drawings of Woodmar Country Club. The large acreage applies to the original Club property, which has existed essentially since 1925. The smaller piece refers to the "railroad property", which we acquired through some form of litigation and negotiation. The quality of our title is such that we have a better claim to the property than anyone else we can see on the horizon. It's about 7 acres in total size, and adjoins the property on the east boundary thereof, along Indianapolis Boulevard and the railroad tracks. Basically, we use a portion of the property for our rather narrow driving range.

As I understand it, you are going to find out from your "engineering people" if there is possibly some other way to accomplish the Little Cal project, to alleviate flooding of surrounding areas, without destroying four holes of the golf course for at least two seasons. To take four holes out of play for one season would potentially be horrendous; for two seasons I can tell you it would put us out of business. Even though a different mode of engineering might be a little more expensive, the cost of replacing Woodmar Country Club I think might be significantly more expensive. Basically, I don't see a decent approach to valuation coming out of comparable sales/market data research, or for that matter out of the capitalization of income approach. I think basically what we are talking about is replacement cost less depreciation, as the only realistic approach to assessment of damages. My objective is to enter into an amicable settlement. I think that

ABRAHAMSON, REED & ADLEY

litigation will be disastrous from both sides. We will help you with the Indiana Legislature in any way that we can. Thanks much.

Very truly yours,

Kenneth D. Reed

KDR:jf
cc: Richard Leonhard

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
FINANCIAL STATEMENT
JANUARY 1, 2000 - AUGUST 31, 2000

Sandy

CASH POSITION - JANUARY 1, 2000				
CHECKING ACCOUNT				
LAND ACQUISITION			244,197.40	
GENERAL FUND			143,144.40	
TAX FUND			0.00	
INVESTMENTS			1,188,076.15	
ESCROW ACCOUNT INTEREST			11,729.84	
				1,587,147.79
RECEIPTS - JANUARY 1, 2000 - AUGUST 31, 2000				
LEASE RENTS			31,016.76	
INTEREST INCOME			30,568.85	
LAND ACQUISITION			2,225,541.72	
ESCROW ACCOUNT INTEREST			8,418.17	
MISC. INCOME			2,569.65	
WILLIAM TANKE	55.68			
TICOR	50.08			
GTE	10.61			
TICOR	568.00			
CITY OF PORTAGE	106.66			
DUELLEN(PHOTO)	325.00			
L C TREASURER	783.60	(REBATE ON TAXES)		
COMMUNITY TITLE	670.02	(CLOSING CHARGES)		
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE			1,184.21	
PROCEEDS FROM VOIDED CHECKS			198,778.63	
CHECK #6034	124,825.00	WHITECO		
CHECK #6505	33.60	JOHN MROCZKOWSKI		
CHECK #6569	35,000.00	ROBERT STOFFREGEN		
CHECK #6572	35,000.00	LAWYERS TITLE		
CHECK #6615	627.08	GTE		
CHECK #6616	3,292.95	DLZ		
TOTAL RECEIPTS				2,498,077.99
DISBURSEMENTS - JANUARY 1, 2000 - AUGUST 31, 2000				
ADMINISTRATIVE				
1999 EXPENSES PAID IN 2000			88,437.89	
PER DIEM			8,850.00	
LEGAL SERVICES			4,138.64	
NIRPC			79,050.05	
TRAVEL & MILEAGE			1,252.30	
PRINTING & ADVERTISING			506.17	
BONDS & INSURANCE			5,802.63	
TELEPHONE EXPENSE			7,533.51	
MEETING EXPENSE			3,166.09	
LAND ACQUISITION				
LEGAL SERVICES			44,336.14	
APPRAISAL SERVICES			28,750.00	
ENGINEERING SERVICES			65,302.80	
LAND PURCHASE CONTRACTUAL			8,481.00	
FACILITIES/PROJECT MAINTENANCE SERVICES			33,660.00	
OPERATIONS SERVICES			0.00	
LAND MANGEMENT SERVICES			109,592.04	
SURVEYING SERVICES			80,676.59	
ECONOMIC/MARKETING SOURCES			1,400.00	
PROPERTY & STRUCTURE COSTS			219,336.30	
MOVING ALLOCATION			3,100.00	
TAXES			5,509.21	
LAND PURCHASE CONTRACTUAL			0.00	
PROPERTY & STRUCTURES INSURANCE			20,868.00	
UTILITY RELOCATION SERVICES			23,258.19	
LAND CAPITAL IMPROVEMENT			4,582.80	
STRUCTURAL CAPITAL IMPROVEMENTS			18,512.58	
BANK ONE (PURCHASED CERTIFICATE)			1,500,000.00	
BANK CALUMET(PURCHASE CERTIFICATE W/LEL FUNDS)			90,056.60	
TOTAL DISBURSEMENTS				2,367,721.64
CASH POSITION - AUGUST 31, 2000				
CHECKING ACCOUNT				
LAND ACQUISITION			428,583.12	
GENERAL FUND			45,565.46	
TAX FUND				
SAND MONEY			120,766.84	
INVESTMENTS				
BANK CALUMET	316,000.00	02/02/2001		
BANK CALUMET	700,000.00	02/02/2001		
BANK ONE	105,116.15	10/04/2000		
BANK CALUMET	92,831.76	01/02/2001		
BANK ONE	12,258.90	01/01/2001		
BANK ONE	1,500,000.00	05/25/2001		
TOTAL INVESTMENTS			2,726,206.81	
ESCROW ACCOUNT INTEREST			20,148.01	
				3,341,270.24

LITTLE CALUMET RIVER FLOOD CONTROL AND RECREATION PROJECT

ACQUISITION AND UTILITY COSTS OCTOBER 2000 TO JUNE 2001

ACQUISITION:

DC 616 Mitigation (29th & Handley)	**= $100,000**
DC 617 Mitigation (Liable & Cline)	**= $200,000**
ERR remaining flowage: (DC 707 $147,000, DC 816 $ 32,000 and approximately 31 lots at $1,000 each)	**= $210,000**
Burr Street Acquisitions: (DC 69 $86,000, DC 576 $60,000, 3 tenant relocations @ $6,300 each, DC 595 $35,000, and DC 69A, 70 $10,000)	**= $209,000**
Woodmar/Wicker Appraisals @ $15,000 + each	**= $ 30,000**
Surveys for V-2, V-3, Vl-1 (V-2 90%completed, additional stages anticipated)	**= $ 50,,000**
Appraisals for V-2, V-3, Vl-1 (includes Tri-State Coach $5,000, 3 hotels $15,000 6 Businesses $ 3,000 each) and ± 49 private lots @ $1,000 $49,000)	**= $ 87,000**
Actual Cost of Easements in Stages V-2, V-3, Vl-1	**= $ unknown**
ANTICIPATED TOTAL ACQUISITION COSTS	**= $ 886,000**

UTILITY RELOCATIONS:

WIND (Cost/Hr) Field Management Currently @ $12,000 + $500/day ongoing	**= $ 12,000**
WIND Grounding Relocations @ cost not-to-exceed	**= $ 37,500**
Ameritech Relocation @ 29th and Stevenson to go overhead	**= $ 17,100**
NIPSCo Relocates for Betterment Levee	**= $120,107**
Marathon Relocates for Betterment Levee	**= $255,000**
E.J.& E. Relocates west of WIND @ $21,000 + approx. $21,000 for NS RR	**= $ 42,000**
NIPSCo/Ameritech Utility Relocations for WIND Tower $23,000 + $14,000	**= $ 37,000**
Oswald Demolition (Emergency Health Hazard)	**= $ 15,200**
ANTICIPATED UPCOMING UTILITY RELCOATIONS/DEMO COSTS	**= $535,907**

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August 22, 2000

Louis M. Casale
Attorney at Law
5201 Fountain Drive – Suite A
Crown Point, IN 46307

In re: Woodmar Country Club – Little Calumet River Basin Development Commission (Flood Control Project)

Dear Lou:

Thanks for your letter of August 18th. I think a complete response may be found in your client's letter to Lake County Trust Company No. 3208, dated August 10, 2000, which I enclose for your examination. I called the telephone number at the bottom of the page (219-763-0696) yesterday afternoon, and Jim Pokerajach (sp?) answered the telephone and said that he'd have Dan Gardner call me today.

The word at the "Country Lounge" in Hobart is that the state and federal government don't have any money.

Lou, we've been getting these hot and cold vibes for at least a dozen years now. We spent a lot of money on appraisers ourselves. We had numerous meetings with representatives of the Little Cal Basin Commission and the U.S. Army Corps of Engineers, as well as support staff. I think we're entitled to know the "true facts", before we spend a lot more time and money. So far the government's position has pretty much been kept under the proverbial "bushel basket". I'll talk to you or meet with you at your convenience.

Very truly yours,

Kenneth D. Reed

KDR:jf
cc: Dan Gardner
Richard Leonhard

Email
Phone
Address

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ATTORNEYS AT LAW
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September 25, 2000

Louis M. Casale
Attorney at Law
5201 Fountain Drive – Suite A
Crown Point, IN 46307

In re: Woodmar Country Club – Little Calumet River Basin Development Commission (Flood Control Project)

Dear Lou:

Enclosed find two drawings of Woodmar Country Club. The large acreage applies to the original Club property, which has existed essentially since 1925. The smaller piece refers to the "railroad property", which we acquired through some form of litigation and negotiation. The quality of our title is such that we have a better claim to the property than anyone else we can see on the horizon. It's about 7 acres in total size, and adjoins the property on the east boundary thereof, along Indianapolis Boulevard and the railroad tracks. Basically, we use a portion of the property for our rather narrow driving range.

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litigation will be disastrous from both sides. We will help you with the Indiana Legislature in any way that we can. Thanks much.

Very truly yours,

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