



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson
Mayor of Gary's
Appointment

EMERSON DELANEY, Vice Chairman
Governor's Appointment

CURTIS VOSTI, Treasurer
Governor's Appointment

ROBERT MARZALEK, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor of Hammond's
Appointment

STEVE DAVIS
Dept. of Natural Resources'
Appointment

ROBERT HUFFMAN
Governor's Appointment

MARK LOPEZ
Lake County Commissioners'
Appointment

JOHN MROCZKOWSKI
Governor's Appointment

DR. MARK RESHKIN
Governor's Appointment

CHARLIE RAY
Porter County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

MEETING NOTICE

**THERE WILL BE A MEETING OF THE
LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION
AT 6:00 P.M. WEDNESDAY, FEBRUARY 4, 2004
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 Chairperson Arlene Colvin
2. Pledge of Allegiance
3. Recognition of Visitors and Guests
4. Approval of Minutes of January 7, 2004
5. Chairperson's Report
 - Committee assignment distribution
6. Executive Director's Report
 - Report on Work Study Session with Highland officials – February 2
 - Letter to COE regarding 2 acres of mitigation land for Griffith Cady Marsh project
7. Outstanding Issues

1-4

5-8

9

Phil
Gardner
Sandy
Dan Lopez
John
Steve
Kasey

Anthony

no longer on
Commission
Close out his
per diem (mileage?)

8

8. Standing Committees

A. Finance Committee – Committee Chairman ~~Curt Vasek~~

- Financial status report
- Approval of claims for January 2004
- Report of Finance Committee
 - 2004 contracts for NIRPC administrative services, contract employees, legal services with Lou Casale, and engineering services with R. W. Armstrong Co.
- Approval of O&M claim

10
11-12

B. Land Acquisition/Management Committee – Arlene Colvin, Chairperson

Land Acquisition

- Appraisals, offers, acquisitions, recommended actions
- Issues for Discussion

Land Management

- Ironwood Pump Station meeting on January 21
- Issues for Discussion

C. Operation & Maintenance – Committee Chairman Bob Huffman

- Letter from COE to Jim Meyer regarding O&M issue
- Issues for Discussion

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D. Environmental Committee – Committee Chairman Mark Reshkin

- Mitigation status of Hobart Marsh area
- Issues for Discussion

E. Legislative Committee – Committee Chairman George Carlson

- Issues for Discussion

F. Project Engineering Committee – Committee Chairman Bob Huffman

- Engineering Committee meeting held February 2 regarding engineering issues, professional services contracts
- Issues for Discussion

14

G. Recreational Development Committee – Committee Chairman Emerson Delaney

- Issues for Discussion

H. Marina Development Committee – Committee Chairman Emerson Delaney

- Issues for Discussion

I. Policy Committee – Committee Chairman George Carlson

- Issues for Discussion

J. Public Relations Committee – Committee Chairman Bob Marszalek

- Issues for Discussion

9. Other Issues/New Business

10. Statements to the Board from the Floor

11. Set date for next meeting

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, JANUARY 7, 2004
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairperson Arlene Colvin called the meeting to order at 6:10 p.m. Eleven (11) Commissioners were present. Pledge of Allegiance was recited. Guests were recognized.

Development Commissioners:

Arlene Colvin
Robert Huffman
Mark Reshkin
George Carlson
Mark Lopez
Charlie Ray
Bob Marszalek
Curt Vosti
Steve Davis
Emerson Delaney
John Mroczkowski

Visitors:

Kelsee Waggoner – Congressman's Office
Carmen Samara
Imad Samara – COE
Louise Karwowski – Sierra Club
Sean Fahey – IDNR
Lynn Gralik
Phil Gralik – R. W. Armstrong Company

Staff:

Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos
Lorraine Kray

The minutes of the December 3, 2003 meeting were approved by a motion from Bob Marszalek; motion seconded by John Mroczkowski; motion passed unanimously.

Chairperson's Report – Chairperson Arlene Colvin asked the Nominating Committee for their report. Chairman of the Committee George Carlson presented a slate of officers for 2004. They were:

Chairperson –	Arlene Colvin
Vice Chairman –	Robert Marszalek
Treasurer –	Mark Lopez
Secretary –	John Mroczkowski

Mr. George Carlson proceeded to make a motion nominating Arlene Colvin for a second year as Chairperson; motion seconded by Curt Vosti; there being no other nominations, the motion passed unanimously.

Mr. Carlson then made a motion nominating Robert Marszalek for Vice Chairman; motion seconded by Mark Lopez; there being no other nominations, the motion passed unanimously.

Mr. Carlson then made a motion nominating Mark Lopez as Treasurer; motion seconded by Robert Marszalek; there was one abstention by Curt Vosti; there being no other nominations, the motion passed.

Mr. Carlson then made a motion nominating John Mroczkowski as Secretary, motion seconded by Robert Marszalek; there being no other nominations, the motion pass unanimously.

• Mr. Vosti addressed the Board with his concerns of how the nominating of officers process took place. He was originally approached by the Nominating Committee and asked to serve as Chairman, of which he said yes. He ultimately withdrew his name as Chairman because of two fellow Commissioners questioning his appointment status and his now-severed relationship with the new Hammond administration, although he stated they never approached him

directly. He expressed disappointment in how this government process worked and felt it was detrimental to the Commission. Commissioners have always continued to serve on the Commission, even with expired terms, until either reappointed or replaced. Although he has a great desire to continue serving on the Commission, he feels that his appointment is now questionable. Fellow Commissioner Mark Lopez, who is a member of the Nominating Committee, stated that he personally had a problem with nominating a Commissioner with a lapsed term to an office, especially the Chairmanship, and wanted it to be a condition to the offices that the Commissioner be in good standing. Mr. Carlson went on to say that out of 11 members, only five (5) appointments were valid. This placed an extreme hardship on the Nominating Committee to present a slate of officers. Ultimately, the officers just newly elected all have valid terms. Chairperson Arlene Colvin addressed the Board by saying that the situation is over and she hopes that the Commission can move forward in a solid unified manner and put all this behind them. Commissioner Vosti stated that he would like to see that, too; he just felt he needed to inform all Board members of his position on the matter.

Executive Director's Report – Mr. Gardner referred to the FEMA application filed by the Corps of Engineers. He was happy that we've met our own internal deadline of filing by the end of the year. The Commission has signed as applicant and has paid the \$4500 application fee amount. We are moving forward and we are hopeful that the minimum of 90 days for processing will be met. Imad Samara stated that Burr Street II does not have to be completed before Gary can come off the floodplain. Discussion then ensued whether Grant and Broadway highways ramps have to be completed.

- Mr. Gardner referred to a letter from the Congressman to the town of Griffith in which it states that the Griffith tieback levee must be certified before Griffith and Gary can be removed from the floodplain.
- Mr. Gardner referred to the INDOT letter sent to the COE in which it states that a total of almost \$4 million can be used as highway credit. This dollar amount is considerably less than the \$19 million originally talked about. They are continuing to work to re-check the figures that are documented eligible before final acceptance.
- Mr. Gardner referred to several letters in the agenda packet regarding a resident contacting the Congressman's office questioning floodplain removal on property he owns in Munster. Unfortunately, that property is in Stage VIII, which is the last stage of construction in the west reach. Mr. Gardner will follow up with information to the projected schedule.

Outstanding Issues – Mr. Gardner referred to the letter that the attorney has sent to Joseph Askew requesting him to vacate Commission property within 30 days or legal action may be necessary.

Finance Committee – Curt Vosti gave the financial report. He referred to the financial status sheet and current claims and proceeded to make a motion approving the claims for the month of December; motion seconded by Mark Lopez; motion passed unanimously. Mr. Vosti stated that the Finance Committee met December 17 in which the Committee addressed what action was needed regarding finance issues.

- Mr. Vosti went on to summarize several items discussed at the Finance Committee meeting. The first item was the NIRPC contract for administrative services for 2004. He addressed that LCRBDC will be charged 20% for Dan Gardner's time for the period of at least 3 months, while he is serving as Interim Director of NIRPC. The proposed contract also addresses his time at 50%. During the interim period of 20% LCRBDC time, staff felt confident that they could handle the additional 30% time themselves, with no need to hire anyone at this point in time. Mr. Vosti had asked Sandy Mordus to prepare a list of duties that the additional 30% would encompass and any items that could not be handled by staff. He asked that the memo be shared with all Board members. Also discussed was the fact that several CD's will be due in April and the Finance Committee will be reviewing income and revenue to determine how much of the CD would be needed in the budget. He also discussed a proposed 5% increase for independent contractors, as well as a bonus for Dan Gardner and Sandy Mordus based on past performance.
- Additionally, Mr. Vosti proposed that the money the Commission is saving with Dan Gardner going from 50% LCRBDC time down to 20% LCRBDC time, be divided equally between Sandy Mordus, Jim Pokrajac, and Judy Vamos – the reasoning being that they would be the ones picking up more workload. Discussion ensued. Mr. Vosti did not know the exact amount of money it would be. Commissioners Bob Huffman and Mark Reshkin thought this should be addressed after additional work was done – not before. Other Board members agreed.

- Commissioners Steve Davis and Mark Lopez questioned how 5% was derived at for the increase for the independent contractors. Mr. Gardner went on to explain that the amount of work that is being done by so few people is tremendous and that we have good people in place and they should be awarded accordingly; quality people need to be kept. Amounts of pay increases in the past has always varied from year to year, with last year being 3%. Staff is still working hard toward Stage VI acquisition and Mr. Gardner stated that the level of work needs to remain high. Mr. Delaney added that the people in place have been here awhile and that is important to the project. Over 1,400 parcels of property are being acquired, by far the most ambitious project in the state. Mark Reshkin added that he had no problem with it but it should not be an automatic 5% increase every year. His problem has been aimed more at the high overhead that NIRPC is charging. Mr. Gardner emphasized that we have a committee structure in place to review all facts and information before they are comfortable with making a recommendation to the full Board. Bob Marszalek agreed that is why we have committees – to review everything to their satisfaction and then come to the Board for action. Sean Fahey asked whether these increases come out of the administrative or land acquisition budget and Mr. Gardner answered that the contract increases would come out of the land acquisition budget, which means those monies are drawn from the State. Mr. Fahey expressed concern because the State is still not in good shape. Steve Davis added that state employees received a 2% increase. It was questioned whether there are any caps on the engineering contracts. Concerning there were many questions, Mr. Vosti made a motion to table all action and re-visit it next month after further information can be known and continue the existing contracts now in place; motion seconded by Mark Reshkin; motion passed unanimously. Mark Lopez proceeded to make a motion for staff to break out what expenses have been charged by outside contractors; motion seconded by Mark Reshkin; motion passed unanimously.
- Mr. Vosti referred to the proposed budget for 2004 and made a motion approving the budget; motion seconded by Bob Huffman; motion passed unanimously.
- Mr. Vosti made a motion approving 3 claims to be paid out of O&M funds. They were (1) \$1,450 to South Shore Marina for handrail removal on the Portage Public Marina, (2) \$1,750 to C&H Mowing for clearing brush, cutting trees & treating stumps from all headwalls, pump stations & miscellaneous structures for the East Reach area, and (3) \$700 to Don Powers Insurance Agency for renewal of insurance; motion seconded by John Mroczkowski; motion passed unanimously.

Land Acquisition/Land Management Committee – Committee Chairperson Arlene Colvin made a motion for approval to condemn 4 parcels, as a last resort, if agreement cannot be reached with the owners. All parcels are in the Burr Street Phase II area. They are DC69/584, DC69-A, DC582/583 and DC603; motion seconded by Bob Huffman; motion passed unanimously.

- Ms. Colvin then made a motion to continue approval of Chase Street Farm Stand paying lease money in the mount of \$1,700 on a month-to-month basis and waive the back rent due. (This is because of ongoing construction at Grant Street and 35th); motion seconded by Mark Lopez; motion passed unanimously. When construction is complete up to 35th Avenue, we will re-visit this.
- Ms. Colvin also announced that DC1174 (5 acres owned by Hammond Vacant Assoc) has been donated to the LCRBDC. This property is located east of Indianapolis Blvd. and south of the K-Mart building in Hammond.

Operation & Maintenance Committee – Committee Chairman Bob Huffman informed the Commission that R. W. Armstrong Company anticipates a completion of manpower/cost information for the East Reach O&M. A preliminary draft was distributed to all members in the Work Study Session. An O&M Committee meeting will be called soon.

Environmental Committee – Committee Chairman Mark Reshkin reported that the 173 acre parcel option was signed on January 5. The purchase price is \$1,066,400 and it has been requested from the State. TPL has been successful in this endeavor and they are continuing to work on other parcels within the Hobart Marsh area.

Legislative Committee – There was no report.

Project Engineering Committee – Committee Chairman Bob Huffman informed the Board that a pump station progress meeting was held on December 11 with Overstreet to review contracts. The Baring Avenue Pump Station has all pumps operational.

- Mr. Huffman reported that we received a letter from the COE providing information as to what segments of the West Reach can come out of the floodplain after the line of protection is installed. Mr. Gardner added we will be scheduling a meeting to talk about this. Discussion ensued on the Engineering Committee meeting on a regular basis. Staff will follow up.

Recreation Committee – There was no report.

Marina Committee – There was no report.

Policy Committee – There was no report.

Public Relations Committee – There was no report.

Other Issues – There were none.

Statements from the Floor – There were none.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, February 4, 2004



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DR. MARK RESHKIN
Governor's Appointment

CHARLIE RAY
*Porter County Commissioners'
Appointment*

DAN GARDNER
Executive Director

LOU CASALE
Attorney

January 22, 2004

Mr. Mark Herak
Town Council President
Highland Town Council
3333 Ridge Road
Highland IN 46322

Mr. Michael Griffin
Clerk-Treasurer
Town of Highland
3333 Ridge Road
Highland IN 46322

Dear Town Council President Mark Herak and Clerk Treasurer Mike Griffin:

Enclosed please find 2 permanent flood protection levee easements, closure structure easement, flowage easement, and temporary work area easement that will allow Federal levee construction on lands owned by the Town of Highland. These easements are the minimum interest required by the Army Corps of Engineers for construction contracts to be awarded. There is an urgency to this request because the Federal money for construction is currently available, but the COE cannot advertise for construction until the easements are made available. To hold to the Federal construction schedule, the land must be available by the end of March.

I and others of the Development Commission staff are available to brief you and the other Town Council members, and appropriate Highland personnel, regarding the easements needed, the construction details, and the schedule for removing Highland subsequently from the floodplain. We would be available for a work study session or any public meeting that you would require to feel fully comfortable in approving these easements.

The Development Commission requests these easements be approved for donation for two important reasons: (1) this would enable the Development Commission to extend further westward in Highland and Hammond its acquisition program and accomplish more acquisition with the dollars the Indiana General Assembly has made available to us; and (2) this graphically demonstrates to the State Budget Committee and the Indiana General Assembly the active participation of local units of government in financially supporting this project. This pointed request by the State Budget Committee was made at their last hearing in August, and it is the Commission's feeling that positive local governmental participation will demonstrate further the region's commitment to this project.

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Mr. Mark Herak
January 21, 2004
Page 2

Thank you for your active support in the past and your timely consideration of this important request and we stand ready to work with you to bring this project to successful construction in Highland.

The Little Calumet River Basin Development Commission respectfully asks the Town of Highland approve and execute the enclosed five (5) copies each of the easements needed for Federal construction.

If you have any questions, please feel free to call me at your convenience.

Sincerely,



Dan Gardner
Executive Director

/sjm
encl.

cc: John Bach, Highland Public Works
Imad Samara, ACOE
Sean Fahey, IDNR
Arlene Colvin, LCRBDC chairperson
LCRBDC members
Lou Casale, LCRBDC attorney



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January 22, 2004

ARLENE COLVIN, Chairperson
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EMERSON DELANEY, Vice Chairman
Governor's Appointment

CURTIS VOSTI, Treasurer
Governor's Appointment

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DR. MARK RESHKIN
Governor's Appointment

CHARLIE RAY
*Porter County Commissioners'
Appointment*

DAN GARDNER
Executive Director

LOU CASALE
Attorney

Mr. Alex Brown
Superintendent
Highland Parks & Recreation Department
2450 Lincoln Street
Highland IN 46322

Dear Park Superintendent Alex Brown:

Enclosed please find a permanent flood protection levee easement and a temporary work area easement that will allow Federal levee construction on lands owned by the Town of Highland Park Department. These easements are the minimum interest required by the Army Corps of Engineers for construction contracts to be awarded. There is an urgency to this request because the Federal money for construction is currently available, but the COE cannot advertise for construction until the easements are made available. To hold to the Federal construction schedule, the land must be available by the end of March.

I have included a map showing overlaying easements on top of the existing park facilities to illustrate the minimal impact to the permanent recreation facilities in Homestead Park. I believe these required easements can be worked to meet any concerns the Highland Park Department, or Highland Town Council, would have regarding negative impacts to Highland facilities in the long term and during construction.

I and others of the Development Commission staff are available to brief you and your Park Board members, and appropriate Highland personnel, regarding the easements needed, the construction details, and the schedule for removing Highland subsequently from the floodplain. We would be available for a work study session or any public meeting that you would require to feel fully comfortable in approving these easements.

The Development Commission requests these easements be approved for donation for two important reasons: (1) this would enable the Development Commission to extend further westward in Highland and Hammond its acquisition program and accomplish more acquisition with the dollars the Indiana General Assembly has made available to us; and (2) this graphically demonstrates to the State Budget Committee and the Indiana General Assembly the active participation of local units of

Mr. Mark Herak
January 22, 2004
Page 2

government in financially supporting this project. This pointed request by the State Budget Committee was made at their last hearing in August, and it is the Commission's feeling that positive local governmental participation will demonstrate further the region's commitment to this project.

Thank you for your active support in the past and your timely consideration of this important request and we stand ready to work with you to bring this project to successful construction in Highland.

The Little Calumet River Basin Development Commission respectfully asks the Town of Highland Park Department approve and execute the enclosed five (5) copies each of the easements needed for Federal construction.

If you have any questions, please feel free to call me at your convenience.

Sincerely,



Dan Gardner
Executive Director

/sjm
encl.

cc: Highland Park Board members
Mark Herak, Town Council President
John Bach, Highland Public Works
Imad Samara, ACOE
Sean Fahey, IDNR
Arlene Colvin, LCRBDC chairperson
LCRBDC members
Lou Casale, LCRBDC attorney



1. The first part of the paper is devoted to the study of the properties of the function $f(x)$ defined by the equation

$$f(x) = \int_0^x \frac{1}{1+t^2} dt$$

for $x \in \mathbb{R}$. It is shown that $f(x)$ is an odd function and that it satisfies the inequality

$$|f(x)| \leq \frac{\pi}{2} \quad \text{for all } x \in \mathbb{R}.$$

2. In the second part, we consider the function $g(x)$ defined by the equation

$$g(x) = \int_0^x \frac{t}{1+t^2} dt$$

for $x \in \mathbb{R}$. It is shown that $g(x)$ is an even function and that it satisfies the inequality

$$|g(x)| \leq \frac{\pi}{4} \quad \text{for all } x \in \mathbb{R}.$$

3. Finally, we study the function $h(x)$ defined by the equation

$$h(x) = \int_0^x \frac{t^2}{1+t^2} dt$$

for $x \in \mathbb{R}$. It is shown that $h(x)$ is an odd function and that it satisfies the inequality

$$|h(x)| \leq \frac{\pi}{4} \quad \text{for all } x \in \mathbb{R}.$$



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ARLENE COLVIN, Chairperson
Mayor of Gary's
Appointment

January 30, 2004

EMERSON DELANEY, Vice Chairman
Governor's Appointment

CURTIS VOSTI, Treasurer
Governor's Appointment

ROBERT MARSZALEK, Secretary
Governor's Appointment

GEORGE CARLSON
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CHARLIE RAY
Porter County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

Mr. Bob Schwerd
Attorney at Law
2637 -- 45th Street
Highland, Indiana 46322

Dear ^{Bab} Mr. Swerd:

I am responding to a letter you had sent to me a number of months ago regarding the possibility of the Little Calumet River Basin Development Commission making two (2) acres of suitable land available for mitigation required as part of the Cady Marsh Ditch project with the U.S. Army Corps of Engineers. As I had indicated, we have been pursuing an analysis of the properties along the corridor that we control with respect to potential for possible mitigation projects and restoration, and I now feel we are able to make that commitment you requested. This letter commits two (2) acres of property owned by the Development Commission and deemed suitable for your mitigation needs by the U.S. Army Corps of Engineers in an area located south of the Little Calumet River and between Clark Road and Chase Street. A general map is included in the area I have described. The Development Commission stands ready to work with the town of Griffith, the U.S. Army Corps of Engineers, the Department of Natural Resources, and your consultant to specifically define the boundaries that best suits both our needs. I am copying this letter to the COE as well as the Congressional office and hope this helps to move the Cady Marsh Ditch project forward and meet the requirements needed by the town of Griffith.

Sincerely,


Dan Gardner
Executive Director

/sum
encl.

cc: Congressman Visclosky's Office
Imad Samara, USACOE
Stan Dobis, Griffith Town Council
Dennis Zebel, Lawson-Fisher

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
FINANCIAL STATEMENT
JANUARY 1, 2002 - DECEMBER 31, 2003

CASH POSITION - JANUARY 1, 2003

CHECKING ACCOUNT		
LAND ACQUISITION	134,776.87	
GENERAL FUND	43,780.09	
TAX FUND	0.00	
INVESTMENTS	958,000.00	
SAVINGS	315,341.09	
ESCROW ACCOUNT INTEREST	1,015.16	
		<u>1,452,913.21</u>

RECEIPTS - JANUARY 1, 2003 - DECEMBER 31, 2003

LEASE RENTS		59,752.44
LEL MONIES (SAVINGS)		
INTEREST INCOME (FROM CHECKING & FIRST NAIL)		28,837.07
LAND ACQUISITION		546,782.30
ESCROW ACCOUNT INTEREST		369.23
MISC. RECEIPTS		42,312.34
CASALE, WOODWARD & BULS	385.00	
CHICAGO TITLE	485.00	
SAFECO INSURANCE	6,108.63	
TICOR	385.00	
MERIDIAN TITLE CORP	32,859.45	
G. W. BERKHEIMER	1,755.05	
NPS CO	14.21	
KENNETH REED	300.00	
B. GOAD (BANK CHARGE)	20.00	
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE		1,372.29
TRANSFERRED FROM SAVINGS		97,350.14
PROCEEDS FROM VOIDED CHECKS		228.92
CK# 7798 MARION WILLIAMS	2.80	
CK# 7814 MARION WILLIAMS	50.00	
CK# 7853 D.M.S. INC	176.12	
TOTAL RECEIPTS		<u>777,004.73</u>

DISBURSEMENTS - JANUARY 1, 2002 - DECEMBER 31, 2003

ADMINISTRATIVE		
2001 EXPENSES PAID IN 2002	119,002.99	
PER DIEM		7,950.00
LEGAL SERVICES		4,524.96
NIRPC		139,563.64
TRAVEL & MILEAGE		1,262.30
PRINTING & ADVERTISING		2,160.16
BONDS & INSURANCE		6,429.00
TELEPHONE EXPENSE		5,642.16
MEETING EXPENSE		1,051.58
LAND ACQUISITION		
LEGAL SERVICES		79,447.76
APPRAISAL SERVICES		55,275.00
ENGINEERING SERVICES		45,693.36
LAND PURCHASE CONTRACTUAL		83,234.00
FACILITIES/PROJECT MAINTENANCE SERVICES		0.00
OPERATIONS SERVICES		4,500.00
LAND MANAGEMENT SERVICES		204,576.60
SURVEYING SERVICES		12,910.00
MISCELLANEOUS EXPENSES		0.00
ECONOMIC/MARKETING SOURCES		0.00
PROPERTY & STRUCTURE COSTS		47,469.67
MOVING ALLOCATION		0.00
TAXES		6,842.85
PROPERTY & STRUCTURES INSURANCE		200.00
UTILITY RELOCATION SERVICES		25,138.09
LAND CAPITAL IMPROVEMENT		0.00
STRUCTURAL CAPITAL IMPROVEMENTS		2,484.00
BANK CHARGES MERCANTILE		94.05
PASS THROUGH FOR SAVINGS		115,565.90
TOTAL DISBURSEMENTS		<u>852,015.08</u>

CASH POSITION - DECEMBER 31, 2003

CHECKING ACCOUNT		
LAND ACQUISITION		72,756.84
GENERAL FUND		30,420.54
TAX FUND		0.00
TOTAL FUNDS IN CHECKING ACCOUNT		<u>103,177.38</u>
TOTAL INVESTMENTS	958,000.00	
FIRST NATIONAL BANK	700,000.00	4/26/2004
(BASE CAPITAL INVESTMENT)		
FIRST NATIONAL BANK	258,000.00	4/26/2004
(MISC INTEREST/RENTAL INVESTMENT)		
BANK ONE SAVINGS ACCOUNT BALANCE		274,854.48
(LEL MONEY)	140,102.15	
(MARINA SAND MONEY)	133,721.49	
(STATE DRAW MONIES)		
(GARY PARKS & REC MONIES)		
SAVINGS INTEREST	1,030.84	
TOTAL INVESTMENTS & SAVINGS		<u>1,232,854.48</u>
ESCROW ACCOUNT INTEREST AVAILABLE		<u>1,384.39</u>
TOTAL OF ALL ACCOUNTS		<u>1,337,416.25</u>

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

MONTHLY BUDGET REPORT, JANUARY 2004

	2004							9 MONTH	UNALLOCATED
	BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	ALLOCATED	BUDGETED
								TOTAL	BALANCE
5801 PER DIEM EXPENSES	15,000.00	0.00						0.00	15,000.00
5811 LEGAL EXPENSES	8,500.00	418.33						418.33	8,081.67
5812 NIRPC SERVICES	130,000.00	10,336.79						10,336.79	119,663.21
5821 TRAVEL/MILEAGE	10,000.00	35.36						35.36	9,964.64
5822 PRINTING/ADVERTISING	5,000.00	0.00						0.00	5,000.00
5823 BONDS/INSURANCE	8,000.00	0.00						0.00	8,000.00
5824 TELEPHONE EXPENSES	7,000.00	121.98						121.98	6,878.02
5825 MEETING EXPENSES	8,000.00	2,926.81						2,926.81	5,073.19
5840 PROFESSIONAL SERVICES	650,000.00	50,657.93						50,657.93	599,342.07
5860 PROJECT LAND PURCHASE EXP.	4,073,177.00	0.00						0.00	4,073,177.00
5881 PROPERTY/STRUCTURE INS.	25,000.00	0.00						0.00	25,000.00
5882 UTILITY RELOCATION EXP.	200,000.00	73.92						73.92	199,926.08
5883 PROJECT LAND CAP. IMPROV.	25,000.00	0.00						0.00	25,000.00
5884 STRUCTURES CAP. IMPROV.	25,000.00	0.00						0.00	25,000.00
5892 PROJECT COSTSHARE/ESC ACCT	400,000.00	0.00						0.00	400,000.00
	5,189,677.00	64,571.12	0.00	0.00	0.00	0.00	0.00	64,571.12	5,125,105.88

	2004							9 MONTH	UNALLOCATED
	BUDGET	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	ALLOCATED	BUDGETED
								TOTAL	BALANCE
5801 PER DIEM EXPENSES	15,000.00							0.00	15,000.00
5811 LEGAL EXPENSES	8,500.00							418.33	8,081.67
5812 NIRPC SERVICES	130,000.00							10,336.79	119,663.21
5821 TRAVEL/MILEAGE	10,000.00							35.36	9,964.64
5822 PRINTING/ADVERTISING	5,000.00							0.00	5,000.00
5823 BONDS/INSURANCE	8,000.00							0.00	8,000.00
5824 TELEPHONE EXPENSES	7,000.00							121.98	6,878.02
5825 MEETING EXPENSES	8,000.00							2,926.81	5,073.19
5840 PROFESSIONAL SERVICES	650,000.00							50,657.93	599,342.07
5860 PROJECT LAND PURCHASE EXP.	4,073,177.00							0.00	4,073,177.00
5881 PROPERTY/STRUCTURE INS.	25,000.00							0.00	25,000.00
5882 UTILITY RELOCATION EXP.	200,000.00							73.92	199,926.08
5883 PROJECT LAND CAP. IMPROV.	25,000.00							0.00	25,000.00
5884 STRUCTURES CAP. IMPROV.	25,000.00							0.00	25,000.00
5892 PROJECTCOSTSHARE/ESC ACCT	400,000.00							0.00	400,000.00
	5,189,677.00	0.00	0.00	0.00	0.00	0.00	0.00	64,571.12	5,125,105.88

CLAIMS PAYABLE FOR JANUARY 2004

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5811	CASALE, WOODWARD & BULS LLP	283.33	MONTHLY RETAINER FOR MONTH OF JANUARY
5811	CASALE, WOODWARD & BULS LLP	135.00	ADDITIONAL LEGAL SERVICES THROUGH 1/28/04
5812	NIRPC	10,093.77	SERVICES PERFORMED DECEMBER 2003
5812	KRAMER & LEONARD	122.65	OFFICE SUPPLIES
5812	J. P. COOKE	36.15	PERSONALIZED STAMPER FOR MARK LOPEZ, TREASURER
5812	UNITED PARCEL SERVICE	27.69	OVERNIGHT MAIL
5812	UNITED PARCEL SERVICE	14.21	OVERNIGHT MAIL
5812	UNITED PARCEL SERVICE	27.69	OVERNIGHT MAIL
5812	UNITED PARCEL SERVICE	14.63	OVERNIGHT MAIL
5821	SANDY MORDUS	35.36	MILEAGE 1/5/04-1/26/04
5824	VERIZON	121.98	BILLING PERIOD 1/16/04-2/26/04(TOTAL BILL 234.60, KRBC 112.62)
5825	SAND RIDGE BANK	74.14	12/17/03 FINANCE COMMITTEE MEETING EXPENSE
5825	SAND RIDGE BANK	20.62	1/22/04 EXPENSE INCURRED FOR 1/22/04 BRIEFING FOR TREASURER
5825	SAND RIDGE BANK	2,832.05	EXPENSES INCURRED 1/7/04 FOR YEAR END JAN BOARD MEETING
5841	ASSOCIATED PROPERTY COUNSELORS LTD	3,500.00	APPRAISAL FEE FOR DC-1010B & DC-1010D
5841	ASSOCIATED PROPERTY COUNSELORS LTD	3,000.00	APPRAISAL FEE FOR DC-1014
5841	ASSOCIATED PROPERTY COUNSELORS LTD	5,000.00	APPRAISAL FEE FOR DC-1014A
5841	ASSOCIATED PROPERTY COUNSELORS LTD	2,000.00	APPRAISAL FEE FOR DC-1022-1024(OAK BROOK METRO)
5841	PROFESSIONAL APPRAISAL SERVICES LLC	3,500.00	APPRAISAL FEE FOR DC-59
5841	ROBERT METZ	750.00	COURT ORDERED APPRAISAL FOR DC-1011C
5841	HAROLD L. WHEELER	750.00	COURT ORDERED APPRAISAL FOR DC-1011C
5841	TONY ZALESKI JR	750.00	COURT ORDERED APPRAISAL FOR DC-1011C
5843	STEWART TITLE SERVICES OF NORTHWEST	85.00	TITLE WORK FOR DC-1014
5843	STEWART TITLE SERVICES OF NORTHWEST	355.00	TITLE WORK FOR DC-1155
5843	STEWART TITLE SERVICES OF NORTHWEST	355.00	TITLE WORK FOR DC-1156
5843	STEWART TITLE SERVICES OF NORTHWEST	355.00	TITLE WORK FOR DC-1157
5843	STEWART TITLE SERVICES OF NORTHWEST	355.00	TITLE WORK FOR DC-1158
5843	STEWART TITLE SERVICES OF NORTHWEST	355.00	TITLE WORK FOR DC-1159
5843	STEWART TITLE SERVICES OF NORTHWEST	355.00	TITLE WORK FOR DC-1160
5843	MERIDIAN TITLE CORPORATION	275.00	TITLE WORK FOR DC-69
5843	MERIDIAN TITLE CORPORATION	285.00	TITLE WORK FOR DC-320
5843	MERIDIAN TITLE CORPORATION	285.00	TITLE WORK FOR DC-360
5843	TICOR TITLE INSURANCE COMPANY	85.00	TITLE WORK FOR DC-1010B
5843	TICOR TITLE INSURANCE COMPANY	885.00	TITLE WORK FOR DC-572
5843	TICOR TITLE INSURANCE COMPANY	385.00	TITLE WORK FOR DC-1142
5843	TICOR TITLE INSURANCE COMPANY	385.00	TITLE WORK FOR DC-1147
5843	CHICAGO TITLE INSURANCE COMPANY	600.00	TITLE WORK FOR DC-1001
5843	CHICAGO TITLE INSURANCE COMPANY	400.00	TITLE WORK FOR DC-1030
5843	CHICAGO TITLE INSURANCE COMPANY	385.00	TITLE WORK FOR DC-1000
5843	CHICAGO TITLE INSURANCE COMPANY	400.00	TITLE WORK FOR DC-1004
5843	INDIANA TITLE NETWORK COMPANY	2,100.00	TITLE WORK FOR DC-1148-DC-1154
5844	JAMES E POKRAJAC	4,807.00	ENGINEERING SERVICES 12/16/03-12/31/03
5844	JAMES E POKRAJAC	138.04	DECEMBER MILEAGE
5844	JAMES E POKRAJAC	4,336.75	ENGINEERING SERVICES 1/2/04-1/15/04
5844	JUDITH VAMOS	2,556.80	LAND ACQUISITION AGENT SERVICES 12/16/03-12/31/03
5844	JUDITH VAMOS	29.96	DECEMBER MILEAGE
5844	JUDITH VAMOS	3,158.40	LAND ACQUISITION AGENT SERVICES 1/2/04-1/15/04
5844	LORRAINE KRAY	883.60	CREDITING TECHNICIAN/LAND ACQUISITION ASST 12/16/03-12/31/03
5844	LORRAINE KRAY	874.20	CREDITING TECHNICIAN/LAND ACQUISITION ASST 1/2/04-1/15/04
5844	SANDY MORDUS	98.00	CREDITING TECHNICIAN SERVICES 12/16/03-12/31/03
5844	SANDY MORDUS	183.75	CREDITING TECHNICIAN SERVICES 1/6/04-1/15/04
5849	CASALE, WOODWARD & BULS LLP	5,656.43	LAND ACQUISITION/LEGAL SERVICES FOR PERIOD ENDED 1/26/04
5882	NIES	73.92	UTILITY RELOCATION ASSISTANCE SVI-II

TOTAL

64,571.12



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

January 11, 2004

James B. Meyer
MEYER & WYATT, P.C.
363 South Lake Street
Gary, IN 46403

Dear Mr. Meyer,

This letter will confirm the Little Calumet River Flood Control and Recreation Project's (LCR) commitment to install any IDEM required end-of-pipe disinfections device for meeting the Phase II Storm Water regulations to reduce the pollutants discharged. As you are aware, the project is constructing two pump stations under the Stage III Remediation construction contract. If IDEM requires that these devices be installed at the outlets of these stations, the COE will modify the contract to install these devices, or install them under a different contract. The cost of installing these devices will be funded by the LCR federally funded project.

As you know the Grant Street Road Improvement Project being constructed by the City of Gary and INDOT was modified to install one of these devices. I did get a copy of the modification, which included the disinfections device specifications and configurations. I also had a discussion with Jay Niece from Greeley and Hansen regarding these devices. Jay informed me that he is developing a package for the COE regarding the different manufacturers that provide these devices. As soon as I receive this package I will forward it to our technical personal for their review and evaluation. We will continue to coordinate this with your office and the Gary Sanitary District (GSD) consultant Greeley and Hansen.

I hope this letter will help resolve the issue regarding GSD taking ownership to the two pump stations mentioned above. As you know, for NIPSCO to provide power the owner of these pump stations has to provide the request. The construction contractor of these pumps has informed us that he is being delayed and if this is not resolved soon the project will endure delay costs. The contractor installed the necessary equipment and because there is no power the equipments cannot be tested. Please give this matter your utmost attention and if you have any questions please call me at 312-846-5560 or on my cell 312-860-0123.

Sincerely Yours,

Imad N Samara
Project Manager



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson
*Mayor of Gary's
Appointment*

EMERSON DELANEY, Vice Chairman
Governor's Appointment

CURTIS VOSTI, Treasurer
Governor's Appointment

ROBERT MARSZALEK, Secretary
Governor's Appointment

GEORGE CARLSON
*Mayor of Hammond's
Appointment*

STEVE DAVIS
*Dept. of Natural Resources'
Appointment*

ROBERT HUFFMAN
Governor's Appointment

MARK LOPEZ
*Lake County Commissioners'
Appointment*

JOHN MROCZKOWSKI
Governor's Appointment

DR. MARK RESHKIN
Governor's Appointment

CHARLIE RAY
*Porter County Commissioners'
Appointment*

DAN GARDNER
Executive Director

LOU CASALE
Attorney

TO: Engineering Committee members Bob Huffman,
Mark Lopez, Charlie Ray, and Mark Reshkin
All other Commission members Arlene
Colvin, Curt Vosti, Bob Marszalek, George
Carlson, Steve Davis, Emerson Delaney, John
Mroczkowski,
Attorney Lou Casale

FROM: Dan Gardner, Executive Director

SUBJECT: Engineering Committee Issues Meeting

DATE: Monday, February 2, 2004

ENGINEERING COMMITTEE MEETING

5:00 P.M. MONDAY

February 2, 2004

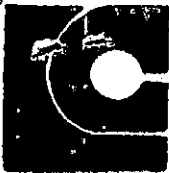
LCRBDC OFFICE

The purpose of this meeting is to allow discussion time on engineering contracts and fees charged to the Commission; past history of how engineering firms are chosen; cost containment; and policy issues associated with the Little Calumet River Flood Control/Recreation project.

The meeting will also address several ongoing current technical issues.

The meeting will also discuss finance action that will be taken at the Commission Board meeting on February 4.

All Commissioners all encouraged to attend. The meeting will be properly noticed to comply with the Open Door law.



WORK STUDY SESSION
ENGINEERING COMMITTEE

February 4, 2004

Bob Huffman, Committee Chairman

1. An Engineering Committee meeting was held on February 2 to discuss engineering issues and professional services contracts.
2. Columbia Avenue bridge raising
 - A letter was sent to the COE on January 22 (See page 6 of attachments in Engineering report) requesting evaluation of raising the bridge to allow segments of Hammond to come out of the floodplain.
 - We received an e-mail response from the COE on February 2 indicating approximately 2000 feet of roadway needs to be raised approximately 5'.
 - Roadway and driveway access problems exist.
3. A progress meeting was held with the COE and their contractor (Overstreet) for pump station contracts on January 15, 2004. (See pages 12-15 and 25-27 of attachments to Engineering report).
 - North 5th Street pump station is 98% complete and the preliminary inspection is completed.
 - Pump station 1A has been evaluated by the COE and a letter is being sent with suggestions of how overruns and delays may be avoided in future contracts.

Sandy Mordus

From: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
To: "Little Calumet (E-mail)" <littlecal@nirpc.org>
Sent: Monday, February 02, 2004 3:20 PM
Subject: FW: Letter from Little Cal Commission regarding raising of Columbia Avenue Bridge

Dan, I'm giving you this unofficially just incase you discuss this tonight.

Imad Samara
Acting Chief Project
Management Branch
111 N Canal Street
Chicago IL 60606
(W) 312-846-5560
(Cel) 312-860-0123

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

From: Ackerson, Rick D LRC
Sent: Tuesday, January 27, 2004 3:09 PM
To: Samara, Imad LRC
Cc: Davis, Susanne J LRC
Subject: Letter from Little Cal Commission regarding raising of Columbia Avenue Bridge

Imad,

I got a letter today from the Commission about possibly raising Columbia Avenue to get more residents out of the flood plain. Raising only the bridge will do little to remove homes from the flood plain. We also have to be careful not to raise stages downstream in Illinois. If the bridge is raised we would need to insure that downstream stages are not increased in Illinois (Illinois has a 0.044 ft maximum allowable stage increase limit).

If Columbia Avenue were raised on the south side of the river to provide a tieback (approximately 2000 ft raised up about 5 ft. above the existing roadway), construction through stage VII would remove homes on the south side of the river between Hart Ditch and Columbia Avenue, however, this would not be feasible with all the driveway and cross street access problems that would be caused by either raising the road or adding a wall down the middle of Columbia Avenue.

Sue said that raising Columbia to try to eliminate the closure structures was looked at before and there were road and driveway access problems with raising the bridge alone even without a tieback.

Let me know if there are any questions.

Rick

2/2/2004

PROJECT ENGINEERING MONTHLY STATUS REPORT

For meeting on Wednesday, February 4, 2004

(Information in this report is from January 3, 2004 – January 28, 2004)

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

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

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

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

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

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

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

1. Rausch Construction started on November 20th, 1995. (Construction is now completed)
 - Current contract amount - \$3,288,101.88
 - Original contract amount - \$3,293,968.00
 - Amount overrun – current contract is under COE estimate.
2. A final inspection with the LCRBDC and the COE was held on December 18th, 2002.
LCRBDC received O&M Manuals & inspection was found to be completed as per plans & specifications.
 - Awaiting “as-built” drawings.Contractor is relieved from any further contractual responsibilities.
3. Refer to monthly contract status report (Handout)

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

1. WEBB Construction was the contractor.
 - Original contract amount - \$3,451,982.36.
 - Current contract amount - \$3,915,178.36
 - Amount overrun - \$463,196 (13%)

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

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

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

1. Projected date to advertise – April, 2004
2. Projected construction start – June, 2004
3. Anticipated construction cost \$1,787,000.

4. Kickoff meeting held with Chicago COE & A/E (St. Paul Army Corps District) on December 5th, 2002.
5. LCRBDC received 50% plans for review and comment.
 - General comments were submitted to the COE on September 22, 2003, indicating more detail would be put in for the next review when we receive more detail.
6. **An e-mail was sent to the COE on January 16, 2004 requesting their consideration to allow Professor Spencer Cortwright from I.U.Northwest permission to do a controlled burn is Stage II-3B, North of I.U.N.**
7. Refer to COE monthly contract status report. (Handout)

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

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

STATUS (Stage III) Chase to Grant Street:

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

STAGE III Drainage Remediation Plan:

1. The bid opening was September 10, 2002
 - A. The contractor is Dyer Construction
 - Contract was awarded on September 30, 2002
 - Construction started February, 2003
 - Anticipated completion February, 2004.
 - B. Project money status:
 - Original contract estimate - \$1,695,822
 - Original contract amount - \$1,231,845
 - Current contract amount - \$1,301,801
 - C. COE estimates approx. \$1 million to do this work. \$800,000 for ditches and pumps, \$50,000 to engineer an 18,500 GPM pump station west of Grant Street. The remainder will be applied toward work with the city of Gary.
2. The scope of this project is to include the following:
 - A. Lift stations West of Grant to remediate drainage problems due to Stage III construction.
 - B. East Reach remediation lift station for interior drainage.
 - C. Extending the combination sewer, East of Grant St., North to our line of protection.
3. A meeting was held on September 16th, 2003, with NIPSCO, LCRBDC, COE, Dyer Construction and their electrical contractor.
 - A. NIPSCO completed cost estimates for electrical drops and supply west of Grant and west of Marshalltown (to serve both pump stations.). These were forwarded to the City of Gary on September 18th, 2003. (Need Gary to sign off as owner.)
 - **A meeting was held by the Stormwater Management Board of Directors on January 13, 2004. A motion was made and approved to sign off on the NIPSCO agreement for electric service for the Grant Street south Pump Station**
4. A letter was sent to the COE on January 26 addressing a concern of the build-up of an access roadway from Grant, westward to the new lift station.
 - **This roadway is 8'-10' high and bisects potential land for development south of the Flying J.**
5. Refer to COE monthly contract status report (Handout)

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

1. IV-1 (North) The drainage system from Colfax to Burr St. North of the Norfolk Southern RR.
 - Current contract amount - \$2,956,964.61
 - Original contract amount - \$2,708,720.00
 - Amount overrun - \$248,244.60 (9%)
2. We received “as built” drawings from the COE on March 13th, 2002. The only item needed to be completed is to assure turf growth in all areas. **(This will be inspected in the spring)**
3. We received a response from the COE on January 7th, 2003, addressing vegetation.
 - Current plantings are for erosion control that will give way to native grasses. Native grasses weren’t planned on this contract, but will be part of the upcoming landscaping II contract.
 - LCRBDC has a concern with sloughing in the concrete ditch bottom between Colfax and Calhoun.

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

1. Dyer Construction was low bidder. Given 450 days to complete
 - Current contract amount - \$4,285,345
 - Original contract amount – 3,862,737
 - Amount overrun - \$422,608 (11%)
2. An inspection was held with Dyer Construction/COE/LCRBDC on December 18th, 2002.
 - The inspection was found to be satisfactory as per plans and specifications, and the contractor is relieved of any further contractual responsibilities.
 - The LCRBDC received O&M Manuals, “as-built” drawings on the day of inspection.
3. Refer to COE monthly construction status report (Handout)

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

1. Dyer Construction – 100% complete.
 - Current contract amount - \$3,329,463.66
 - Original contract amount - \$2,473,311.50
 - Amount overrun - \$856,152 (34%)
2. The North Burr St. stormwater pumping station has been completed.
 - A. LCRBDC requested phase indicator system for generator plug-in. This **is being** done as part of the Stage III Remediation contract.
 - Awaiting as-built drawings.
3. The final inspection was held on December 18th, 2002, with the COE, Dyer & LCRBDC and found to be satisfactory as per plans and specifications.
 - We received O&M Manuals and the hand held programmer on December 18th, 2002
4. Refer to COE monthly contract status report.(Handout)

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

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

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

1. The bid opening was held on May 9th, 2000
 - The low bidder is Dyer Construction.
 - Current contract amount - \$2,228,652.16
 - Original contract amount - \$2,074,072.70
 - Amount overrun - \$113,604.62 (6%)
2. The drainage ditch north of the Mansards is having sloughing problems that should be corrected when Burr St. Phase II is completed.

STATUS (Betterment Levee – Phase 2) Colfax to Burr St., the 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. The projected government estimate for this project is approx. \$3.6 million.
 - The City of Gary has agreed to commit \$1.4 million to this project, which will be available by February, 2004. This will allow utility re-locations to begin.
2. A letter was sent to Wolverine Pipeline on July 18, 2003 requesting coordination for utility re-locates for their two (2) 16" pipelines.
3. A conference call was held on September 9th, 2003, with the COE, City of Gary, and the LCRBDC to preliminarily discuss coordination regarding the City of Gary request for city ordinance compliance.
 - Tentative schedule – **February 2004** for review of plans; advertise **May 2004**; start construction summer 2004; and construction completion late 2004.

STATUS (Stage V Phase 1) Wicker Park Manor:

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

STATUS (Stage V Phase 2):

1. A meeting was held with the LCRBDC and the COE on May 14, 2003 to discuss revised scheduling with the recent appropriation from the State.
 - A. We considered breaking up Stage V-2 into (2) segments as follows:
 - Stage V-2A (Kennedy to Indianapolis Blvd.)
 - Stage V-2B (Indianapolis Blvd. to Northcote)
 - A letter was sent to the COE on June 5 requesting division of V-2 into (2) segments & also hydrology data and recreational tie-in. (Response is ongoing.)
Dependent on remaining money from VI-1 acquisition.
 - B. A revised schedule proposes to begin real estate acquisition for Stage V-2B this biennium if money is available. Real estate costs in the Kennedy Industrial Park could prohibit this.
 - This would be done approximately the same time, or slightly after, the INDOT Tri-State pump station
2. INDOT drainage issues at Indianapolis Blvd. and the Little Calumet River.
 - A. We received an e-mail from INDOT on August 11th, 2003, requesting funding information for our construction in the Tri-State area.

- A letter of response was sent back to INDOT on September 3rd, 2003, indicating that we do not know at this point what the balance of our \$7 million will be at the time this construction will be done, and indicated what the current monetary priorities are.
- B. INDOT had a coordination meeting on August 12th, 2003, to review their projects in the Lake County area.
- We received minutes of this meeting on October 14th, 2003.
 - INDOT indicated the earliest they could release Phase 1A (Ridge Road to Little Calumet River.) would be in 2005. Lift station couldn't be in use until we complete our levee in that area.

STATUS (Stage V Phase 3) Woodmar Country Club:

1. Refer to Land Acquisition report for status of appraisal process and revised schedule.
 - The current schedule shows a March 2006 advertising date. The construction sequence due to hydrology will push construction back in the schedule.
2. This project will be done after all other construction between Cline Ave. and Northcote is completed due to hydrology concerns with installing the control structure as part of the project.
3. A meeting with Woodmar was held on December 4, 2003 to discuss current status.
 - **At this point in time, all of Hammond (Cline to State Line) would come out of the floodplain at one time. All construction needs to be completed north of the river because no tie-backs are currently available.**

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

1. The COE is currently planning to advertise this project in the spring of 2004, award in May of 2004, and start construction in June of 2004. The contract estimate for Stage VI-1 is \$6 million, and North Drive pump station at \$1.5 million, these two contracts are estimated at a cost of \$7,500,000 (local share at 7% would be \$525,000.)
 - **At the January 21, 2004 Real Estate meeting, it was discussed about dividing VI-1 into a north and a south contract.**
 - **LCRBDC currently has all properties south of the river except one (Todd Dust). We should be able to release this contract earlier than VI-1 North).**
2. A coordination meeting was held on August 25th, 2003, with the Lake County Highway Dept., LCRBDC, and the Army Corps to discuss the upcoming construction by the county for their bridge and our construction on and adjacent to Kennedy Ave.
 - The county is only re-building portions of the existing bridge deck.
 - COE agreed we could accept the cost for the incremental difference for a 10' trail, include the concrete closure slabs, engineering costs, and minor clay work.
 - An interlocal agreement will need to be signed between the COE, Lake Co. Hwy., and the LCRBDC.
3. Plans and specifications for 65% BCOE review were received from the COE on August 12th, 2003, and distributed to Hammond and Highland, as well as other affected parties. **We are still awaiting 100% plans and specs for review.**

UTILITY COORDINATION

1. A contract was signed on May 21, 2003 with SEH Engineering to coordinate all Hammond utility re-locations, Water Department, Hammond Sanitary District, etc.

- **Task is completed – Awaiting VI-1 100% drawings to continue with final coordination.**
- 2. A contract was signed with NIES Engineering to coordinate all Highland utility relocations on May 23.
 - **Task is completed – Awaiting VI-1 100% drawings to continue with final coordination.**
- 3. A utility coordination meeting was held with the COE on November 18 to review all currently identified utilities, get in-put on which need agreements, cost estimates, compensability review, and which will be included as part of the contract.
 - Tables for VI-1 utility identification **have been completed.**

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.) (COE anticipates 100% review set will be available in February, 2004).
 - The anticipated construction cost for this segment is \$3,650,000.
2. It is the intent of the COE to advertise this segment separately from Stage VI-1. A schedule has not yet been determined because the final engineering **has not** yet been completed, nor reviewed.
 - 3. NIES Engineering has been given the task to do all utility coordination

STATUS (Stage VII) Northcote to Columbia:

1. The final contract with Earth Tech to do the A/E work for this stage/phase of construction was signed and submitted by the COE on December 21st, 1999.
2. The COE anticipates we should be getting the 100% drawings for review and comment no later than the **fall of 2004.** (ongoing)
 - LCRBDC received Earth Tech comments from the COE on December 9, 2003. The COE will handle the update of the plans when project is reactivated.
3. **A letter was sent to the Lake County Highway Dept. on January 22, 2004 requesting they coordinate their design and scope of work with the COE for re-building the deck of the Columbia Avenue bridge.** 5
 - **A letter was sent to the COE on January 22, 2004 requesting their review of hydrology if the Columbia Avenue Bridge could be raised which could allow Cline to Columbia be taken out of the floodplain segmentally.** 6-7
4. Refer to COE monthly contract status report. (Handout)

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

1. Project currently on hold.
2. Some preliminary design has been completed by SEH. (Contract has been terminated at this point in time.)

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

1. Project cost information
 - Current contract amount - \$1,873,784.68
 - Original contract amount - \$1,657,913.00
 - Amount overrun - \$215,971 (13%)
2. The lift station at the Southwest corner of the existing levee that will handle interior drainage is being done as part of the Stage III remediation project. (See Stage III remediation in this

report for details.) Construction started March, 2003. Approximately 95% complete.
Awaiting NIPSCO electric power to test pumps.

Mitigation (Construction Portion) for "In Project" Lands:

1. Bids were opened on September 17th, 2002, and Renewable Resources, Inc. (from Barnesville, Georgia) is the successful bidder.
 - The government estimate is \$1,017,082 and the low bid came in at \$921, 103 (this is \$95,979 under the estimate).
 - Construction started in late March, 2003. On site at Chase Street; clearing and grubbing, signage installed, trenching and backfilling.
2. Refer to COE monthly contract status report.(Handout)
3. A memo was sent to the COE on January 26, 2004 requesting that we could modify this contract to include some work on adjacent land that could be made suitable for use as hydric soils for overall project mitigation.
 - The COE submitted an e-mail response on January 26 indicating they will coordinate & see if it is feasible.

8-9

10

West Reach Pump Stations – Phase 1A:

1. The four (4) pump stations that are included in this initial West Reach pump station project are Baring, Walnut, S. Kennedy, and Hohman/Munster.
2. Low bidder was Overstreet Construction. Notice to proceed was given on November 7th, 2000 – 700 work days to complete (Anticipated completion date is **December 1, 2004**)
 - Current contract amount - \$4,855,320
 - Original contract amount - \$4,638,400
 - Amount overrun – \$216,920 (4.7%)
3. We received the project progress update from the COE on **January 26, 2004**. For any detailed information regarding construction status, refer to the attached "Project Progress Update Report".
 - Baring Pump Station
98% complete
 - Walnut Pump Station
64% complete
 - S. Kennedy Pump Station
59% complete
 - Hohman/Munster Pump Station
98% complete
4. A progress meeting was held by the COE, HSD, Overstreet Construction, and the LCRBDC on January 15, 2004.
5. Modification #16 to request additional contract funding in the amount of \$250,000 was received on January 15, 2004. Total now available \$3,792,428.
6. Refer to COE monthly contract status report.(Handout)

11

12-15

16-18

West Reach Pump Stations – Phase 1B:

1. The two (2) pump stations included in this contract are S.E. Hessville (Hammond), and 81st St. (Highland). Overall contract work is completed.
2. Thieneman Construction from Griffith, IN was the successful bidder.
 - Final contract amount - \$2,120,730.12
 - Original contract amount - \$1,963,400.00
 - Amount overrun - \$157,330 (9%)

North Fifth Avenue Pump Station:

1. The low bidder was Overstreet Construction
 - Current contract amount - **\$2,501,776**
 - Original contract amount- **\$2,387,500**
 - Amount overrun - **\$114,276 (4.8%)**
 - Project is currently **99%** completed
 - Project completion date was scheduled for **July 30, 2003**
2. We received the Project Progress Update from the COE on **January 26, 2004.** 11
3. **Modification #12 to request additional contract funding in the amount of \$43,241.80** 19-21
was received on January 15, 2004. Total now available \$2,486,277
4. **Modification #11 as a supplemental cost to the contract in the amount of \$15,499.66 was** 22-24
received on January 22, 2004.
 - **This was for additional concrete work due to differing site conditions. New total contract cost is \$2,501,776.39**
5. **A progress meeting was held by the COE, Highland, Overstreet and the LCRBDC on** 25-27
January 15, 2004.
6. Refer to COE monthly contract status report. (Handout)

GENERAL:

- A. **An Engineering Committee meeting was held on February 2, 2004 to discuss ongoing services contracts and other miscellaneous engineering issues.**
- B. LCRBDC received a public notice on behalf of INDOT on September 8th, 2003, regarding their upcoming construction at the Grant St. and Broadway interchanges at I-80/94.
 1. A meeting was held with the COE, INDOT, J.F. New, and the LCRBDC on October 20th, 2003, to review the project and discuss status and responsibilities.
 - Project is design/build and is at **40%** completion.
 - All unsuitable material to be removed and be replaced with compatible material
 (10' of peat is in the area)
 - The COE submitted geotechnical recommendations to INDOT on December 19, 2003 indicating that only a clay seal embankment is required at this time and existing material under Grant Street need not be removed.
 2. INDOT **let out for bids** in December, 2003, with a tentative construction start in the Spring of 2004. Interchanges – 1 year to complete, 2nd year to complete ramps.
- C. The removal of sections in the West Reach from the floodplain was discussed at the October 1st, 2003 Commission meeting. Could sections be done on a individual basis after construction is completed.
 1. An email was sent to the COE on October 22nd, 2003, requesting a response to this issue.
 2. INDOT and Lake County Highway mapping were provided to the COE on December 30, 2003 and will be included as part of their submittal to FEMA.

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
Cc: "Moore, Gregory LRC" <Gregory.Moore@lrc02.usace.army.mil>; "scortwr" <scortwr@iun.edu>;
"Mark Reshkin" <mreshkin@netnitco.net>; <dgardner@nirpc.org>
Sent: Friday, January 16, 2004 2:27 PM
Subject: Controlled burns

Imad:

We received a request from Professor Spencer Cortwright on January 15, 2004 regarding his request to do a controlled burn in the area north of IUN. He has asked Dan to write a letter of support for him to submit in his permit application to IDEM.

We will be faxing you a letter from Dr. Cortwright to me dated July 9, 2003 as well as my letter to you dated August 26, 2003 that requested he be given authorization to do burns on our existing south levee face directly north of IUN. We never received a response from you and we need to have this addressed as soon as possible.

Your decision on allowing Professor Cortwright to do the controlled burn may have some effect on the scope of work for the Landscaping Phase 2 project. We have not seen the entire set of plans for Landscaping Phase 2 but I do know that some controlled burns will be included as part of that contract. Will you please let me know what the COE opinion is on allowing him to do this? Any questions regarding this, please contact me.

Jim Pokrajac, Agent
Land Management/Engineering



Charles G. Peller, Jr., PE
Director

**STORMWATER MANAGEMENT BOARD OF DIRECTORS
REORGANIZATIONAL MEETING
Tuesday, January 13, 2004**

A G E N D A

Main Office:
3600 West 3rd Avenue
Gary, Indiana 46406
219-944-0595

- i. *Election of Officers: President, Vice-President, Secretary*
- ii. *Swearing in of Officers*
- iii. *Adjournment for Regular Stormwater Management Meeting*

Customer Service:
839 Broadway
Gary, Indiana 46402
219-883-1027



Charles G. Peller, Jr., PE
Director

Main Office:
3600 West 3rd Avenue
Gary, Indiana 46406
219-944-0595

Customer Service:
839 Broadway
Gary, Indiana 46402
219-883-1027

**REGULAR MEETING
STORM WATER MANAGEMENT
BOARD OF DIRECTORS**

Tuesday, January 13, 2004

A G E N D A

- a) *Roll Call*
- b) *Certification*

- 1) *MINUTES*
Regular Meeting ----- December 23, 2003.

- 2) *CLAIMS*
- 2a. *Approving Claim No. 95 through 97 in the amount of \$4,193.42.*

- 3) *NEW BUSINESS*
- 3a. *A motion approving an Agreement to pay NIPSCO to extend Electrical Service to the two Grant Street Pumping Stations that are a Part of Phase I Grant Street South Improvement Project.*

- 4) *DISCUSSION*

- 5) *LEGAL*

- 6) *REQUEST TO SPEAK*

- 7) *ADJOURN*

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Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

January 26, 2004

ARLENE COLVIN, Chairperson
Mayor of Gary's
Appointment

EMERSON DELANEY, Vice Chairman
Governor's Appointment

CURTIS VOSTI, Treasurer
Governor's Appointment

ROBERT MARSZALEK, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor of Hammond's
Appointment

STEVE DAVIS
Dept. of Natural Resources'
Appointment

ROBERT HUFFMAN
Governor's Appointment

MARK LOPEZ
Lake County Commissioners'
Appointment

JOHN MROCZKOWSKI
Governor's Appointment

DR. MARK RESHKIN
Governor's Appointment

CHARLIE RAY
Porter County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

Mr. Doug Anderson
U.S. Army Corps of Engineers
906 Griffith Blvd.
Griffith, Indiana 46319

Re: Stage III Remediation Access Roadway

Dear Doug:

Recently I visited the site for Stage III Remediation whereby an access roadway had been constructed westward from Grant Street to the pump station. This was necessary to provide not only access for your contractors but also will be used as access by whoever assumes the responsibility for O&M of that station. However, I was surprised at the amount of fill that was used to construct this roadway. My original understanding was that the roadway was minimally going to be built slightly above existing grade and be stoned to accommodate traffic. However, it appears that this roadway is now 8-10' above existing grade which is not conducive to our future plans for development in this area.

Currently, the Development Commission has been discussing potential use of the land from south of the Flying J, outside of the levees, southward to almost 35th Avenue. This roadway bisects our property and thereby makes the land to the north of this field less desirable. We were not made aware that a decision had been made allowing Dyer Construction to use excess excavated material, until after it had been completed, to build up this roadway. We would hope that the COE could facilitate a compromise to this roadway whereby our land in this area would be more useable for future development. Please contact me and let me know what the COE intends to do with this situation.

Sincerely,

James E. Pokrajac, Agent
Land Management/Engineering

/sjm

cc: Imad Samara, COE
Ed Karwatka, COE
Arlene Colvin, LCRBDC Chairperson

TO: Duane Alverson, Lake County Highway Department
FROM: Jim Pokrajac, Agent, Land Management/Engineering
SUBJECT: Columbia Avenue bridge
DATE: January 22, 2004

As per our recent conversation regarding the reconstruction of the bridge deck at Columbia Avenue, I am requesting that this information be coordinated with Imad Samara at the COE office (312-846-5560 or email Imad.samara@usace.army.mil). I understand that engineering is currently ongoing and that the COE needs to be provided a preliminary set of plans and specifications in order that they may work with you to incorporate any construction that would normally be part of our upcoming flood control project.

As we have done before (the Hohman Avenue bridge), an agreement can be worked out by the Lake County Highway Dept. and the COE to include those items, and the associated costs therein, to have you install whatever concrete closure slabs or earthwork that we could tie into at a future date when our construction comes to that area. Will you also keep me in the loop as to whatever coordination is ongoing between you and the COE.

/sjm
cc: Imad Samara
Dan Gardner



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

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Porter County Commissioners'
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DAN GARDNER
Executive Director

LOU CASALE
Attorney

January 22 2004

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

Dear Imad:

Thank you for your letter dated December 30, 2003 regarding the sequence of sections of the west reach that would come out of the flood plain as the west reach construction is completed. It appears that, in summary, the area between Cline Avenue and Hart Ditch south of the levee, would be the only area in the west reach that could come out independently. Also, that could be translated into the entire remainder of the west reach, including all of Hammond, will not come out until the entire project has been constructed.

In a recent conversation with Duane Alverson from Lake County Highway Department, it is my understanding that the Columbia Avenue bridge is going to have the entire bridge deck re-constructed, similarly, as we had discussed with the Kennedy Avenue bridge. The tentative schedule is to release this job for construction in the fall of 2004. I have asked Duane to furnish you with their preliminary plans in order that we may interact with them to include portions of that construction that would be necessary for our flood control project. Is there a possibility that if we could raise the Columbia Avenue bridge to the point where it provides a 100 year level of protection, would that change the hydrology to allow areas adjacent to completed lines of protection east of Columbia Avenue to be removed after the construction of this bridge has been completed? Will you provide us with some data in order that we could work together to determine if this concept of raising the bridge would be feasible?

As we have discussed in the past, we think that this data provides a whole new perspective on future scheduling of contracts, as well as acquisition. We, as well as the COE, are very interested in releasing contracts and spending money that has already been allocated by the State Budget Committee and by the Federal government. It is critical to move in a timely manner to complete construction in the west reach.

Mr. Imad Samara
January 22, 2004
Page 2

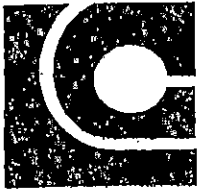
If you have any questions regarding this request or would like to discuss this further, please contact me in order that we may facilitate a conference call or have a meeting.

Sincerely,


Dan Gardner
Executive Director

/sjm

cc: Roy Deda, COE
Linda Sorn, COE
Rick Ackerson, COE
Duane Alverson, LCHD
Lou Casale, LCRBDC attorney
Jim Pokrajac, LCRBDC
Judy Vamos, LCRBDC



Little Calumet River Basin Development Commission

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DAN GARDNER
Executive Director

LOU CASALE
Attorney

TO: Greg Moore, U.S. Army Corps of Engineers
FROM: James E. Pokrajac, Agent, Land Management/Engineering
SUBJECT: November 20, 2003 site visit to assess the suitability of east reach Little Calumet River tracts for IDEM mitigation requirements
DATE: January 26, 2004

Thank you for your memo dated January 12, 2004 regarding our November 20, 2003 site visits with Marty Maupin from IDEM. Your recollections appear to be the same as mine. Unfortunately, Marty indicated the majority of our lands have already reverted to wetlands and could not be used for hydric soils as part of our mitigation plan. However, the Area 5 which is west of the current Chase Street wetland mitigation area, appears to have some areas suitable for our purpose. As we discussed in the field, three (3) issues needed to be resolved in order that we could pursue getting credit for this area for hydric soils.

(1) Marty suggested in the field that in the northeast corner of this acreage, there was a short stretch of levee that had been constructed but it needed to be reinforced to accommodate the increased Area 5 flooding (your Item #4). In the field, I questioned the possibility of reinforcing that stretch as part of the ongoing In-Project Mitigation contract because the contractor has equipment on site and capability to do this work.

(2) Marty also suggested that in the northwest corner of this field, we need to replace an old 24" pipe and flap gate, with the flap gate being installed on the south side of the NIPSCO right-of-way. I also asked that day in the field whether or not we could include this work as part of the In-Project Mitigation.

(3) Marty also mentioned that he might need additional soil analysis to determine what lands would be suitable for use as hydric soils, and I questioned if you could help facilitate the obtaining of this information.

Mr. Greg Moore
January 26, 2004
Page 2

Being that this property is currently owned by the Little Calumet River Basin Development Commission, it would be a benefit to the project to be able to take advantage of this resource as part of our overall mitigation plan. We are aware that this will not completely eliminate the need for other hydric soils but at least it would reduce the amount that you are requesting between the levee between Chase Street and Grant.

We need to determine if we can include these three (3) items as part of the ongoing In-Project Mitigation project. We also need to know what the next step would be to facilitate the use of this land if we are to be in compliance with IDEM's suggestions. Please contact me if you have any questions regarding this request.

/sjm

cc: Dan Gardner
Imad Samara

Sandy Mordus

From: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
To: "Sandy Mordus" <smordus@nirpc.org>; "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; "Moore, Gregory LRC" <Gregory.Moore@lrc02.usace.army.mil>
Sent: Monday, January 26, 2004 5:54 PM
Subject: RE: IDEM mitigation

Dear Jim, In response to your letter, as the Project Manager I want to let you know that if this land can be used to help the project in meeting IDEM Hydric Soil requirement the project will fund these improvement. I will ask Greg Moore to coordinate with the Griffith Area Office and our Contracting Branch to find out if we can modify the In-Project wetland mitigation contract to perform these improvements. If that contract can not be modified we will work to add this work in future contracts. If you need to discuss this further please call me so that we can discuss.

Imad Samara
Acting Chief Project
Management Branch
111 N Canal Street
Chicago IL 60606
(W) 312-846-5560
(Cel) 312-860-0123

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

From: Sandy Mordus [mailto:smordus@nirpc.org]
Sent: Monday, January 26, 2004 5:04 PM
To: Samara, Imad LRC; Moore, Gregory LRC
Subject: IDEM mitigation

Greg and Imad:

Attached is a letter regarding the mitigation land site visit on November 20, 2003.

Jim Pokrajac, Agent
Land Management/Engineering

Project Progress Update: 1/26/2004

Pump Rehab 1A Contract C-0001 (Overstreet Electric Co.)

Current contract completion date: December 1, 2003

17

Baring Ave Pump Station - 98%+- Complete.

1. The SWP-1 and SWP-2 pump and motor installation is complete and is in service.
2. Concrete work for jib crane is complete installation jib crane is expected soon.
3. Demolition of old and installation of new electrical equipment is about complete
4. Heating and ventilation ductwork has been installed and will be tested soon.
5. Painting of equipment and various metal items is continuing.

South Kennedy Ave Pump Station - 59%+- Complete.

1. Rebuilt Johnston pump #4 has been installed. Although, not operational as adjustments to the new motor have yet to be made. It appears vibration measurements are out of rebuilt and tested. Factory performance test reports have recently been submitted and are in review by the COE.
2. Demolition of old and installation of new electrical equipment is intermittent.
3. Laborers installation continues.
4. Removal of old and installation of new heating and ventilation equipment continued.

Hohman/Munster Pump Station- 98%+- Complete.

1. A new comminutor has been previously installed at this station. The comminutor is operational, but only in the hand mode. Overstreet still has not acquired the flow sensor as of this date.
2. Removal of old and installation of new heating and ventilation equipment is about complete.
3. Painting of equipment and various metal items is about complete.

Walnut Ave. Pump Station - 64%+- Complete.

1. Viking Engineering has previously removed and rebuilt three pumps (#1, #2, and #3). Viking has factory tested these pumps and they meet the specified performance criteria. Installation of pump #3 ongoing.
2. The rehabilitation of the existing pump bases for pumps #1 and #2 continues. Once new concrete is placed the rebuilt pumps can be installed and made operational.
3. The new mechanical trash rack was previously installed. Commissioning and station operator training is still expected soon.
4. Removal of old and installation of new heating and ventilation equipment is intermittent.
5. Demolition of old and installation of new electrical equipment is intermittent.

North 5th Pump Station Rehab Contract C-0008 (Overstreet Engineering & Const.)

N.5th. Pump Station - 99%+- Complete. Current contract completion date: July 30, 2003.

1. New pumps and motors for #1, #2, #6, #7, #8, #9 and #10 have been installed and have been commissioned.
2. Pumps #3, #4, and #5 and motors have been installed and are to be tested on January 27, 2004.
3. The new mechanical trash rack discharge shoot has been ordered and will be installed soon.
4. Demolition of old and installation of new electrical equipment has been put on hold until motors for #3 and #4 have been commissioned.
5. The new sump pump #2 has not been commissioned, due to grit previously clogging the pump. Overstreet is required to perform additional work and install a concrete barrier around the sump pit in an attempt to prevent grit from clogging the pump. Work is has begun on this contract modification.
6. Painting of equipment and various metal item is about complete.
7. A COE Pre-Final inspection, of the entire station, is scheduled for January 29, 2004.

PUMP STATIONS REHABILITATION - PHASE 1A
DACW27-01-C-0001
PROGRESS MEETING

(00)

Agenda
January 15, 2004

1. Attendees:

USACE: Vic Gervais
Doug Anderson
Robert Craib
Imad Samara
Eric Strom

Overstreet: Morgan Overstreet
Ed Harris
Gary Averill
Joe Brewer

Hammond SD: John Devine

LCRBDC: Jim Pokrajac

2. Phase 1A Progress: * Actual: 78% (\$3,763,416.10)

Projected earnings for January: () Overstreet will be requested to provide an estimate of January earnings.

Original Contract Completion Date: 3 October 2002

Current Required Completion Date: 1 December 2003**

Original Contract Amount: \$4,638,400.00

Current Contract Amount: \$4,859,564.85**

Obligated Amount: \$3,792,427.59**

Earnings To Date: \$3,763,416.10*

Paid To Date: \$3,693,631.00*

* Thru December 14, 2003, Contractor's Pay Estimate No. 23.

** Thru Modification A00011 and P00016

3. Baring Ave Pump Station

Work Since Last Meeting:

- Install/demo electrical work.
- Placed SWP-2 into service.

- See attached list provided by Overstreet.

Work Expected or Scheduled Within in the Next Two Weeks:

- See attached list provided by Overstreet

4. Hohman Ave. Pump Station

Work Since Last Meeting:

- Began painting.

- See attached list provided by Overstreet

PUMP STATIONS REHABILITATION - PHASE 1A

DACW27-01-C-0001

PROGRESS MEETING

Agenda

January 15, 2004

(Continued)

21

Work Expected or Scheduled Within in the Next Two Weeks:

- See attached list provided by Overstreet

5. Walnut Ave. Pump Station

Work Since Last Meeting:

- Continue pump base work for SWP 1, 2, & 3. Pump base #1 and #2 is awaiting concrete placement.
- Installation of rebuilt pump #3 is being attempted.

- See attached list provided by Overstreet

Work Expected or Scheduled Within in the Next Two Weeks:

- See attached list provided by Overstreet

6. South Kennedy Pump Station

Work Since Last Meeting:

- Rebuilt pump #4 has been installed, although not in service.
- Ladder installation.

- See attached list provided by Overstreet

Work Expected or Scheduled Within in the Next Two Weeks:

- See attached list provided by Overstreet

7. Old Business

- a. The Corps sent a letter to Overstreet on October 7 requesting Overstreet to inform the Corps of the steps that will be taken to improve progress. Overstreet responded with a letter dated November 3, 2003. In a previous meeting, it was discussed that the most recent progress schedule submittal shows that Overstreet will not complete work by the contract completion date of December 1, 2003. Paul Perkins stated that he would prepare the next pay estimate and schedule a meeting with the Corps to finalize the pay estimate. Overstreet's intent was to use the information from the pay estimate to revise the progress schedule. A meeting/conference call was held on November 25, 2003 to discuss the schedule and pay estimate. Overstreet then submitted the December 14, 2003 pay estimate, which reflected the current status of work (including electrical work) at all stations. To date, Overstreet has not provided a projected completion schedule.

PUMP STATIONS REHABILITATION - PHASE 1A

DACW27-01-C-0001

PROGRESS MEETING

22

Agenda

January 15, 2004

(Continued)

- b. At a previous progress meeting, the pump bases for pumps 1, 2, and 3 at the Walnut Ave. pump station were discussed. Overstreet stated they would contact the COE and provide an inspection date. An inspection was performed by COE on October 20, 2003. The Corps sent a letter indicating bases are suitable to build on. Overstreet later cut the remaining bases down and evaluated further. Overstreet requested another anchor bolt inspection by the Corps and the re-inspection was performed on Dec 15, 2003.
- c. The permanent electrical conductors have not been installed for the flow meter and chart recorder at the Hohman station.
- d. Overstreet has not located an acceptable ultrasonic level flow sensor for the comminutor at Hohman. Overstreet previously stated they would send in an RFI asking where one can be purchased. Doug Anderson subsequently contacted Ed Harris and provided the name of one manufacturer where a level sensor could be obtained.
- e. Field Change SS026 – delete Baring Ave. discharge box grade beam, was issued on September 19, 2003. Corps is evaluating Overstreet's proposal.
- f. Standby pump modification – Overstreet will provide cost data for the previously rented standby pump at the Baring Ave. station. Overstreet has not submitted as of this date.
- g. Overstreet previously estimated the rebuilt SWP #3 at Walnut Ave. pumps would be installed by Dec 24, 2003. The other two rebuilt pumps would be installed after the pump bases are complete.
- h. S. Kennedy's mechanical trash rack power cable hung up on ladder support and tore electrical insulation. Cable was taped and put back in service. Overstreet has ordered repair parts.

8. New Business

- a. Dates when Overstreet plans to provide O&M training on equipment previously installed.

PUMP STATIONS REHABILITATION - PHASE 1A

DACW27-01-C-0001

PROGRESS MEETING

Agenda

January 15, 2004

(Continued)

23

- b. Dates when Overstreet plans to submit Erection Engineer's commissioning data for equipment installed.

Project complete by April 1. Shift no,

9. Outstanding Submittals:

- See attached register copies. Attached are a complete submittal register and a register identifying only outstanding submittals.
- a. Factory test results of new motors for rebuilt pumps at Walnut including pump #5 at S. Kennedy, have not been submitted. Overstreet will research this and work with Bob to clear up confusion.
- b. Ensure all section 15100 submittals are completed.

10. Modifications/Field Changes:

- P00001 - Administrative - Transfer of contract from CELRL-CT to CELRC-CT.
P00002 - Field Change FC-01.03 - Administrative - \$400,000.00 Funding
P00003 - Field Change FC-01.02 - Partnering Conference, Government's Share - \$1,592.50
P00004 - Field Change FC-01.04 - Administrative - De-obligate (\$170,000.00)
P00005 - Field Change FC-01.05 - Administrative - \$464,087.50 Funding
P00006 - Field Change FC-01.06 - Equal Access to Justice Act Settlement - \$35,912.50
P00007 - Field Change FC-01.07 - Administrative - \$100,000.00 Funding
P00008 - Field Change FC-01.09 - Administrative - \$100,000.00 Funding
P00009 - Field Change FC-01.08 - Walnut Ave Fairbanks Pump Refurbishment - \$21,273.47
P00010 - Field Change FC-01.10 - Administrative - \$100,000.00 Funding
A00002 - Field Change FC-01.12 - Administrative - \$500,000.00 Funding
A00003 - Field Change FC-01.13 - Administrative - \$500,000.00 Funding
A00004 - Field Change FC-01.01 - South Kennedy Trash Rack Structure - \$16,993.52
A00005 - Field Change FC-01.14 - Replace Hohman Ave. Seal Water Pump - \$29,000.00
A00006 - Field Change FC-01.11 Baring Ave Float Tube, FC-01-12a Baring Underground Service, FC-01-15 Walnut Sediment, FC-01-16 Walnut Trash Rack, FC-01-17 Relocate Hohman Roof Drain, FC-01-18 South Kennedy Slab, FC-01-19 Overload Relay & Leak Indicator Power Connection, FC-01-21 Conduits Between MCC and Pump Controller - \$67,652.80
P00011 - Field Change FC-01.20 - Administrative - \$600,000.00 Funding
A00007 - SS016 - Time Extension for Union Picketing - No Cost
P00012 - SS017 - Administrative - \$150,000.00 Funding
A00008 - Field Change SS018 - Pump Impeller Change Out - \$38,915.30
P00013 - SS022 - Administrative - \$500,000.00 Funding.
A00009 - SS019 - Lighting Panel Relocation/ Baring Ave, and SS021 - Valve Replacement/Hohman - \$5,579.68. Modification complete.
P00014 - SS024 - Administrative - de-obligate of \$150,000.00
A00010 - SS023 - NPSH time extension - Adds 129 calendar days
A00011 - SS020 - New Handrail on Johnson Pump Discharge/South Kennedy - Adds \$4,245.08 - Complete.
P00015 - SS025 - Administrative - \$160,000.00 Funding
P00016 - SS207 - Administrative - De-obligation of \$250,000.
SS026 - Delete Baring Ave. discharge box grade beam - Corps is evaluating contractor's proposal.
SS0?? - Overstreet's costs for rental of a Godwin standby pump used at Baring. COE is awaiting Overstreet's data.

The next progress meeting will be on _____ in the Calumet Area Office.

- MOD. #16 - Pump Sta. 1A
- CONTINUED CONTRACT FUNDING
- ADD. \$250,000 TO AVAILABLE FUNDS

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

15 JAN 2004

MEMORANDUM FOR: See Distribution

• INCREASED FROM \$3,542,428 to
\$3,792,428

SUBJECT: Contract No. DACW27-01-C-0001
Pump Stations Rehabilitation, Phase 1A
Hammond Sanitary Districts
Little Calumet River, Indiana
Modification No. P00016 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. P00016, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.

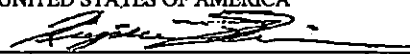
Douglas M. Anderson

Enclosures

DOUGLAS M. ANDERSON, P.E.
Project Engineer
Calumet Area Office

Distribution:

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

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J	PAGE OF PAGES 1 2
AMENDMENT/MODIFICATION NO. P00016		3. EFFECTIVE DATE 18-Dec-2003		4. REQUISITION/PURCHASE REQ. NO.	
6. ISSUED BY U. S. ARMY ENGINEER DISTRICT, CHICAGO 111 CANAL STREET CHICAGO IL 60608		CODE W912P6		7. ADMINISTERED BY (If other than item 6) CALUMET AREA OFFICE 906 N. GRIFFITH BOULEVARD GRIFFITH IN 46319	
				CODE H6L1CSO	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) OVERSTREET ELECTRIC CO INC BENJAMIN OVERSTREET 4220N N DAVIS HIGHWAY BLDG B PENSACOLA FL 32503				9A. AMENDMENT OF SOLICITATION NO.	
				9B. DATED (SEE ITEM 11)	
				X 10A. MOD. OF CONTRACT/ORDER NO. DACW27-01-C-0001	
				X 10B. DATED (SEE ITEM 13) 05-Oct-2000	
CODE 02YW3		FACILITY CODE			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS					
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.					
12. ACCOUNTING AND APPROPRIATION DATA (If required) See Schedule					
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.					
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.					
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).					
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:					
X D. OTHER (Specify type of modification and authority) EFARS 52.232-5001 - Continuing Contracts					
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.					
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Contract for Pump Station Rehabilitation, Phase 1A at Little Calumet River, Indiana. Reference No. R00025 SS027 Continuing Contract Funding - \$250,000.00 See Page 2.					
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.					
15A. NAME AND TITLE OF SIGNER (Type or print)			16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) REGINA G BLAIR / ADDED BY SUMI TEL: 312.846.5371 EMAIL: regina.g.blair@usace.army.mil		
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)	
				16C. DATE SIGNED 18-Dec-2003	

EXCEPTION TO SF 30
APPROVED BY OIRM 11-84

30-105-04

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

SUMMARY OF CHANGES

SECTION SF 30 - BLOCK 14 CONTINUATION PAGE

The following have been added by full text:

MODIFICATION NO. P00016

A. SCOPE OF WORK

SS027 Continuing Contract Funding – \$250,000.00

Pursuant to the "Continuing Contracts" clause, this modification hereby increases the total Contract funded amount by \$250,000.00.

B. CHANGE IN CONTRACT PRICE

Total contract price is unchanged.

C. CHANGE IN CONTRACT TIME

The contract completion date shall remain unchanged by this modification.

D. CLOSING STATEMENT

Pursuant to the "Continuing Contracts" clause, this modification hereby deobligates an amount of \$250,000.00 for this contract; thus, decreasing the total Contract funded amount to \$3,792,427.59.

SECTION 00800 - SPECIAL CONTRACT REQUIREMENTS

Accounting and Appropriation

Summary for the Payment Office

As a result of this modification, the total funded amount for this document was increased by \$250,000.00 from \$3,542,427.59 to \$3,792,427.59.

Contract Level Funding:

AB: 96-NA X 8862.0000 H6 X 08 2426 075325 96112 3200 00229C
was increased by \$17,500.00 from \$247,969.93 to \$265,469.93

AA: 96 na x 3122.0000 h6 x 08 2426 075325 96112 3200 00229b
was increased by \$232,500.00 from \$3,294,457.66 to \$3,526,957.66

(End of Summary of Changes)

- N. FIFTH PUMP STA. - MOD. 12
- INCREASE CONTINUED CONTRACT FUNDING
- ADD \$49,241.80 to AVAILABLE FUNDS

15 JAN 2004

- INCREASED FROM \$2,443,035 to \$2,486,277

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

MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. DACW27-01-C-0008
 Little Calumet River
 North Fifth Avenue Pump Station Rehabilitation
 Lake County, Indiana
 Modification No. P00012 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. P00012, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.

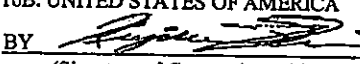
Douglas M. Anderson

DOUGLAS M. ANDERSON, P.E.
 Project Engineer
 Calumet Area Office

Enclosures

Distribution:

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

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J	PAGE OF PAGES 1 2
2. AMENDMENT/MODIFICATION NO. P00012		3. EFFECTIVE DATE 18-Dec-2003		4. REQUISITION/PURCHASE REQ. NO. W81G88-0311-5055	
6. ISSUED BY U. S. ARMY ENGINEER DISTRICT, CHICAGO 111 CANAL STREET CHICAGO IL 60606		CODE W912P6		5. PROJECT NO. (If applicable) H6L1CSO	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) OVERSTREET ELECTRIC CO INC BENJAMIN OVERSTREET 4220 NORTH DAVIS HIGHWAY BLDG B PENSACOLA FL 32503				9A. AMENDMENT OF SOLICITATION NO.	
				9B. DATED (SEE ITEM 11)	
				X 10A. MOD. OF CONTRACT/ORDER NO. DACW27-01-C-0008	
CODE 02YW3				X 10B. DATED (SEE ITEM 13) 22-Feb-2001	
FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS					
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.					
12. ACCOUNTING AND APPROPRIATION DATA (If required) See Schedule					
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.					
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.					
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).					
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:					
X D. OTHER (Specify type of modification and authority) EFARS 52.232-5001-Continuing Contracts					
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.					
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Contract for North Fifth Avenue Pump Station at Little Calumet River, Indiana. Reference No. R00019 SS021 Continuing Contract Funding, \$43,241.80 See Page 2.					
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.					
15A. NAME AND TITLE OF SIGNER (Type or print)			16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) REGINA G BLAIR / ADDED BY SUMI TEL: 312.846.5371 EMAIL: regina.g.blair@usace.army.mil		
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)	
				16C. DATE SIGNED 18-Dec-2003	

EXCEPTION TO SF 30
APPROVED BY OIRM 11-84

30-105-04

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

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SUMMARY OF CHANGES**SECTION SF 30 - BLOCK 14 CONTINUATION PAGE**

The following have been added by full text:

MODIFICATION NO. P00012**A. SCOPE OF WORK**

SS021 Continuing Contract Funding - \$43,241.80

Pursuant to the "Continuing Contracts" clause, this modification hereby increases the total Contract funded amount by \$43,241.80.

B. CHANGE IN CONTRACT PRICE

Total contract price is unchanged.

C. CHANGE IN CONTRACT TIME

The contract completion date shall remain unchanged by this modification.

D. CLOSING STATEMENT

Pursuant to the "Continuing Contracts" clause, this modification hereby obligates an amount of \$43,241.80 for this contract; thus, increasing the total Contract funded amount to \$2,486,276.73.

SECTION 00800 - SPECIAL CONTRACT REQUIREMENTS

Accounting and Appropriation

Summary for the Payment Office

As a result of this modification, the total funded amount for this document was increased by \$43,241.80 from \$2,443,034.93 to \$2,486,276.73.

CLIN 0001:

AA: 96X31220000 082426 32000023XV075325 NA 96112 was increased by \$40,214.88 from \$2,272,022.48 to \$2,312,237.36

AB: 96 NA X 8862.0000 H6 X 08 2426 07325 96112 3200 0023XW was increased by \$3,026.92 from \$171,012.45 to \$174,039.37

(End of Summary of Changes)

RECEIVED JAN 2 2 2004

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

16 January 2004

MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. DACW27-01-C-0008
Little Calumet River
North Fifth Avenue Pump Station Rehabilitation
Lake County, Indiana
Modification No. A00011 - Executed

• SUPPLEMENTAL TO DIFFERING SITE CONDITIONS
• ADD \$15,499.66 TO CONTRACT
• REMOVE & REPLACE CONC. SLABS UNDER MOTORS
• CURRENT CONTRACT AMT. - \$2,501,776.39
• EXTEND CONTRACT COMPLETION
DATE 56 CALENDAR DAYS (7/30/03)

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. A00011, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.

Douglas M. Anderson

DOUGLAS M. ANDERSON, P.E.
Project Engineer
Calumet Area Office

Enclosures

Distribution:

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

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE Construction	PAGE OF PAGES 1 4
AMENDMENT/MODIFICATION NO. A00011		3. EFFECTIVE DATE SEE BLOCK 16C	4. REQUISITION/PURCHASE REQ. NO. W81G6603115055	5. PROJECT NO. (If Applicable)
6. ISSUED BY CHICAGO DISTRICT 111 North Canal Street Suite 600 Chicago, IL 60606-7206		CODE	7. ADMINISTERED BY (If other than item 6) USAED, Chicago (CO-S) Calumet Area Office 906 Griffith Boulevard Griffith, IN 46319	CODE DACW23
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) Overstreet Engineering & Construction, Inc. 4220 N. Davis Highway Bldg. B Pensacola, FL 32503			9A. AMENDMENT OF SOLICITATION NO.	
			9B. DATED (SEE ITEM 11)	
			10A. MODIFICATION OF CONTRACT/ORDER X DACW27-01-C-0008 NA	
CODE			10B. DATED (SEE ITEM 13) 21 Feb 2001	
FACILITY CODE				

11. THIS ITEM APPLIES ONLY TO AMENDMENTS OF SOLICITATIONS

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

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

12. ACCOUNTING AND APPROPRIATION DATA

See Page 2.

Contract Amount Increased \$15,499.66.

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

A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify Authority) TRACT ORDER NO. IN ITEM 10A.	THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CON-
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).	(Such as changes in paying office,
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: X 52.0236-0002- DIFFERING SITE CONDITIONS	
D. OTHER (Specify type of modification and authority)	

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

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

Contract for N. 5th Avenue Pump Station at Little Calumet River, Indiana.

Reference No. R00020

SS020 Pumps #3 and #4 Motor Base Improvements

See Page 2.

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

15A. NAME AND TITLE OF SIGNER (Type or print) Mona Overstreet Sr. Vice President	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Victor Gervais Administrative Contracting Officer
15B. CONTRACTOR/OFFEROR 	15C. DATE SIGNED 1-15-04
16B. UNITED STATES OF AMERICA BY	16C. DATE SIGNED 1-15-04

MODIFICATION OF CONTRACT

DATE SIGNED

See Block 16C

PAGE OF PAGE

4

Reference No. R000

Contract No: DACW27-01-C-0008 NA
Modification No: A00011
Contractor: Overstreet Engineering & Construction, Inc.
Contract Title: N. 5th Avenue Pump Station
Location: Little Calumet River, Indiana

E. CHANGE IN CONTRACT TIME

The contract completion date shall be extended by 56 calendar days by reason of this modification. The prior contract completion date, as established by Modification A00010, was 04 JUNE 2003. This modification adds 56 calendar days to the contract completion date. Thus, the current contract completion date, as established by this modification, is 30 JULY 2003.

F. CLOSING STATEMENT

It is understood and agreed that this modification constitutes compensation in full on behalf of the Contractor and its Subcontractors and Suppliers for all costs and markups directly or indirectly attributable to the changes ordered herein; for all delays related thereto; for all extended overhead costs; and for performance of the change within the time frame stated. It is understood and agreed that, pursuant to the above, the contract time is extended the number of calendar days stated, and the contract price is increased as indicated above, which reflects all credits due the Government and all debits due the Contractor.

Pursuant to the "Continuing Contracts" clause, this modification hereby obligates an amount of \$15,499.66 for this contract, thus, increasing the total Contract funded amount to \$2,501,776.39.

NORTH 5th AVENUE PUMP STATION REHABILITATION

DACW27-01-C-0008

PROGRESS MEETING

Agenda

January 15, 2004

1. Attendees:

USACE: Robert Craib
Doug Anderson
Vic Gervais
Imad Samara
Eric Strom

Overstreet: Morgan Overstreet
Joe Brewer
Gary Averill
Ed Harris

Highland SD: Mike Pipta

LCRBDC: Jim Pokrajac

2. Progress: * Actual: 98% (\$2,386,406.74)

Original Contract Completion Date: 17 March 2003
Original Contract Amount: \$2,387,500.00
Obligated Amount: \$2,486,276.73**

Projected earnings for January:

Current Required Completion Date: 4 June 2003 **
Current Contract Amount: \$2,486,276.73**
Earnings To Date: \$2,386,406.74*
Total Paid To Date: \$2,223,062.74*

* Thru Pay Estimate No. 20, December 17, 2003.

** Thru Modification A00010 and P00012.

1. Work Since Last Meeting

- a. Continued painting.
- b. Began work on SS-018 (Concrete at Sump Pit #2)
- a. Began work on SS-020 (Steel Plates under #3 and #4 Motors)
- b. See attached list provided by Overstreet.

2. Work Expected or Scheduled Within Next Two Weeks:

- a.
- b.
- c.
- d.
- e. See attached list provided by Overstreet.

3. Old Business:

- a. At previous meetings the Corps asked if a discharge chute for the mechanical trash rack had been procured. A chute extension had not been procured, however Morgan Overstreet said Overstreet would provide a chute extension for the mechanical trash rack.
- b. Overstreet requested authorization from Paterson Pump Co. to vary the contract requirements and utilize epoxy anchor bolts, for securing pumps #3, #4, and #5 to their concrete pump supports. During the October 9th progress meeting, Overstreet stated Jerry Nelson from Thompson Pump (manufacturer's rep) would provide written confirmation, after all pumps have been commissioned, stating that the epoxied anchor bolts are sufficient.

NORTH 5th AVENUE PUMP STATION REHABILITATION
DACW27-01-C-0008
PROGRESS MEETING

Agenda

January 15, 2004

(Continued)

- c. The Corps' September 10, 2003 letter expressed concern over the flooding of the dry well and how it impacted the DWP 1 & 2 pump bearings. Overstreet responded with a letter dated October 28, 2003. The Corps replied, on January 6, 2004, to Overstreet's letter dated October 28, 2003.
- d. Gary to set dates and times with Bob for Initial Inspections and Final Inspections on definable features of work.
- e. Schedule for the Contract Pre-final and Final Inspections need to be set in advance.

4. New Business:

- a. Field Change SS020 (motor base modification for pumps #3-#4) - The Corps and Overstreet discussed Overstreet's proposals for these changes and have reached agreement on financial issues and time extension. Overstreet has submitted their revised proposals. The Corps issued a Notice to Proceed letter and sent contract modification A00011 to Overstreet for signature.
- b. Field Change SS-018 (concrete modifications around the sump pump #2 pit) - The Corps and Overstreet discussed Overstreet's proposals for this change and has reached agreement on financial issues and time extension. The Corps issued a Notice to Proceed letter to Overstreet and is currently preparing modification A00012 to cover the change.
- c. Expected dates for completion and COE Final Inspection.
• TENTATIVE - JAN. 29th OR FEB. 2
THURS. MON.

5. Submittal Status:

Outstanding Submittals:

- See attached submittal register. Attached are a complete submittal register and a register identifying only outstanding submittals.

6. Field Changes/Modifications:

P00001 - Administrative - Transfer of contract from CELRL-CT to CELRC-CT.
P00002 - FC-08.02 - Administrative - De-obligate \$400,000.00
P00003 - FC-08.03 - Administrative - De-obligate \$50,000.00
P00004 - FC-08.05 - Administrative - Obligate \$100,000.00
P00005 - FC-08.06 - Administrative - Obligate \$100,000.00
A00002 - FC-08.07 - Administrative - Obligate \$500,000.00
A00003 - FC-08.01 - Metering Transformer Cabinet - \$29,523.93
P00006 - Number not used.
P00007 - FC-08.10 - Administrative - Obligate \$850,000.00

NORTH 5th AVENUE PUMP STATION REHABILITATION

DACW27-01-C-0008

PROGRESS MEETING

Agenda

January 15, 2004

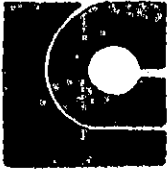
(Continued)

6. Field Changes/Modifications:

- P00001 - Administrative - Transfer of contract from CELRL-CT to CELRC-CT.
- P00002 - FC-08.02 - Administrative - De-obligate \$400,000.00
- P00003 - FC-08.03 - Administrative - De-obligate \$50,000.00
- P00004 - FC-08.05 - Administrative - Obligate \$100,000.00
- P00005 - FC-08.06 - Administrative - Obligate \$100,000.00
- A00002 - FC-08.07 - Administrative - Obligate \$500,000.00
- A00003 - FC-08.01 - Metering Transformer Cabinet - \$29,523.93
- P00006 - Number not used.
- P00007 - FC-08.10 - Administrative - Obligate \$850,000.00
- A00004 - FC-08.08 Modify Existing Flap Valve Pipe Flanges, FC-08.09 - Extend Ladder and Modify Grating
- A00005 - Time Extension Due to Union Picketing - No Change in Contract Amount
- P00008 - FC-08.15 - Administrative - Obligate \$300,000.00
- A00006 - FC-08.04 Delete Portable Gantry Crane and FC-08.12 Relocation of Service
- P00009 - SS-0012 - Administrative - Obligate \$150,000.00
- A00007 - FC-08.11 and FC-08.13 Negotiated on 12-4-02. Processing Modification for payment.
- A00008 - SS015 - Upgrading Existing Power Panel. - \$30,023.61.
- A00009 - SS016 - Disposal of mercury contained in Comminutor - \$4,595.00
- A00010 - SS014 - Float Tube Installation/South Wet well - \$9,210.01, 7 days.
- P00010 - SS017 - Administrative - Obligate 150,000.00.
- P00011 - SS019 - Continuing Contracts Funding - \$210,000.
- P00012 - SS021 - Continuing Contracts Funding - \$43,241.80.
- A00011 - SS020 - Motor base modifications for pumps #3 & #4. Modification sent to Overstreet for signature.
- SS018 - Concrete barrier around sump pit #2. RFP has been negotiated, NTP issued, and COE is preparing modification.

The next progress meeting will be on _____ in the Calumet Area Office.

44

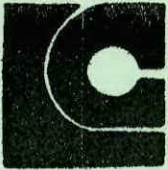


Little Calumet River Basin Development Commission

WORK STUDY SESSION
OPERATION AND MAINTENANCE
February 4, 2004
Bob Huffman, Committee Chairman

1. R. W. Armstrong has been contracted by the Gary Stormwater Management District to compile GIS (geographic information system) information which will give state plane coordinates for all infrastructure within the Little Calumet River watershed (Refer to handout).
2. The COE provided updated O&M information to R. W. Armstrong on February 4, 2004. This will be incorporated into an update of manpower/cost information for the East Reach.
3. The COE sent a letter to the city of Gary (Jim Meyer) on January 11, 2004 regarding storm water quality and that the COE would comply with IDEM regulations. This is essential to have GSD take ownership of two (2) pump stations as part of Stage III remediation.

*Dep still needs ltr
on prime or maintenance
Only got it on 1 p.s.
ME asked if all done
is under MS4 - P. Galik can
answer for next mgt.*



WORK STUDY SESSION

4 February 2004

ENVIRONMENTAL COMMITTEE

Dr. Mark Reshkin, Chairperson

1.) Great news! A closing was held on Friday 30 January for TPL to acquire the 173 acres in Hobart Marsh. (Final cost of the land \$1,065,000 plus \$815 in closing costs to Chicago Title.) In a conference call on January 28,04 it was agreed (Lou can provide the details):

- to sign A Memorandum of Agreement between Trust for Public Land and the LCRBDC stating that TPL using LCRBDC funds will provide the land (173 acres) to the IDNR and the Warranty Deed will be recorded; however, the IDNR still has the right to fail to approve the deed on or before May 31, 2004 (as it goes through the channels of approval from the Attorney General and Governor). If IDNR does not accept the deed LCRBDC has the right to convey the property at not additional cost to any third party as directed by the LCRBDC and the Corps. If TPL does not receive any direction to convey the property to a third party TPL is directed to tender a Warranty Deed to LCRBDC and LCRBDC agrees to accept the deed.

- and to provide relocation benefits to the tenants on the land. The tenants are an elderly couple in their 80's. The family has been there since 1918. Their relocation is actually being paid for by the previous owner, but according to 49 CFR Part 24 the Uniform Relocation Assistance and Real Property Acquisition Rules the tenants are eligible for relocation benefits and moving expenses. It was discussed to have them sign a waiver, but agreed to have them receive the monies.



WORK STUDY SESSION

LAND MANAGEMENT

FEBRUARY 4, 2004

Arlene Colvin, Committee Chairperson

-
1. INDOT has scheduled a meeting on February 10, 2004 at 6:00 p.m. at Wicker Park which will serve as a public hearing for the widening of I-80/94.
 2. A meeting was held at the Ironwood pump station on January 21 to review access to the pumps during a flood event. (Refer to attachments 1-6 of the Land Management report).
 3. The COE verbally indicated we could use the land west of the Chase Street "In-Project" mitigation area for hydric soils.
 - This would allow approximately 57 acres of hydric soils toward our total mitigation requirement.
 4. Action requested allowing attorney to proceed with eviction process on DC739 (Joseph Askew occupying the barn with his horses).
 - Mr. Askew was sent a letter December 4 giving him 30 days to vacate the premises. The 30 days expired on January 3.



WORK STUDY SESSION

4 February 2004

LAND ACQUISITION COMMITTEE

Arlene Colvin, Chairperson

- 1.) There is one increased offer that needs action:

DC 69-A Mercantile National Bank Trust #4950

(I-80 Auto Parts in Burr Street Betterment Levee)

Our offer for a fee acquisition (\$8,400) and temporary work area easement (\$600) of 4.237 acres is \$9,000 based on a Corps approved fair market value appraisal. The Lake County Assessor has assessed the land at a fair market value of \$87,400. We are negotiating with the landowner and have offered a 15% increase of \$1350, making the total offer \$10,350.

- 2.) FYI

We still have 18 flowage and fee acquisitions in the East Reach (Gary). These have not been a priority but may now have to be acquired if FEMA requires **all** the flood project land in Gary to be acquired so the city may come out of the floodplain. Corps will get answers from FEMA and report at the February real estate meeting.

- 3.) FYI

LCRBDC met with Highland officials on 2 February 2004 to explain the 62.4 acres of Highland town and park board easement acquisitions needed for the flood project. We also requested that Highland donate the land. We offered that LCRBDC would be willing to pay for reasonable relocation costs of the baseball fields affected by the project (backstops, fencing, etc.) as long it is approved for crediting by the Corps.

**LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION
ATTENDANCE ROSTER**

NAME OF MEETING: LCR SOC

DATE: Feb. 4, 2004

LOCATION:

CHAIRMAN: Arlene Colvin

PLEASE SIGN IN

	NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER
1	Phil Gralik	R. W. Armstrong
2	Sandy O'Brien	Hobart
3	Heber Waggoner	U. S. Customs Office
4	Jomary Cray	DNR
5	Dan RePay	Hammond City Council
6	Steve Enger	
7	Imad Samara	COE
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
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21		
22		
23		
24		
25		

Committee preferences for 2004:

Land Acquisition/Management

Arlene Colvin
Bob Marszalek

Project Engineering

Bob Huffman
Mark Lopez
Charlie Ray
Mark Reshkin

Legislative

George Carlson
Arlene Colvin
Mark Lopez

Finance

Mark Lopez – Chair (Treasurer)
George Carlson
Arlene Colvin
John Mroczkowski
Charlie Ray

Marina

Emerson Delaney
Steve Davis
Charlie Ray

Policy

George Carlson
Arlene Colvin
Steve Davis
Bob Huffman
John Mroczkowski

Recreation

Emerson Delaney
Bob Huffman

Environmental

Mark Reshkin
Bob Marszalek

Public Relations

Bob Marszalek



Operation & Maintenance

Bob Huffman
Arlene Colvin
Steve Davis
Bob Marszalek

Committee members need to select their chairman to their respective committee and let Sandy know.

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
6100 Southport Road, Portage, Indiana 46368
Phone 219/763-0696 Fax 219/762-1653

FACSIMILE TRANSMISSION

To: Barbara Moore Date: 2-6-04
Company: IDNR From: Andy Mordus
Fax # 317/233-9376 Subject: _____

Total number of pages including
this cover sheet: 2

Comments:

Barbara —

FYI — I just wanted to
make sure you saw this and
were aware of the date.

P

PLEASE DELIVER PROMPTLY

MEMORANDUM OF AGREEMENT

The Trust for Public Land (hereinafter "TPL") is on January 30, 2004, obtaining title to a parcel of property (hereinafter the "Property") legally described on Exhibit A attached hereto and incorporated herein by reference, utilizing funds provided by the Little Calumet River Basin Development Commission (hereinafter the "COMMISSION") in the amount of \$1,065,000.00 as the purchase price and closing costs in an estimated amount of \$1,400.00, for a total of \$1,066,400.00, for the purpose of providing the land to the Indiana Department of Natural Resources (hereinafter the "IDNR") to be held and used for the mitigation portion of the Little Calumet River Flood Control project (hereinafter the "PROJECT") being carried out by the United State Army Corps of Engineers (hereinafter the "CORPS") with the COMMISSION as local sponsor. TPL has delivered its Warranty Deed (hereinafter the "Deed") for the Property to IDNR, which Warranty Deed will be placed of record in the proper recording office in Lake County, Indiana. However, IDNR still has the right to fail to approve the conveyance and reject the Deed.

In the event that the IDNR does not fully accept conveyance of the Property on or before May 31, 2004, TPL will convey the property at no additional cost to any other third party as directed by the COMMISSION and CORPS for the PROJECT. In the event that TPL does not receive direction from the COMMISSION and CORPS to convey the Property to another third party on or before July 31, 2004, then TPL is hereby directed to tender a Warranty Deed for the Property to the COMMISSION and the COMMISSION agrees to accept such conveyance.

TRUST FOR PUBLIC LAND:



Michael C. Zender, Regional Counsel

DATE: 1-29-04LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION:

Dan Gardner, Executive Director

DATE: January 29, 2004

CURRENT LEASES – 2004

<u>Lessee</u>	<u>Lease Agreement</u>	<u>Yearly Income</u>	<u>Comments</u>
Chase Street Farm Stand	\$1,700 per month	\$20,400	<ul style="list-style-type: none"> Amount agreed upon at 1/7/04 meeting Will be revisited when road construction on Grant Street up to 35th Street is completed. (No escalation clause)
Chicago Towers (Includes Ameritech)	\$1,400 per month	\$16,800	<ul style="list-style-type: none"> Current lease since July 5, 2000 – July 5, 2005 (Increase every 5 years based on Metro Chicago Consumer Price Index)
John Robinson (3120 Geny Street)	\$350 per month	\$ 4,200	Lease signed on July 1, 2003 (open end lease)
3 LAMAR signs			
Sign #1050	\$665 per year	\$ 665	West side of Grant – ½ mile south of I-80/94
Sign #3475	\$3,300 per year	\$ 3,300	West of Grant – South of I-80/94
Sign #3480	\$3,300 per year	\$ 3,300	West of Grant – South of I-80/94
Don Ewen	\$ 9,800 per year	\$ 9,800	<ul style="list-style-type: none"> Chase to Grant (Both sides of 35th Avenue) Amount varies with acres farmed-\$70 per acre Based upon 140 acres (paid/tillable acre)
Ed & Tim Bult	\$14,800 per year	\$14,800	<ul style="list-style-type: none"> Chase to Grant between the levees Based upon 200 acres (paid \$74/tillable acres)
TOTAL INCOME		\$73,265	(minus pumping costs incurred by lessee)

Potential leases for next year (2005 farming season):

*Gary Dunlap	\$ 7,800 per year	\$ 7,800	<ul style="list-style-type: none"> West of Clay Street, North of Burns Ditch Based upon 175 acres (lump sum)
*Jerry Ewen	\$ 3,250 per year	\$ 3,250	<ul style="list-style-type: none"> North of I-80/94, West of I-65 Based upon 52 acres of tillable land

* These are 2 leases that were on properties under agreement with LEL. Although those agreements with LEL are now expired, LEL still has the 2004 farming season income. We anticipate the Commission being able to lease these farm lands for the approximate yearly income as stated above in 2005.

Contract Name and Number

Brief Description and Extents
1/29/2004

Description	Original Contract	Changes	Contract Total	Billed	Remaining	Date Approved	Remarks
COE Engineering							
Estimate	\$400,000.00					1/2/1995	
Beginning Estimate	\$520,000.00						
CO 1		\$60,000.00	\$520,000.00	\$400,000.00	\$120,000.00	2/2/2004	Began work 1/2/95
CO 2		\$20,000.00	\$20,000.00	\$60,000.00		2/5/1996	Added south tributary
CO 3		\$20,000.00	\$20,000.00	\$20,000.00		4/4/1997	Added power relocation
		-\$40,000.00	-\$40,000.00	-\$40,000.00		4/30/2000	Deleted bridge work
		\$40,000.00	\$560,000.00	\$440,000.00	\$120,000.00		
AE Engineering (if applicable)							
Estimate	\$100,000.00					1/2/1995	
Beginning Estimate	\$150,000.00						
CO 1		\$3,000.00	\$150,000.00	\$50,000.00	\$100,000.00	2/2/2004	Began work 1/2/95
CO 2		\$3,000.00	\$3,000.00	\$3,000.00		2/5/1996	Added south tributary
CO 3		\$43,000.00	\$43,000.00	\$43,000.00		4/4/1997	Added power relocation
		-\$10,000.00	-\$10,000.00			4/30/2000	Deleted bridge work
		\$36,000.00	\$186,000.00 -	\$96,000.00	\$90,000.00		
Field Engineering / Supervision							
Estimate	\$100,000.00					1/2/1995	
Beginning Estimate	\$150,000.00						
CO 1		\$3,000.00	\$150,000.00	\$50,000.00	\$100,000.00	2/2/2004	Began work 1/2/95
CO 2		\$3,000.00	\$3,000.00	\$3,000.00		2/5/1996	Added south tributary
CO 3		\$43,000.00	\$43,000.00	\$43,000.00		4/4/1997	Added power relocation
		-\$10,000.00	-\$10,000.00			4/30/2000	Deleted bridge work
		\$36,000.00	\$186,000.00	\$96,000.00	\$90,000.00		
Construction							
Estimate	\$3,200,000.00					1/2/1995	
Contract Award Amount	\$3,800,000.00						
CO 1		\$20,000.00	\$3,800,000.00	\$2,800,000.00	\$1,000,000.00	2/2/2004	Low bid Dyer, let 12/3/02
CO 2		\$20,000.00	\$20,000.00	\$20,000.00		1/23/2003	Add 20' dike
CO 3		-\$500,000.00	-\$500,000.00	-\$500,000.00		3/21/2003	Electric relocation done by NIPSCO
CO 4		\$3,525.00	\$3,525.00	\$3,525.00		5/6/2003	Move sewer
CO 5		\$25,000.00	\$25,000.00		\$25,000.00		Move sign
CO 6		\$300,000.00	\$300,000.00		\$300,000.00		Move gas line
		-\$130,000.00	-\$130,000.00		-\$130,000.00		Eliminate lift station
		-\$281,475.00	\$3,518,525.00	\$2,323,525.00	\$1,195,000.00		

ACTION ON FINANCE ITEMS
FEBRUARY 4, 2004

Action needs to be taken this evening addressing contracts for calendar year 2004. This is very important as current contracts have expired December 31, 2003, and we are operating with an approved budget but no approved contracts in place. Below I have listed the items that the Finance Committee Chairman has identified as requiring action.

(1) NIRPC agreement to provide administrative services: The 2004 contract was included in January's agenda packet. Although there were questions concerning how NIRPC has addressed Dan's 20% Little Cal time versus his 50% Little Cal time, there are no proposed changes. The proposed 2004 agreement addresses Dan's time at both 20% and 50% time. Last year's agreement for 100% Sandy's time and 50% Dan's time (and all associated overhead costs) was \$8,400. This year for 100% Sandy's time and 20% Dan's time, the cost is \$6,500 (a decrease of \$1,900/mo). For 100% Sandy's time and 50% Dan's time, the cost is \$8,750 (an increase of \$350/mo). The Finance Committee's recommendation is to approve the administrative contract as presented. The month to month wording gives the Board the flexibility to address the situation in the month any changes take place. ✓

(2) For at least three (3) months, Dan's time will be charged at 20%. That being the case, the total savings for those 3 months at \$1,900 per month will be \$5,700. It is recommended to not pass that savings onto staff but keep it in the Administrative budget.

(3) The Finance Committee recommends approving the attorney's contract for legal services for 2004. The contract allows for an increase of \$5 per hour, from \$90 to \$95. There is no increase in the retainer fee, which remains at \$283.33 per month. This amount is in line with similar services to NIRPC (Dave Hollenbeck) and other governmental units. ✓

(4) R. W. Armstrong's engineering services contract: ✓

Phil Gralik has agreed to delete the clause on the pay rate schedule "Sub-consultants and other Direct Expenses to be billed at cost plus 15%" As a matter of record, that provision was never used for any work R. W. Armstrong has done to date for the Commission.

Additionally, staff director Dan Gardner communicated to Phil Gralik on Tuesday, February 3, the sense of the Commissioners to explore the reduction in the hourly rate charge to the Commission for their services. (current rate is \$158/hour). Mr. Gralik indicated he would contact his main office and hopefully have a response for the Commission meeting.

(5) The contracts with work scope for independent contractors Jim Pokrajac, Judy Vamas, Lorraine Kray and Sandy Mordus were presented at the last meeting. It is recommended that a 2% pay increase be approved (instead of 5% as previously presented). The compensation recommendation for your consideration is as follows:

Jim Pokrajac - \$1.05 per hour increase to \$53.30 (from \$52.25)
Judy Vamas - \$.75 per hour increase to \$38.35 (from \$37.60)
Lorraine Kray - \$.40 per hour increase to \$19.20 (from \$18.80)
Sandy Mordus - \$.50 per hour increase to \$25.00 (from \$24.50) ✓

(6) Based on past performance for the year 2003, it is the Finance Committee's recommendation to approve a compensation adjustment for NIRPC employees:

Dan Gardner - \$5,500
Sandy Mordus - \$4,000 ✓

This does not increase the base salary for either individual.

John



O&M CLAIM NEEDING APPROVAL:

Don Powers Agency

\$200.00

(Rental house insurance coverage for 3120 Gerry St.)

(Covers 3 month period)



2004
1991
13

- 5th mo.

*July Summary
of RWA
charges*

February 4, 2004

*Refer to Finance
(Stand by those fees
for 3-4 yrs)
per Phil*

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

Re: R. W. Armstrong 2004 Hourly Rates

Dear Dan,

As I stated in our telephone conversation yesterday, our firm had already significantly reduced the hourly rate for Jim Flora's services in our original 2004 hourly rate table because the Commission has been an important, long-term client. This was accomplished by combining the Principal, Director, and Client Manager hourly rates into one category at the Client Manager rate.

In the interest of aiding the Commission in their efforts to be as fiscally responsible as possible, our firm has decided to further reduce our hourly rates by moving the Client Manager classification to \$145 per hour. This will in effect be accomplished by billing the Client Manager hours at the Senior Project Manager rate. The Principal and Director rates will remain at the reduced rate of \$158 per hour.

As you are aware my billing classification is Client Manager and Jim Flora's classification is Principal. We will strive to utilize other personnel when possible to further reduce our total billings and do our work for the Commission as economically and efficiently as possible.

We look forward to continuing the relationship we have built together through the years of this project. Please feel free to contact me should you have any questions or concerns.

Sincerely,

R. W. ARMSTRONG & ASSOCIATES

Phillip E. Gralik

Phillip E. Gralik, P. E.
Regional Director

Attachment

P. 219.738.2258 F. 219.738.2259

8300 BROADWAY MERRILLVILLE, IN 46410-6251

WEB SITE: www.rwarmstrong.com



HOURLY BILLING RATES

CLASSIFICATION	CURRENT HOURLY RATES
Principal/Director	158.00
Client Manager/Senior Project Manager	145.00
Project Manager	127.00
Senior Engineer / Architect / Planner	110.00
Design Manager	101.00
Construction Manager	99.00
Engineer / Architect / Planner / Land Acquisition Specialist	97.00
Designer	88.00
Assistant Designer	70.00
CAD Manager / Production Manager	79.00
Senior CAD Technician	70.00
CAD Technician	63.00
Grant Administrator	83.00
Chief Inspector	99.00
Senior Inspector	83.00
Inspector	70.00
Assistant Inspector	52.00
Surveyor	103.00
Assistant Surveyor	70.00
Fieldman	69.00
Assistant/Clerical	69.00
Courier	48.00
Mileage	at current IRS Rates
Subconsultants	at cost
Other Direct Expenses	at cost

Rates Effective through December, 2004

James
Stewart
Deane
Deane

Construction Progress Report**Thru: 3-Feb-04**

CONTRACT NO: **DACW23-02-C-0010**
 CONTRACTOR: **Dyer Construction Company, Inc.**
 DESCRIPTION: **Stage III Remediation**

ORIGINAL CONTRACT AMOUNT:	14-Nov-02	\$1,231,848.00
REVISED CONTRACT AMOUNT A00006 Thru P00004		\$1,310,053.17
ORIGINAL CONTRACT COMPLETION DATE:	09-Nov-03	360
REVISED CONTRACT COMPLETION DATE:	29-Nov-03	20
PENDING SCHEDULE COMPLETION DATE:	29-Nov-03	0

ESTIMATED PROGRESS

A. Present Earnings as of Pay Estimate No. 6	\$1,181,792.61
B. Estimated Earnings thru end of reporting period	\$0.00
C. Value of Work Performed on Directed, Pending Mods (earned but not paid)	\$0.00

LINE 1: SUB-TOTAL (A+B+C) **\$1,181,792.61**

D. Minus Work Paid for but not in place **\$0.00**

LINE 2: TOTAL VALUE OF PHYSICAL PROGRESS (LINE 1 - D) **\$1,181,792.61**

E. POTENTIAL TERMINATION COSTS (% remaining) **\$0.00**

FINANCIAL PROGRESS - FINANCIAL PROGRESS (LINE 1 + E) **\$1,181,792.61**

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

F. Current Contract Amount: A00006 Thru P00004	\$1,310,053.17
G. Current Value of Overruns/Underruns (+/-)	\$0.00
H. Directed, Pending Modifications (Thru RFP "P")	\$101,744.69

LINE 3: TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) **\$1,411,797.86**

FUNDS AVAIL. FOR PAYMENT A00006 thru P00004 **\$1,205,021.50**

ACTUAL PERCENT COMPLETE (LINE 2 / LINE 3) **84%**

SCHEDULED PERCENT COMPLETE (as per NAS/Progress Chart Approved) **92%**

ESTIMATED EARNINGS NEXT THREE MONTHS VS FUNDS AVAILABLE**EARNINGS****REMAINING FUNDS**

\$230,005.24	Feb-2004	(\$206,776.35)
\$0.00	Mar-2004	(\$206,776.35)
\$0.00	Apr-2004	(\$206,776.35)

BREAKDOWN OF LINE B-ABOVE

WORK ITEM	EARNINGS
-----------	----------

L62KGC, 001ZN4

Remarks:

- Modification A00006 for \$95,687.50 - Change condition being processed.
- Contract expected to be completed in APR 04.

Construction Progress Report**Thru: 3-Feb-04**

CONTRACT NO: **DACW23-02-C-0011**
 CONTRACTOR: **Renewable Resources**
 DESCRIPTION: **Mitigation**

ORIGINAL CONTRACT AMOUNT:	07-Nov-02	\$921,102.68
REVISED CONTRACT AMOUNT P00004		\$921,102.68
ORIGINAL CONTRACT COMPLETION DATE:	01-Jan-04	430
REVISED CONTRACT COMPLETION DATE:	01-Jan-04	0
PENDING SCHEDULE COMPLETION DATE:	01-Jan-04	0

ESTIMATED PROGRESS

A. Present Earnings as of Pay Estimate No. 6	\$680,390.98
B. Estimated Earnings thru end of reporting period	\$0.00
C. Value of Work Performed on Directed, Pending Mods (earned but not paid)	\$0.00

LINE 1: SUB-TOTAL (A+B+C) **\$680,390.98**

D. Minus Work Paid for but not in place **\$0.00**

LINE 2: TOTAL VALUE OF PHYSICAL PROGRESS (LINE 1 - D) **\$680,390.98**

E. POTENTIAL TERMINATION COSTS (% remaining) **\$0.00**

FINANCIAL PROGRESS - FINANCIAL PROGRESS (LINE 1 + E) **\$680,390.98**

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

F. Current Contract Amount: P00004	\$921,102.68
G. Current Value of Overruns/Underruns (+/-)	\$0.00
H. Directed, Pending Modifications (Thru RFP "P")	\$0.00

LINE 3: TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) **\$921,102.68**

FUNDS AVAIL. FOR PAYMENT P00004 **\$685,000.00**

ACTUAL PERCENT COMPLETE (LINE 2 / LINE 3) **74%**

SCHEDULED PERCENT COMPLETE (as per NAS/Progress Chart Approved) **74%**

ESTIMATED EARNINGS NEXT THREE MONTHS VS FUNDS AVAILABLE

EARNINGS	REMAINING FUNDS
\$240,711.70 Feb-2004	(\$236,102.68)
\$0.00 Mar-2004	(\$236,102.68)
\$0.00 Apr-2004	(\$236,102.68)

BREAKDOWN OF LINE B-ABOVE
WORK ITEM EARNINGS

Remarks:

- Modification to be processed to address overrun in debris and aggregate.
- Modification to be processed to address drainage pile improvements (e.g., remove drainage lines).

Construction Progress Report**Thru: 3-Feb-04**

CONTRACT NO: **DACW23-95-C-0073**
 CONTRACTOR: **Dyer Construction**
 DESCRIPTION: **Stage II-Phase 3B**

ORIGINAL CONTRACT AMOUNT:		07-Nov-02	\$3,293,968.00
REVISED CONTRACT AMOUNT	Thru		\$3,288,101.88
ORIGINAL CONTRACT COMPLETION DATE:		11-Jan-04	430
REVISED CONTRACT COMPLETION DATE:		11-Jan-04	0
PENDING SCHEDULE COMPLETION DATE:		11-Jan-04	0

ESTIMATED PROGRESS

A. Present Earnings as of Pay Estimate No.	20	\$3,288,101.88
B. Estimated Earnings thru end of reporting period		\$4,041,898.12
C. Value of Work Performed on Directed, Pending Mods (earned but not paid)		\$0.00

LINE 1: SUB-TOTAL (A+B+C) **\$7,330,000.00**

D. Minus Work Paid for but not in place **\$0.00**

LINE 2: TOTAL VALUE OF PHYSICAL PROGRESS (LINE 1 - D) **\$7,330,000.00**

E. POTENTIAL TERMINATION COSTS (% remaining) **\$0.00**

FINANCIAL PROGRESS - FINANCIAL PROGRESS (LINE 1 + E) **\$7,330,000.00**

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

F. Current Contract Amount:	0 Thru	\$0.00	\$3,288,101.88
G. Current Value of Overruns/Underruns (+/-)			\$0.00
H. Directed, Pending Modifications (Thru RFP "P")			\$0.00

LINE 3: TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) **\$3,288,101.88**

FUNDS AVAIL. FOR PAYMENT 0 thru 0 **\$6,975,000.00**

ACTUAL PERCENT COMPLETE (LINE 2 / LINE 3) **228%**

SCHEDULED PERCENT COMPLETE (as per NAS/Progress Chart Approved) **90%**

ESTIMATED EARNINGS NEXT THREE MONTHS VS FUNDS AVAILABLE

EARNINGS	REMAINING FUNDS
\$700,000.00 Feb-2004	(\$1,055,000.00)
\$0.00 Mar-2004	(\$1,055,000.00)
\$30,000.00 Apr-2004	(\$1,085,000.00)

BREAKDOWN OF LINE B-ABOVE
WORK ITEM EARNINGS

L62KGC, 001ZN4 **\$4,041,898.12**

Remarks:

- Field Change SS017 – Delete Installation and O&M of the oil boom. Field change has been sent to EQ.
- Field Change SS018 – Removal of obstructions encountered in the slurry trench. Field change has been sent. The COE will send an amendment to the field change to replace the return of the boom materials with the purchase of the conex box.

Construction Progress Report**Thru: 3-Feb-04**

CONTRACT NO: DACW23-95-C-0071
 CONTRACTOR: Rausch Construction Co., Inc.
 DESCRIPTION: Stage II-Phase 3B

ORIGINAL CONTRACT AMOUNT:		07-Nov-02	\$3,293,968.00
REVISED CONTRACT AMOUNT	Thru		\$3,288,101.88
ORIGINAL CONTRACT COMPLETION DATE:		11-Jan-04	430
REVISED CONTRACT COMPLETION DATE:		11-Jan-04	0
PENDING SCHEDULE COMPLETION DATE:		11-Jan-04	0

ESTIMATED PROGRESS

A. Present Earnings as of Pay Estimate No.	20	\$3,288,101.88
B. Estimated Earnings thru end of reporting period		\$4,041,898.12
C. Value of Work Performed on Directed, Pending Mods (earned but not paid)		\$0.00

LINE 1: SUB-TOTAL (A+B+C) \$7,330,000.00

D. Minus Work Paid for but not in place \$0.00

LINE 2: TOTAL VALUE OF PHYSICAL PROGRESS (LINE 1 - D) \$7,330,000.00

E. POTENTIAL TERMINATION COSTS (% remaining) \$0.00

FINANCIAL PROGRESS - FINANCIAL PROGRESS (LINE 1 + E) \$7,330,000.00

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

F. Current Contract Amount:	0 Thru	\$0.00	\$3,288,101.88
G. Current Value of Overruns/Underruns (+/-)			\$0.00
H. Directed, Pending Modifications (Thru RFP "P")			\$0.00

LINE 3: TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) \$3,288,101.88

FUNDS AVAIL. FOR PAYMENT 0 thru 0 \$6,975,000.00

ACTUAL PERCENT COMPLETE (LINE 2 / LINE 3) 223%

SCHEDULED PERCENT COMPLETE (as per NAS/Progress Chart Approved) 90%

ESTIMATED EARNINGS NEXT THREE MONTHS VS FUNDS AVAILABLE

EARNINGS	REMAINING FUNDS
\$700,000.00	Feb-2004 (\$1,055,000.00)
\$0.00	Mar-2004 (\$1,055,000.00)
\$30,000.00	Apr-2004 (\$1,085,000.00)

**BREAKDOWN OF LINE B-ABOVE
WORK ITEM EARNINGS**

L62KGC, 001ZN4 \$4,041,898.12

Remarks:

- Field Change SS017 - Delete installation and O&M of the oil boom. Field change has been sent to EQ.
- Field Change SS018 - Removal of obstructions encountered in the slurry trench. Field change has been sent. The COE will send an amendment to the field change to replace the return of the boom materials with the purchase of the conex box.

~USACE~
CALUMET AREA OFFICE

FACSIMILE TRANSMITTAL SHEET

TO: <i>J. Bohrer</i>	FROM: <i>Shubert</i>
COMPANY:	DATE: <i>2-4-04</i>
FAX NUMBER: <i>219-762-1653</i>	TOTAL NO. OF PAGES INCLUDING COVER:
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE:	YOUR REFERENCE NUMBER:

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Progress Report

~USACE~
LANDLINE 219-923-1763/64
FAXLINE 219-923-2957

2-4-2004

N. 5th. Ave Pump Station Rehabilitation
DACW27-01-C-0008
Assessment Report

Lessons learned for future contracts/Recommendations:

1. On a complex project such as this, we need to add the Spec Section 01320A for NAS project schedule. Once a detailed NAS is developed by the contractor and approved by the Corps, we need to ensure that it is updated monthly so we can closely monitor if the project is falling behind schedule. The Critical Path required by this section will give an instant view into the trouble spots. If the contractor does not improve his job progress after several attempts and warnings, we should begin Termination for Default procedures.

As can be seen from the above list of "work effort", the contractor accomplished little in the first year of a 700 day contract. Again, aggressive monitoring of a "good" schedule and insisting that the contractor "regain the scheduled progress" depicted on that schedule would help. Without a detailed and approved schedule, it is difficult to determine the effect of any of the above problems on the Critical Path and therefore the contract completion date.

2. Another significant problem was the inability of the rotating contractor superintendents three times over a two year period of the project. We could require minimum experience levels in the specifications. The experience should be the number of years spent on "similar" work. That could be a submittal that requires Corps approval for the superintendent as well as the Quality Control personnel.

3. Untimely and incomplete submittals were and continue to be a problem. The contractor routinely waited until the 11th hour to submit information and then requested expedited reviews from the Corps. After receipt of submittals with comments, some of the comments were ignored and/or were not resubmitted, ultimately delaying installation of some equipment. Timeliness and completeness of required Submittals need to be improved. We must insist that the contractor works from an approved Submittal register and the dates for submittals be adhered to.

4. We may want to consider an Incentive/Penalty clause in the Special Clauses to reward early completion and have an equal penalty for missing the Contract Completion date beyond the usually small dollar value Liquidated Damages. Of course, we must be prepared to pay more for the project if the contractor earns the Incentive dollars. Need to view the urgency of getting the project done versus the extra cost to the Corps and the Sponsor.
5. If we have "multi" station contracts in the future, we could have one station as the base bid and have additional stations as Options for us to exercise if we are satisfied with the performance of the contractor.
6. One last problem was Corps employee turn over (specifically Project Engineers) on this project. We lost continuity because of turn over and the learning curve for follow-on Project Engineers. This contributed to missing some pertinent items and complicated monitoring overall progress on this project. Fortunately, we have the same QAR on this project from the start, therefore we had superior continuity on the actual field work. This is a significant asset. Don't know what we can do about turn over which is just a fact of life. Perhaps, if we had more depth, we could have Alternate Project Engineers, but he/she would have to be fully involved in the project to be able to cover if a Project Engineer leaves.

CURRENT STATUS

The station is fully operational as of 1-21-04 and is considered substantially complete. All that is remaining are punch list items that are not part of the operational main components of the Pump Station.

LAND MANAGEMENT REPORT

For meeting on Wednesday, February 4, 2004

(Information in this report is from January 3, 2004 – January 28, 2004)

A. NON-PROJECT LAND MANAGEMENT

Charles Agnew Park sign will be finished. However, the dedication will be rescheduled for spring 2004.

1. 3120 GERRY STREET (RENTAL HOUSE)

- A lease agreement was signed by the tenants on June 19 for \$350/month on a month-to-month agreement.

2. CHASE STREET FARM STAND (VILLAGE FARM STAND)

- A motion was made at the January 7, 2004 Board meeting regarding future rent and back rent due. Rent will remain at \$1,700/month until Grant Street construction is completed to 35th Avenue.

3. FARM LEASES:

- Modified farm license agreements were sent to both Don Ewen and the Bult brothers on December 30, 2003. These were signed and returned.

B. PROJECT RELATED LAND MANAGEMENT

A. O&M Committee (ongoing issues)

B. O&M (Project manual review/accepting completed segments)

1. The O&M Committee consists of the following members: Bob Huffman (Chairman), Arlene Colvin, Steve Davis, Emerson Delaney, and Bob Marszalek.
2. A meeting was held with representatives from Gary, the COE, and the LCRBDC at the Ironwood Pump Station on January 21 to discuss accessibility & other miscellaneous O&M concerns.
 - A letter was sent to LCRBDC (distributed to COE) by Greeley & Hansen on January 16, 2004 listing their items to be addressed. 1-2
 - The LCRBDC sent a letter to GSD on January 26 addressing these concerns (COE to address (4) specific items) 3-5
 - A letter was sent to the COE on January 26 suggesting a spare pump be provided as a project cost which would be on site during an outage. (This seemed amiable to all parties in lieu of provided access to the station during a flood event). 6

C. A field inspection was held with the O&M committee on August 25th, 2003, to review the construction of the South levee between Grant and Harrison. (Stage II-3C)

1. A letter was sent to the COE on September 22nd, 2003, requesting a response to the settlement around settlement gage east of Harrison.
2. LCRBDC received a response from the COE on October 17th, 2003, with their findings and recommendations.
 - COE visited the site on October 15th, 2003, and found that a 4' diameter area around the settlement gage had subsided about 18".
 - The COE said it may be due to inadequate compaction.

- COE feels levees are sound and only to fill and compact this area with clay. COE will remove remaining gages 12" below crest, fill with grout, the backfill.
 - 3. Supplemental request to COE on October 7th, 2003, to obtain elevations on gages and levee for record purposes. (Ongoing)
 - 4. **LCRBDC received an estimate from C&H Mowing on November 25, 2003 for clearing the view north of the observation deck between Grant and Harrison for \$1,750. An agreement was signed on January 9, 2004.**
 - **This will be completed before Spring, 2004.**
- D. Emergency Management/River Monitoring
1. LCRBDC sent a letter to the COE on September 12th, 2003, requesting an updated, current project map showing road closings and sandbagging locations.
 - The COE submitted modified tables from the upcoming O&M manual on November 4. These need to be put in a different format prior to the LCRBDC submitting to the city of Gary (as requested by Spike Peller)
 - GSD provided point of contact to the COE on January 9, 2004.
 - **GSD provided point of contact to the COE on January 9, 2004.**
- E. Portions of West Reach pump stations in Hammond and Highland have been turned over to their respective communities. Representatives of the Hammond and Highland Sanitary Districts have inspected these facilities with the COE and contractor and signed off as completed.
1. LCRBDC received a copy of a letter from Attorney Allegretti on March 12 (dated March 1) with (8) concerns from the HSD before approving.
 2. **A letter was sent to the Hammond Sanitary District on January 13, 2004 providing data addressing previous concerns for turnover. We suggested their re-visiting of the Interlocal Agreement.**
- F. LCRBDC received a request from INDOT for a right-of-entry for a 12' strip of land adjacent to the I-80/94 south right-of-way from Chase Street to MLK Drive on June 27th, 2003.
1. A letter was sent to INDOT on November 3 indicating some concerns with wording in the INDOT ROE request.
 2. **A memo was distributed to LCRBDC attorney on January 20, 2004 with information to finalize wording for ROE.**
- G. The LCRBDC received information from our insurance company that the only remaining demolition in the East Reach Remediation area is not insurable.
1. Mr. Askew requested at our November 5 Board meeting to rent the barn on this property from us to stable his horses. Without insurance, we need to do demolition. LCRBDC to write letter denying his request.
 2. A letter was sent to Mr. Askew by the LCRBDC on December 4, 2003 indicating he cannot remain on property due to insurance and liability concerns. He has 30 days to vacate.
 3. Mr. Askew called December 19 and also faxed liability insurance forms. He still desires to rent the barn. He would like to discuss situation again at the January 7, 2004 Commission meeting.
 4. **A memo was sent to LCRBDC attorney on January 23, 2004 to take whatever steps are necessary to have Mr. Askew vacate the premises.**

- H. COE letter received September 8, 2003 requesting hydric soil lands
1. LCRBDC sent a letter to the COE on October 9th, 2003, requesting consideration to use lands we own other than the 200 acres between levees between Chase and Grant for hydric soils.
 2. A field meeting was held with Marty Maupin (IDEM), Greg Moore (COE) and Jim Pokrajac (LCRBDC) on November 20 to review LCRBDC lands to see if they may be used for mitigation.
 - A memo was received from the Coe on January 12, 2004 summarizing the field meeting with IDEM.
 - A memo of response was sent by the LCRBDC on January 26, 2004 suggesting supplemental work (culvert/flapgate, levee reinforcement, and soil borings be facilitated by the COE to make our acreage useable for hydric soils.
- I. A letter was sent to the Code Enforcement Dept. of Hammond on January 23, 2004 regarding cutting of trees on and near the levee west of Calumet Avenue and north of the river.
- This letter refers specifically to this issue but also applies to the entire West Reach. This letter suggests that the City Engineers Office do a cursory inspection to assure no structural damage to the levee.

12-14

15-16

17

567 SOUTH LAKE STREET
GARY, INDIANA 46403

PHONE 219-938-8354
FAX 219-938-8376

www.greeley-hansen.com

Date: January 16, 2004

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

SUBJECT: Ironwood Storm Water Pumping Station

Dear Mr. Pokrajac

In anticipation of our site visit to the Ironwood Storm Water Pumping Station on January 21, 2004, I have attached a list previously identified deficiencies along with Gary Sanitary District and Gary Storm Water Management District general requirements.

1. Security Fencing.
2. Padlocks of all access hatches, control/electrical cabinets, valves, and grating.
3. Telemetry System compatible with GSD's Radio Telemetry System.
4. Modified Trash Racks Design.
5. All Guarantees and Warranties.
6. Three sets of "As-Built" plans and specifications.
7. Letter from ACOE regarding the preliminary inspection indicating that all "Punch List" items have been completed.
8. Sign in sheet for witness test of pumps.
9. List of Materials and a turn over sheet to be signed by the LCRBDC accepting all additional spare parts and tools necessary to operate the station.
10. Manufacturers suggested maintenance and operations schedules.
11. Certifications of Instructional Training between manufacturer/installer and GSD/WREP.
12. O&M Manuals.
13. List of Spare Parts.
14. Monitoring and Warning Plan referred to in Exhibit A Article II of the "Interlocal Agreement for the Construction, Operation and Maintenance of the Pumping Stations in Gary Indiana".
15. Provide to the GSD written verification that any directly piped or sewer flows tributary to the new storm water pumping stations have been constructed properly and that no illicit sanitary sewer connections are present. Closed circuit videotapes or approved filed reports shall be provided to verify this prior to approval, per the 3/2/99 and 3/30/99 inspection.
16. BMP Process Installation

It would be productive if we were prepared to discuss all the issues associated with this pumping station at our January 21st meeting. If you should have any questions or require any additional information please call me at 219-938-8354.

Don Smales



Greeley and Hansen LLC

CC: Mr. Otho Lyles, President, GSD Board of Commissioners and GSWMD Board of Directors
Mr. Charles Peller, P.E., GSD Director
Mr. James B. Meyer, GSD Attorney
Mr. Jay Niec, Greeley and Hansen LLC
File



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

January 26, 2004

ARLENE COLVIN, Chairperson
*Mayor of Gary's
Appointment*

EMERSON DELANEY, Vice Chairman
Governor's Appointment

CURTIS VOSTI, Treasurer
Governor's Appointment

ROBERT MARSZALEK, Secretary
Governor's Appointment

GEORGE CARLSON
*Mayor of Hammond's
Appointment*

STEVE DAVIS
*Dept. of Natural Resources'
Appointment*

ROBERT HUFFMAN
Governor's Appointment

MARK LOPEZ
*Lake County Commissioners'
Appointment*

JOHN MROCZKOWSKI
Governor's Appointment

DR. MARK RESHKIN
Governor's Appointment

CHARLIE RAY
*Porter County Commissioners'
Appointment*

DAN GARDNER
Executive Director

LOU CASALE
Attorney

Mr. Spike Peller, P.E.
Director
Gary Sanitary District
3600 West 3rd Avenue
Gary, Indiana 46406

Dear Spike:

As per our meeting on January 21 at the Ironwood pump station, I was requested to submit a letter to you with an update as to the status of the 16 items that were addressed in a letter to me from Greeley & Hansen on January 16, 2004. The status on these items is as follows:

1. Security Fencing

- The fencing has been installed in a secure manner by anchoring the posts to the surface of the concrete wall. A gate with common locks has been installed allowing all appropriate parties access to this area.

2. Padlocks of all access hatches, control/electrical cabinets, valves, and grating

- Padlocks have been provided that do lock all hatches, control cabinets, valves, and grating. (These are currently LCRBDC project locks)

3. Telemetry System compatible with GSD's Radio Telemetry System

- The ACOE has taken the position that a telemetry system is not part of the project scope of work and it should be installed as a betterment.
- The Development Commission will be available to discuss this with you at a future date.

5. All Guarantees and Warranties

- These will be provided to GSD upon turnover of the pump station.
- It appears that these guarantees and warranties will be expired by the time you would take over the station.

6. Three sets of "As-Builts" plans and specifications

- As-Built plans and specifications will be provided to GSD at the time of turnover.

7. Letter from ACOE regarding the preliminary inspection indicating that all "Punch List" items have been completed

- We will provide you a letter from the ACOE assuring that all punch list items have been completed.

8. Sign in sheet for witness test of pumps

- We will provide you with the sign in sheet for the witnessing of the testing of the pumps.

9. List of Materials and a turnover sheet to be signed by the LCRBDC accepting all additional spare parts and tools necessary to operate the station

- A list of the materials and turnover sheet will be provided for all spare parts and tools necessary to operate the station at the time of turnover.

10. Manufacturers suggested maintenance and operations schedules

- The manufacturers suggested maintenance and operation schedules will also be turned over to the GSD at the time of acceptance of O&M responsibilities.

11. Certifications of Instructional Training between manufacturer/installer and GSD/WREP

- We will provide information indicating that both GSD and WREP representatives have been instructed and trained on site by the manufacturer/installer.

12. O&M Manuals

- O&M manuals will be given to the GSD at the time of turnover.

13. List of Spare Parts

- The list of spare parts will be given to the GSD at the time of turnover.

ITEMS TO BE ADDRESSED BY THE ARMY CORPS OF ENGINEERS

4. Modified Trash Racks Design

-
-
-

14. Monitoring and Warning Plan referred to in Exhibit A, Article II of the "Interlocal Agreement for the Construction, Operation, and Maintenance of the Pump Stations in Gary, IN"

-
-
-

15. Provide to the GSD written verification that any directly piped or sewer flows tributary to the new storm water pumping stations have been constructed properly and that no illicit sanitary sewer connections are present. Closed circuit videotapes or approved filed reports shall be provided to verify this prior to approval, per the 3/2/99 and 3/30/99 inspection.

-
-
-

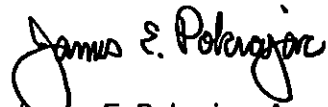
Mr. Spike Peller
January 26, 2004
Page 3

16. BMP Process Installation

-
-
-

I hope we have adequately addressed all of your concerns. If you have any questions or need further clarification of any item, please call me at the above number.

Sincerely,



James E. Pokrajac, Agent
Land Management/Engineering

/sjm

cc: Otho Lyles, GSD Board
Jim Meyer, GSD Attorney
Don Smales, Greeley & Hansen
Jay Niec, Greeley & Hansen
Imad Samara, ACOE
Doug Anderson, ACOE



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

January 26, 2004

ARLENE COLVIN, Chairperson
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CHARLIE RAY
Porter County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

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

Dear Imad:

At our January 21 field meeting at the Ironwood pump station, it was discussed about the possibility of providing a backup pump that would be available on the site that could be used to replace an existing pump in the event of failure during a flood event. This pump would have to be the same pump as the two (2) that are currently in service. Bob Craib reviewed the literature provided to me indicating the size and type of pump and indicated that he could contact the manufacturer to establish a cost for this pump.

Representatives from Gary appeared to feel this would satisfy the concern of having to gain access to this station during a flood event. It appeared that when we discussed this in the field, that all concerned parties seemed to agree that this would be a good alternative to constructing, or improving, access to this area during a flood event.

Will you please facilitate making a decision as to whether or not providing this pump (as part of the spare parts for this station) would be able to be done as a project cost? This would appear to solve problems for both the Development Commission and the city of Gary as part of one of Gary's concerns that is holding up our future coordination for O&M of not only this station, but for completed segments throughout Gary. Will you contact the Griffith field office in order that we may follow up on this subject and if you have any questions regarding this request, please let me know.

Sincerely,

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
cc:

Doug Anderson, Ed Karwatka, Bob Craib, Vic Gervais – ACOE
Spike Peller, GSD
Don Smales, Greeley & Hansen
Jay Niec, Greeley & Hansen

Sandy Mordus

From: "Spike Peller" <spike@garysan.com>
To: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
Cc: "Martin Brown" <martin@garysan.com>; "Sandy Mordus" <smordus@nirpc.org>
Sent: Friday, January 09, 2004 9:51 AM
Subject: RE: Roadway closing information

Imad:

We would be happy to help with this determination. I will have our IT/GIS person, Martin Brown, contact you to start the process.

thanks

Charles G. Peller Jr., P.E., Director
Gary Sanitary District & Gary Storm Water Management District
3600 West 3rd Avenue
Gary, IN 46406
Phone (219) 944-0595 Ext. 1819
Fax (219) 977-8318
spike@garysan.com

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

From: Sandy Mordus [mailto:smordus@nirpc.org]
Sent: Thursday, January 08, 2004 5:06 PM
To: Spike Peller
Cc: Samara, Imad LRC
Subject: Roadway closing information

Spike:

As you recall, at one of our previous Board meetings, you had requested information regarding the closing of roadways in the city of Gary during a major flood event. The Army Corps of Engineers has agreed to provide this information, but in order to do so, they need some local data that, I understand, Gary may have available. This data would be topographic, and I thought you mentioned Gary has these in 1' increments. This would need to be made available to the COE in order that they can calculate which roadways would remain open during what type of storm event (10 year, 50 year, 100 year, or 200 year). You may facilitate this through Imad Samara at the Corps office. His phone number is 312/846-5560. If you have any questions regarding this request, please let me know.

Jim Pokrajac, Agent
Land Management/Engineering
Little Calumet River Basin
Development Commission



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

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Governor's Appointment

CHARLIE RAY
Porter County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

January 13, 2004

Dr. Michael Unger
Hammond Sanitary District
5143 Columbia Avenue
Hammond, Indiana 46327

Re: Operation & Maintenance of the Southeast Hessville Pump Station

Dear Dr. Unger:

We have completed construction and remodeling of the Southeast Hessville Pump Station located south of I-80/94 between Kennedy Avenue and Cline Avenue. This was completed in early 2003, and as per our agreement with the Corps of Engineers, it is the responsibility of the Development Commission to facilitate ongoing operation and maintenance of this station.

I am enclosing a copy of a letter from your Attorney Joe Allegretti dated March 7, 2003 with eight (8) separate concerns from the Hammond Board of Sanitary Commissioners (encl. 1). I have also enclosed information we feel should answer and/or address these concerns (encl. 2). If you need any additional information or need technical clarification of our responses to these concerns, please contact Jim Pokrajac at the above number.

If you feel these concerns are adequately addressed, we would request that we re-visit the signing of an Interlocal Agreement for the operation and maintenance of this pump station.

I have enclosed a proposed resolution authorizing entry into an agreement for continuing operation and maintenance for this pump station (encl. 3), as well as the proposed Interlocal Agreement between the Sanitary District and the Development Commission (encl. 4). The Development Commission has already approved and signed a similar resolution at their February 6, 2003 Commission meeting (encl. 5) committing them to entering into said Interlocal Agreement.

Please contact me at your earliest convenience in order to move this forward.

Sincerely,


Dan Gardner
Executive Director

/s/m
encl.
cc:

Joe Allegretti, Attorney, HSD
Mike Hickey, SEH
Imad Samara, COE
Lou Casale, Attorney, LCRBDC

8



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-165
E-mail: littlecal@nirpc.org

ARLENE COLVIN, Chairperson
*Mayor of Gary's
Appointment*

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Governor's Appointment

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CHARLIE RAY
*Porter County Commissioners'
Appointment*

DAN GARDNER
Executive Director

LOU CASALE
Attorney

TO: Lou Casale, Attorney-at-Law
FROM: Dan Gardner, Executive Director, LCRBDC
SUBJECT: INDOT ROE and INDOT Permits DC-1010C, 1010G
DATE: January 20, 2004

There are currently two (2) outstanding issues with INDOT as follows:

(1.) INDOT is requesting the LCRBDC to sign a right-of-entry to allow their contractor access onto properties owned by the LCRBDC for the I-80/94 project.

- Our status to date, from our understanding, is that you contacted Theresa Giller, attorney for INDOT, (317/232-6734) regarding the rewording of their proposed ROE agreement.
- Attorney Giller was to contact the Attorney General to see if the wording you added to their agreement was satisfactory accordingly to INDOT standards.
- Will you please let us know if she has contacted you and if not, will you please follow up and see if you can expedite this request? (INDOT's schedule is coming up soon and in reciprocation for their cooperation in working with us in the past, we would like to try to meet their deadline.)
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- Recently, INDOT has contracted out for soil borings and the soil boring trucks are currently proceeding eastward to Chase Street. As they proceed to take borings east of Chase, some of those borings may be on our property and we do not want to hold up their contractor.

(2.) Flood protection levee and permanent road easements are needed from INDOT for Stage VI-1.

- We submitted a letter with 5 copies of our flood protection levee permit on July 11th for the area west of Cline Avenue south of I-80/94 (2 triangular parcels). Similarly, we submitted a letter to Ted Elmore on September 19th with 4 copies of our permanent roadway permit west of the INDOT lab in the Kennedy Industrial Park area in Hammond.

January 20, 2004

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- The process we had used in the past was to deal through Mike McGuire from LaPorte District. This has now changed because new personnel are involved with INDOT who want us to modify these permits and go through different channels.
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- These 2 easement acquisitions from INDOT are critical for us to sign the ROE for Stage VI-1 and whatever you can do to expedite this, needs to be done. These parcels become a critical part of our overall task of meeting the COE schedule for releasing a contract this fiscal year. The current COE schedule is to have the ROE signed by us in early summer of 2004.

If you have any questions, please call me.

/sjm

encl.

cc: Jim Pokrajac
Judy Vamos
Arlene Colvin
Imad Samara

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: "Louis M. Casale" <lcasale@cwblawfirm.com>
Sent: Friday, January 23, 2004 3:59 PM
Subject: East Reach Remediation property-Mr. Askew

Lou:

At our last three (3) Commission meetings, Mr. Askew has attended and requested extended use of our flowage easement property for use to house his horses. At these meetings, the Commissioners had indicated that he should vacate the premises and that staff should take necessary actions to assure that he would do so.

You had written a letter dated December 4 to Mr. Askew indicating that he had 30 days to vacate the premises. That 30 days has since expired. Mr. Askew had appealed this at our January 7 meeting with some general information about potential for liability insurance. The Commissioners did not feel this was substantial. Mr. Askew never did sign a waiver.

Will you please take whatever steps are necessary to have him vacate these premises in order that we may give an update at our upcoming February Commission meeting.

Jim Pokrajac, Agent
Land Management/Engineering

//

1/23/2004

12 JANUARY 2004

MEMORANDUM FOR: IDEM (Marty Maupin), LCRBDC (Jim Pokrajac), PM-PM (Imad Samara).

SUBJECT: 20 November 2003 site visit to assess the suitability of east reach Little Calumet River tracts offered as alternatives to the Chase/Grant field by the LCRBDC for IDEM mitigation requirements.

1. On Thursday, 20 November, Marty Maupin (IDEM), Jim Pokrajac (LCRBDC) and I visited several sites in the Little Calumet River flood control project area to determine their suitability to meet the IDEM mitigation requirement to rehydrate 400 acres of hydric soil. These sites, numbered one through six on the attached map, are offered by the Little Calumet River Basin Development Commission as possible alternatives to the approximately 200 acre field located between Chase and Grant Streets south of the river. IDEM has already determined that the 200 acre Chase to Grant field is suitable to meet their mitigation requirements.

Areas 1, 2, 3, 4 and 6 (Map 1).

2. The IDEM mitigation requirement calls for the restoration of hydrology to an area comprised of hydric soil from which ground or surface water has been artificially removed by such means as drainage ditches, field drainage tiles or dikes. Tracts one through four and tract six do not meet these requirements because they exhibit several indicators of wetland vegetation, hydrology and soil, indicating that they are currently existing wetland.

Area 5 (Map 1 and 2).

3. According to Mr. Pokrajac, Area 5 (Maps 1) had been under agriculture until about three years ago and has only recently begun flooding significantly. In the northwest corner of this field, we discovered an approximately 24 inch pipe with a flap gate attached as well as a length of corrugated metal pipe that appear to have been recently dug out and cast aside where a field drainage ditch meets the NIPSCO right-of-way. The NIPSCO right-of-way at this location looks as if it had been improved recently with new gravel and fill. The removal of this pipe and flap gate is probably responsible for the recent increased flooding of the area.

4. Marty suggested that replacing the pipe and flap gate, but this time with the flap gate on the south side of the NIPSCO right-of-way, would allow water to enter and remain on the site. He also suggested that a short dike, recently installed at the northeast corner of Area 5 as part of the Little Calumet River project area mitigation, be reinforced to accommodate the increased Area 5 flooding.

5. Area 5 covers approximately 67 acres, 10 acres of which is comprised of the non-hydric Watseka loamy fine sand (Wk) soil type (Map 2). So the maximum area available here to meet the IDEM mitigation requirement totals 57 acres.

6. Marty stated that IDEM may allow credit for some or all of the suitable portions of the Area 5 field (Maps 1 and 2) for his agency's mitigation requirement, but that no matter how much of the field is ultimately allowed, it is not sufficient to meet the entire 400 acre obligation. Some portion of the IDEM mitigation requirement, Marty explained to Jim, will still have to come from the 200 acre field located between Chase and Grant Streets south of the river. He would be able to determine the rate of credit after the Commission presents him with an IDEM mitigation plan that accounts for the entire 400 acre hydric soil obligation. The LCRBDC, then, should write an IDEM mitigation proposal to address the full 400 acre IDEM mitigation obligation.

7. The numbers in Table 1 appeared in a 19 February 2002 letter from then Chicago District Deputy for Project Management Ray Coughenour to Dan Gardner and represents an effort to estimate the number of acres that will be needed to fulfill the IDEM mitigation requirement once land acquisition has been completed at Hobart. This list is not meant to imply that these tracts are the only ones available or, in fact, that they are any longer available at all. I had chosen tracts for this list that would come as close as possible to the 311 acre (without enhancement) Hobart area mitigation requirement. **This is only an example. These numbers may change depending upon which tracts we ultimately acquire at Hobart and how much hydric soil they contain.** We will soon be closing on the Bailey tract, which we will then add to the list.

8. Table 1 shows that, given the listed tracts, the hydric soil deficit at Hobart would be 188 acres or, conversely, that 136 acres of hydric soil would be provided. Assuming that IDEM allows full credit for the 57 acres available in Area 5 (Maps 1 and 2), this would leave 142 acres remaining to be accommodated in the 200 acre field located between Chase and Grant Streets south of the river. The calculation showing how this number was derived follows Table 1.

Table 1: Potential Hobart area tracts for mitigation.			
Tract ^{1/}	Tract Size (Ac)	Hydric Soil Acres	Hydric Soil Deficit
Berndt (east)	36	31	5
Berndt (west)	15	7	8
Bundalo	20	9	11
Faddell	33	16	17
Frohman	40	20	20
Kim	73	18	55
Mandon-Julian	15	4	11
Nozrik 1(north)	33	17	16
Nozrik (central)	10	1	9
Nozrik (south)	17	2	15
Price	17	9	8
S of McS, Skomac	11	2	9
S of McS, W of Skomac	4	0	4
Totals	324	136	188
Note: 1/ Some tracts may have fewer acres available for mitigation than shown due, for example, to owners wishing to retain homesteads. 2/ McS = McCloskey Savanna State Nature Preserve.			

9. Calculation to Determine Number of Acres Needed to Meet IDEM Mitigation Requirement:

400 Acre IDEM mitigation requirement total

-65 Hydric soil acres met in project area (89 mitigation acres – 24 nonhydric acres)

335 Hydric soil deficit with project area acres included

335 Hydric soil deficit with project area hydric acres included

-136 Hydric soil acres met at Hobart (from Table 1)

199 IDEM mitigation requirement remaining with project area & Hobart hydric acres included

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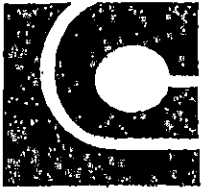
-57 Hydric acres from Area 5* offered by LCRBDC (Maps 1 and 2)

142 Acre total hydric soil deficit

*Note: We do not know yet how much credit IDEM will allow in the 57 acre Area 5 field. If IDEM allows less than full credit, the 142 acre total hydric soil deficit will rise by a proportionate amount.



Gregory Moore
Plant Ecologist



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LOU CASALE
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TO: Greg Moore, U.S. Army Corps of Engineers

FROM: James E. Pokrojac, Agent, Land Management/Engineering

SUBJECT: November 20, 2003 site visit to assess the suitability of east reach Little Calumet River tracts for IDEM mitigation requirements

DATE: January 26, 2004

Thank you for your memo dated January 12, 2004 regarding our November 20, 2003 site visits with Marty Maupin from IDEM. Your recollections appear to be the same as mine. Unfortunately, Marty indicated the majority of our lands have already reverted to wetlands and could not be used for hydric soils as part of our mitigation plan. However, the Area 5 which is west of the current Chase Street wetland mitigation area, appears to have some areas suitable for our purpose. As we discussed in the field, three (3) issues needed to be resolved in order that we could pursue getting credit for this area for hydric soils.

(1) Marty suggested in the field that in the northeast corner of this acreage, there was a short stretch of levee that had been constructed but it needed to be reinforced to accommodate the increased Area 5 flooding (your Item #4). In the field, I questioned the possibility of reinforcing that stretch as part of the ongoing In-Project Mitigation contract because the contractor has equipment on site and capability to do this work.

(2) Marty also suggested that in the northwest corner of this field, we need to replace an old 24" pipe and flap gate, with the flap gate being installed on the south side of the NIPSCO right-of-way. I also asked that day in the field whether or not we could include this work as part of the In-Project Mitigation.

(3) Marty also mentioned that he might need additional soil analysis to determine what lands would be suitable for use as hydric soils, and I questioned if you could help facilitate the obtaining of this information.

Mr. Greg Moore
January 26, 2004
Page 2

Being that this property is currently owned by the Little Calumet River Basin Development Commission, it would be a benefit to the project to be able to take advantage of this resource as part of our overall mitigation plan. We are aware that this will not completely eliminate the need for other hydric soils but at least it would reduce the amount that you are requesting between the levee between Chase Street and Grant.

We need to determine if we can include these three (3) items as part of the ongoing In-Project Mitigation project. We also need to know what the next step would be to facilitate the use of this land if we are to be in compliance with IDEM's suggestions. Please contact me if you have any questions regarding this request.

/sjm

cc: Dan Gardner
Imad Samara



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Executive Director

LOU CASALE
Attorney

TO: Rich Diombala, Code Enforcement, City of Hammond

FROM: Dan Gardner, Executive Director,
Little Calumet River Basin Development Commission

SUBJECT: Cutting of Trees on and near the banks of the levee of the
Little Calumet River in Hammond, Indiana

DATE: January 23, 2004

I am responding to our phone conversation of January 22 regarding your report that a property owner was cutting trees on and near the levee of the Little Calumet River in Hammond near Calumet Avenue and the potential for problems related to flooding.

The Development Commission is the local sponsor for the long range Federal control project which will take Hammond out of the floodplain. In that capacity, we are not a regulatory body, and the project has not progressed to that area where we have acquired construction easements along the river. Over the years, we have been made aware that the existing spoil bank levees were constructed from various materials, and have not been maintained to State and Federal standards and are, therefore, not Federally recognized. Certain trees and shrubs have grown up, sometimes on the levee itself, through lack of a maintenance program. To cut this vegetation without a structural analysis could prove damaging to the stability of the levee in holding back any rise of the river. It is my recommendation that the City Engineer's Office do a cursory inspection to see that any of the trees cut are in the main structure of the levee. Once that is accomplished, the property owner should be made aware of the possible potential for any failure. We would be available to meet with any city officials to discuss options if the analysis warrants.

I hope this information is of some help to you in dealing with this situation.

/sjm

LAND ACQUISITION REPORT

For meeting on Wednesday, February 4, 2004

(Information in this report is from January 3, 2004 – January 28, 2004)

STATUS (Stage III) – Chase to Grant:

1. Six landowners want to complete their acquisitions. Appraisal has been approved by the COE. These acquisitions are difficult due to breaks in the title chains.
2. There are a total of 18 flowage acquisitions left in the entire East Reach (Cline to I-65). It was discussed at the January 4th, 2004 Real Estate meeting to research if we need to acquire these for Gary to come out of the flood plain. COE will get answers from FEMA and report at next month's Real Estate meeting.

STATUS (Stage III) – REMEDIATION

Pumping west of Grant Street

1. Status of Right-of-Entry:
 - ROE was signed by the LCRBDC on April 4th, 2002.
 - Contract awarded – Construction started February, 2003.

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

1. Construction on the WIND Radio station property has been completed using a right-to-construct. We still need a permanent easement on the property to perform O&M.
2. Appraisal by appraiser Tim Harris was submitted January 7th, 2004, for review. COE reviewer is requiring revisions and is asking for follow-up information on septic tank and an underground storage tank located on the property.

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

1. Stage V-2 is (2) segments as follows:
 - Stage V-2A (Kennedy to Indianapolis Blvd.)
 - Stage V-2B (Indianapolis Blvd. to Northcote)
2. A revised schedule for budgeting appropriations proposes land acquisition for Stage V-2 to begin in April 2004, with a tentative construction start in October 2005.

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

1. Construction is currently projected to start in the summer of 2006.
2. Woodmar Country Club acquisition is "on hold".
3. A meeting was held with Woodmar on December 4th, 2003. Woodmar and COE are discussing timetables for construction (Ongoing).
 - At this point in time, all of Hammond (Cline to State Line) would come out of the flood plain at one time. All construction needs to be completed in the West Reach North of the river.

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

1. At the January 21st, 2004 Real Estate meeting, it was discussed about dividing VI-1 into a North and a South contract.
 - LCRBDC currently has all properties South of the river except one. We should be able to release this contract earlier than VI-1 North.
2. COE reviewer is requiring additional information about the buildings on the Déjà Vu and old Burger King property. Appraiser has made changes and new appraisals will be submitted February 3rd, 2004
3. A permanent roadway permit was sent to INDOT on September 19th, 2003, for approval.
 - INDOT attorney is discussing legal issues with our attorney before signing the two easement permits needed for Kennedy Industrial Park.
 - A change of personnel at INDOT requires easement language to complete. (DC1010-C and DC1010-G). A memo was sent to LCRBDC attorney on January 20th, 2004, with update and information in order to finalize signing with INDOT attorney. 1-2
4. Condemnation hearing for DC1011-C (Best Western Motel) was held on November 19. Court appointed appraisers on January 9th, 2004 came back with an appraisal amount of \$23,400. We will pay the money into court. Our original offer based on a COE approved appraisal was \$13,300.
5. Krosan (DC 1015) condemnation is proceeding. This is the vacant Krosan property. Attorney for Krosan is in contact with our attorney. Krosan (DC 1014), the improved lot, is currently being appraised. Appraiser is waiting on income and expense statements from Krosan in order to finish the appraisal.
6. We received a letter from Accor North America (Motel 6 in the Kennedy Industrial Park) expressing concerns about our offer and easements.
 - Accor is reviewing our answers to their concerns and will assign their response to another department.
7. The last residential offer was mailed on January 19th, 2004. The landowner seems reluctant to negotiate. This may be a condemnation lasting 4 to 5 months. The deadline is March 26th 2004 for ROE. We are pursuing an "emergency" temporary easement on an adjacent NIPSCO lot in order to meet the March 26th deadline.
8. Update on condemnation appraisal values: (In Kennedy Industrial Park.)
DC 1010-B – offer \$15,500 court \$25,100
DC 1011-B – offer \$13,300 court \$23,400
9. We forwarded a letter, dated December 16th, 2004, from the COE to landowner B & B Properties. (DC 1011-B). The letter addresses his concerns about our acquisition of a large portion of his property for a staging area. He requested a survey to stake out the staging area.
 - The survey has been ordered to stake out the actual lines of acquisition and provide a location drawing showing existing levee and fencing.
 - The landowner will sign offer and mail to us the week of February 2nd, 2004.
10. Letters were sent to the Highland Town Council and Highland Park Department requesting their cooperation by donation and expediency in signing the needed easements for Stage VI -1. 3-6

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

1. Stage VI-2 is under way. All surveys **are** completed. At Real Estate meeting with the COE, it was discussed to hire an appraisal company with several appraisers to complete the appraisals simultaneously.
 - We will be interviewing Integra Appraisals of Chicago for an estimate to complete the entire Stage VI-2 on January 9th, 2004. We will also be contacting local firms for their estimates.
2. A letter was sent to RANI Engineering (COE A/E for VI-2) on December 23rd, 2003, requesting real estate information east of Cline Ave. to allow completion of legals.
 - **This information was received and incorporated into the final surveys.**

STATUS (Stage VII) – Northcote to Columbia:

1. The COE has put Stage VII on hold.

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

1. The COE has put Stage VIII on hold.

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

1. Seven remaining Burr Street levee acquisitions are in the works.
2. **Updated offers on Mansard Apartments (DC 603) and I-80/94 Auto Parts (DC 69-A) have been mailed to the landowners.**
3. New assessments have been mailed to landowners. In some instances, new land values are much higher than previous values. Higher land values may result in landowners asking for higher increased offers than previous.
 - **Both DC 603 and DC 69-A have asked for offer increases to match their new assessed values.**
4. Attorney is in contact with the attorneys for DC 584, 69, 582/583. The appraisals will be updated to current land values.
5. We are in contact with Norfolk & Southern Railroad. A right-to-construct will be obtained while the appraisal is being completed.
 - **Prior to submitting information and a request for a Right-to-Construct, the COE needs to provide LCRBDC with pertinent engineering data/information which is needed in this submittal.**
 - **A letter was sent to the COE requesting this data on January 27th, 2004.**
6. **At the January 21st, 2004 Real Estate meeting with the COE, it was discussed to divide this contract into (2) parts: from Colfax to Burr St. (Gary contract), and Burr St. to ½ East to Clark (LCRBDC/COE) contract.**
 - **The Gary portion may be able to have ROE signed and released by March 26th, 2004. We have all properties. Needs to be facilitated with Gary.**

7

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

1. At the January 21st, 2004 Real Estate meeting, it was discussed that LCRBDC may need to acquire the ten remaining flowage acquisitions in the ERR for Gary to come complete out of the flood plain. The COE will contact FEMA and report at the February Real Estate meeting.

IN-PROJECT MITIGATION:

1. Acquisition on in-project mitigation is complete. Construction started March, 2003 and we anticipate completion by May, 2004.
 - Renewable Resources is the contractor.

CREDITING:

1. The COE appraisal reviewer is requiring a survey or copy of the real estate drawing on appraisals for property acquired before the LCA signing date of 9/26/90. We are complying in order to receive credit for these lots. (Ongoing)
2. A memo was sent to the COE on December 11th, 2003, requesting a “letter of clarification” regarding flowage easements not designated as such on the COE real estate drawings.
 - This letter of clarification affects all lands between the levees and the river in general, and specifically affects all lands acquired before the LCA signing date of September 26th, 1990, and more specifically affects appraisals DNR 2, DNR 4, DNR 6, DNR 40, DC 85, DC 92, and DC 465 waiting to be COE reviewed and approved for crediting.



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GEORGE CARLSON
Mayor of Hammond's
Appointment

STEVE DAVIS
Dept. of Natural Resources'
Appointment

ROBERT HUFFMAN
Governor's Appointment

MARK LOPEZ
Lake County Commissioners'
Appointment

JOHN MROCZKOWSKI
Governor's Appointment

DR. MARK RESHKIN
Governor's Appointment

CHARLIE RAY
Porter County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

*Don letter to
Town & Highland
Council*

January 22, 2004

Mr. Mark Herak
Town Council President
Highland Town Council
3333 Ridge Road
Highland IN 46322

Mr. Michael Griffin
Clerk-Treasurer
Town of Highland
3333 Ridge Road
Highland IN 46322

Dear Town Council President Mark Herak and Clerk Treasurer Mike Griffin:

Enclosed please find 2 permanent flood protection levee easements, closure structure easement, flowage easement, and temporary work area easement that will allow Federal levee construction on lands owned by the Town of Highland. These easements are the minimum interest required by the Army Corps of Engineers for construction contracts to be awarded. There is an urgency to this request because the Federal money for construction is currently available, but the COE cannot advertise for construction until the easements are made available. To hold to the Federal construction schedule, the land must be available by the end of March.

I and others of the Development Commission staff are available to brief you and the other Town Council members, and appropriate Highland personnel, regarding the easements needed, the construction details, and the schedule for removing Highland subsequently from the floodplain. We would be available for a work study session or any public meeting that you would require to feel fully comfortable in approving these easements.

The Development Commission requests these easements be approved for donation for two important reasons: (1) this would enable the Development Commission to extend further westward in Highland and Hammond its acquisition program and accomplish more acquisition with the dollars the Indiana General Assembly has made available to us; and (2) this graphically demonstrates to the State Budget Committee and the Indiana General Assembly the active participation of local units of government in financially supporting this project. This pointed request by the State Budget Committee was made at their last hearing in August, and it is the Commission's feeling that positive local governmental participation will demonstrate further the region's commitment to this project.

Mr. Mark Herak
January 21, 2004
Page 2

Thank you for your active support in the past and your timely consideration of this important request and we stand ready to work with you to bring this project to successful construction in Highland.

The Little Calumet River Basin Development Commission respectfully asks the Town of Highland approve and execute the enclosed five (5) copies each of the easements needed for Federal construction.

If you have any questions, please feel free to call me at your convenience.

Sincerely,



Dan Gardner
Executive Director

/sjm
encl.

cc: John Bach, Highland Public Works
Imad Samara, ACOE
Sean Fahey, IDNR
Arlene Colvin, LCRBDC chairperson
LCRBDC members
Lou Casale, LCRBDC attorney

SV/-1



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

January 22, 2004

ARLENE COLVIN, Chairperson
Mayor of Gary's
Appointment

EMERSON DELANEY, Vice Chairman
Governor's Appointment

CURTIS VOSTI, Treasurer
Governor's Appointment

ROBERT MARSZALEK, Secretary
Governor's Appointment

GEORGE CARLSON
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DAN GARDNER
Executive Director

LOU CASALE
Attorney

*Don letter
to Highland
Park
Dept.*

Mr. Alex Brown
Superintendent
Highland Parks & Recreation Department
2450 Lincoln Street
Highland IN 46322

Dear Park Superintendent Alex Brown:

Enclosed please find a permanent flood protection levee easement and a temporary work area easement that will allow Federal levee construction on lands owned by the Town of Highland Park Department. These easements are the minimum interest required by the Army Corps of Engineers for construction contracts to be awarded. There is an urgency to this request because the Federal money for construction is currently available, but the COE cannot advertise for construction until the easements are made available. To hold to the Federal construction schedule, the land must be available by the end of March.

I have included a map showing overlaying easements on top of the existing park facilities to illustrate the minimal impact to the permanent recreation facilities in Homestead Park. I believe these required easements can be worked to meet any concerns the Highland Park Department, or Highland Town Council, would have regarding negative impacts to Highland facilities in the long term and during construction.

I and others of the Development Commission staff are available to brief you and your Park Board members, and appropriate Highland personnel, regarding the easements needed, the construction details, and the schedule for removing Highland subsequently from the floodplain. We would be available for a work study session or any public meeting that you would require to feel fully comfortable in approving these easements.

The Development Commission requests these easements be approved for donation for two important reasons: (1) this would enable the Development Commission to extend further westward in Highland and Hammond its acquisition program and accomplish more acquisition with the dollars the Indiana General Assembly has made available to us; and (2) this graphically demonstrates to the State Budget Committee and the Indiana General Assembly the active participation of local units of

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Mr. Mark Herak
January 22, 2004
Page 2

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Thank you for your active support in the past and your timely consideration of this important request and we stand ready to work with you to bring this project to successful construction in Highland.

The Little Calumet River Basin Development Commission respectfully asks the Town of Highland Park Department approve and execute the enclosed five (5) copies each of the easements needed for Federal construction.

If you have any questions, please feel free to call me at your convenience.

Sincerely,



Dan Gardner
Executive Director

/sjm
encl.

cc: Highland Park Board members
Mark Herak, Town Council President
John Bach, Highland Public Works
Imad Samara, ACOE
Sean Fahey, IDNR
Arlene Colvin, LCRBDC chairperson
LCRBDC members
Lou Casale, LCRBDC attorney

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Porter County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

January 27, 2004

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

Dear Imad:

I have begun to process the necessary agreement with the Norfolk Southern Railroad for the two (2) locations on the Norfolk Southern right-of-way for the Burr Street II Betterment levee. One location is directly west of Burr Street and the other location is approximately ½ mile east. My most recent set of plans and specifications are dated June of 2001. In a previous Real Estate meeting, you indicated to me that there would be no changes in the easements on either of these locations. Before we pursue the update of the appraisal, I need to assure that both the acreages for these easements (2 permanent easements and 3 temporary easements) have not changed. I need to have a written description of the scope of work in both locations in order to provide this information to David Orrison from the NSRR as part of the right to construct agreement. In addition, it appears that cost information will be required for each location. In order to expedite this agreement and meet your current schedule, this information needs to be provided immediately. I realize you have not completed the 100% plans for final review but if nothing is going to change on the right-of-way, could you pull the pertinent information and send it to me in order that I may provide it to Dave Orrison as part of our submittal.

I also need to know the current COE schedule for providing the 100% set of plans for review as well as your projected date for us to sign the ROE for this segment. As per past projects, all parties that will be evaluating your plans & specifications require a minimum of 14 working days.

Upon receipt of this information, I will incorporate that into a Right to Construct Agreement and submit it along with plans to Mr. Orrison in order that we may begin this process. If you have any questions, please call me.

Sincerely,

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
cc:

Roy Deda, COE
Dan Gardner, LCRBDC Director
Judith Varnos, LCRBDC
Lou Casale, LCRBDC Attorney

Sandy Mordus

From: <huffmun@sbcglobal.net>
To: "Sandy Mordus" <smordus@nirpc.org>
Sent: Wednesday, February 04, 2004 1:58 PM
Subject: Aerial Photographs

Sandy, please print copies of this to give to meeting attendees tonight.
Nice pix of the project as of 2003.

Bob

High-resolution color aerial photographs taken in the summer of 2003 are available for most of Indiana, including Lake, Porter, and LaPorte Counties. The files are available on the Internet at:

Main Page

<http://www.indiana.edu/~gisdata/index.html>

State Wide Aerial Photos

<http://www.indiana.edu/~gisdata/naip2003.htm>

http://www.indiana.edu/~gisdata/aerial_photos.htm

The photos are available in a format called MrSID. There are links on the site listed above to other web sites where viewers are available at no cost. I have found that the ERDAS viewer has images that are more faithful to color but lose detail in some areas of high reflectivity. The viewer from Lizardtech shows the photos with a greenish cast but shows better details in the light areas.

I have looked at only the Lake photograph so far. It not only covers Lake County but also extends for a mile or two into the surrounding counties.

The only catch: The files are quite large. The Lake County image is 125 MB and the download took over an hour with my DSL connection. The ERDAS viewer is about 25 MB. You don't need the latest high-powered computer to use these. My computer is feeble by modern standards and handles the files nicely.