



# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

E-mail: [littlecal@nirpc.org](mailto:littlecal@nirpc.org)

ARLENE COLVIN, Chairperson  
Mayor of Gary's  
Appointment

ROBERT MARZALEK, Vice Chairman  
Governor's Appointment

ROBERT HUFFMAN, Treasurer  
Governor's Appointment

JOHN MROCZKOWSKI, Secretary  
Governor's Appointment

WILLIAM BILLER  
Governor's Appointment

GEORGE CARLSON  
Mayor of Hammond's  
Appointment

STEVE DAVIS  
Dept. of Natural Resources  
Appointment

CHARLES RAY  
Porter County Commissioners  
Appointment

DR. MARK RESHIN  
Governor's Appointment

VACANCY  
Governor's Appointment

VACANCY  
Lake 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, SEPTEMBER 1, 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 August 4, 2004
5. Chairperson's Report
  - Status of Gary City Council ordinance appropriating \$1.4 million for Burr Street Phase 2 Gary portion of levee
6. Executive Director's Report
  - Communication with Hammond regarding City, Sanitary, and Park Board property easements for Stage VI-1N – Meeting with city engineer and city attorney on August 24
  - Report on meeting held with Munster Town Council and residents on August 9
7. Outstanding Issues
  - Update on Highland Park property donation – Need to complete commitment to Highland for compensation for loss of ball diamond
  - INDOT information received to finalize Borman projects crediting
  - Resolution 04-01 – Communication to city of Gary

*Billie  
not here  
next month*

*memo of agreement  
w/TPC needed.*

*1-3*

*4*

*5*

*motion to accept  
TPC had center -  
asked about R.E. mts  
Sept 10 on Sept 15?  
white sweater, blk knit long  
jacket blk/wh/ tan print  
black*

8. Standing Committees

**A. Finance Committee – Bob Huffman, Treasurer**

- Financial status report
- Approval of claims for August 2004
- Approval of O&M claims for August 2004
- Issues for Discussion

6  
7-8  
9

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

**Land Acquisition**

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

**Land Management**

- 3120 Gerry Street bids opened August 17 – No bids received
- VIEW Outdoor proceeding with permit process
- Issues for Discussion

**C. Operation & Maintenance – Committee Chairman Bob Huffman**

- East Reach pump station inspection dates are scheduled with COE and Gary
- June 28 O&M meeting with Gary – Notes finalized
- Issues for Discussion

**D. Environmental Committee – Committee Chairman Mark Reshkin**

- Mitigation status of Hobart Marsh area
- Issues for Discussion

**E. Legislative Committee – Committee Chairman George Carlson**

- 2005/07 State biennial request sent to State Budget Committee
- Status of State Budget Committee release of remaining \$2 million
- Issues for Discussion

10-12

**F. Project Engineering Committee – Committee Chairman Bob Huffman**

- Report on meeting held with the COE on August 12 for pump station 1A
- Pre-bid meeting for Stage VI-1 South held on August 12
- Issues for Discussion

**G. Recreational Development Committee – Committee Chairman Bob Huffman**

- Issues for Discussion

**H. Marina Development Committee – Committee Chairman Charlie Ray**

- Next marina bond payment due October 1. Staff will notify city to request payment.
- Need to schedule meeting with city of Portage and committee
- Issues for Discussion

**I. Policy Committee – Committee Chairman George Carlson**

- Issues for Discussion

**J. Public Relations Committee – Committee Chairman Bob Marszalek**

- Charles Agnew Handicapped Park dedication will be scheduled soon
- 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, August 4, 2004**  
**6100 SOUTHPORT ROAD**  
**PORTAGE, INDIANA**

Chairperson Arlene Colvin called the meeting to order at 6:10 p.m. Seven (7) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

**Development Commissioners:**

Arlene Colvin  
Bob Marszalek  
Robert Huffman  
Charlie Ray  
George Carlson  
Bill Biller  
Steve Davis

**Visitors:**

John Wanner – Munster resident  
Imad Samara – COE

**Staff:**

Dan Gardner  
Sandy Mordus  
Lou Casale  
Judy Vamos  
Lorraine Kray

A motion to approve the minutes of July 7 was made by Bob Marszalek; motion seconded by Bob Huffman; motion passed unanimously.

**Chairperson's Report** – Chairperson Arlene Colvin reported that a Gary Council Finance Committee meeting was scheduled for July 27 in which support of an ordinance for approval of the \$1.4 million for the Burr Street Betterment levee Phase 2 was on the agenda. Besides Chairperson Arlene Colvin, Dan Gardner and Jim Pokrajac attended the meeting to answer questions. After discussion, the ordinance was deferred until the next meeting (presently scheduled for August 17).

**Executive Director's Report** – Mr. Gardner reported that all Highland easements were approved by the town. The court appraisal value of the easements was \$116,700 total that would be creditable to the Commission. The Commission expressed its gratitude for their cooperation.

- We have communicated with Mayor McDermott and Marty Wielgos, Chief of Staff, and have asked them to schedule a meeting of the city entities that we need easements from. Easements are needed from the city, Hammond Parks Department and Hammond Sanitary District. We want to meet with them and explain the process of a "friendly condemnation" that we just completed with Highland. It is hoped that Hammond would go through the same process to establish a fair market value by the Court process.

- A Munster town work study session meeting is scheduled for 7:00 p.m. on August 9 in which the Little Calumet River Flood Control/Recreation project is the main discussion item. A number of residents that have attended our Commission meetings have requested the town of Munster to have us attend a meeting to describe the project, the schedule, the impacts and benefits, especially the area along Hart Ditch. Mr. Gardner referred to pages 7-10 in the agenda packet that summarizes the pre-hearing conference before the Natural Resources Commission. The Munster residents have a concern about losing the trees on the parkway area along Hart Ditch. Mr. Gardner referred to Jomary Crary's email on an Indianapolis web site that is a project like the Little Cal. The Army Corps was able to work with the residents and the contractor to minimize the tree removal. Their project is very similar to ours. We have made a commitment to Munster residents that we will work with them as much as we can to minimize the impact of tree removal along Hart Ditch.

**Outstanding Issues** – Mr. Gardner referred to the proposed Resolution 04-01 in the Land Management Report regarding the donation of lands to the city of Gary in exchange for a commitment on O&M. After discussion, a motion was made by Bill Biller to approve the resolution; motion seconded by Bob Huffman; motion passed unanimously.

**Finance Committee** – Treasurer Bob Huffman presented the financial report and the claim sheet. He proceeded to make a motion to approve the financial claim sheet and the claims for July totaling \$44,106.89; motion seconded by Bob Marszalek; motion passed unanimously.

- Mr. Huffman then made a motion to approve the O&M claims of \$150 and \$7,199.64; motion seconded by Bob Marszalek; motion passed unanimously.

**Land Acquisition/Land Management Committee** – Committee Chairperson Arlene Colvin gave the Land Acquisition report. She made a motion to use eminent domain on four (4) properties. They were DC210 and DC211 (both lots owned by the same party. They think our offer is too low compared to the reassessed value they have just received. They have agreed to a friendly condemnation.) The motion also covers condemning DC617 and DC1000 (both are flowage easements in which owners are reluctant to accept the offers. Approval to condemn is sought in case we cannot come to a settlement). Motion seconded by Bob Huffman; motion passed unanimously.

- After Attorney Casale informed the Board that Krosan has withdrawn their exception to the court-awarded value placed on their property and would accept the appraised award, Mr. Casale asked for Board approval to also withdraw the Commission's objection to Krosan's exception. The money has already been placed in court. Arlene Colvin made a motion for the attorney to withdraw the action and dismiss the case as long as Krosan's attorney has done the same; motion seconded by Bob Huffman; motion passed unanimously.

**Operation & Maintenance Committee** – Committee Chairman Bob Huffman stated that plans are being made for the COE inspections for the four pump stations in Gary. Jim Pokrajac has been coordinating these efforts with Reric Witowski from the COE. We are waiting for a response from Gary to confirm their attendance and to set dates for these inspections.

**Environmental Committee** – In Committee Chairman Mark Reshkin's absence, Bob Huffman reported that a meeting has been scheduled by IDEM for August 12 regarding the Draft Little Calumet River and Burns Waterway Total Maximum Daily Load for E. coli. Mr. Gardner added that the meeting is not directly project-related. He said that there is a task force that meets on a regular basis. The COE will be in attendance at the meeting.

**Legislative Committee** – Committee Chairman George Carlson stated that we have two budget needs. There is still \$2 million appropriated to the Commission from the 2003/05 biennium that needs to be requested soon. There is also a budget request that will be made to the State Budget Committee for the 2005/07 biennium. The budget request deadline is August 16. Mr. Gardner added that we are waiting for some figures from the COE giving us their projected Federal dollars to determine how much state monies will be needed to keep on the COE schedule. Staff will coordinate and make sure that a budget request is submitted before the deadline date. Once that request is determined, it will be shared with the Board members. Mr. Gardner estimates that about \$5 million will be needed. After a request is made, we will need to inform the area delegation and meet with key legislators, especially Representative Earl Harris, who has been most helpful in the past.

**Project Engineering Committee** – Committee Chairman Bob Huffman reported that an inspection was held for the Grant Street lift station on July 20 as part of the Stage III remediation project. Several items need to be completed on the punch list but the pumps are currently operational. A final instructional will be held with the contractor at a later date.

- Mr. Huffman reported that a meeting is scheduled with the Corps at 1:00 p.m. at their Griffith office on August 12 to review and discuss the Pump Station 1A contract. Board members were encouraged to attend.

- Mr. Huffman stated that a formliner has been selected for the upcoming Stage VI-1 South contract. A sample drawing of the formliner is included in the Engineering Committee report.
- Mr. Huffman referred to a letter to the Congressman from Don Ewen regarding the pumps west of Grant Street and the Commission's response to his letter.
- Mr. Huffman then announced that staff would attend a meeting with the Munster town officials for a work study session regarding the Little Calumet River project on August 9. (Property owners have requested a meeting, particularly in the area of Hart Ditch on Hawthorne Drive.)

**Recreation Committee** – Bob Huffman talked about the limestone covering used on some of the recreational trails that it really isn't conducive to bike riding. Mr. Gardner added that we need to investigate if there would be any funding available in the CZM plan to use for paving of the trails. He had previously talked to Doreen Carey about this.

**Marina Committee** – Committee Chairman Charlie Ray met with Dan regarding marina issues and Mr. Gardner stated that he will schedule a meeting with the city in the near future.

**Policy Committee** – There was no report.

**Public Relations Committee** – Committee Chairman Bob Marszalek referred to the thank you letter sent to Boy Scout Troop #280 in recognition of trail cleaning and repair work done on some of the levees.

- Mr. Marszalek also stated that the sign for Charles Agnew Handicapped Park is being constructed. It is hoped that a dedication will take place by October 2004.

**Other Issues** – Bob Huffman informed the Board members that after last month's meeting, he put a lot of work into updating the web site that he created for the Development Commission. He asked staff to get a revised project map and some other current information to him and he will enter it as well.

- Attorney Lou Casale asked if invitations would go out for the dedication at the handicapped park. Judy Varnos stated that invitations would go and she will make sure he and all Commission members receive one.

**Statements from the Floor -** John Wanner, resident from Munster, expressed his concern about the green belt area along Hart Ditch on Hawthorne Drive. The residents are concerned about tree removal but Mr. Gardner assured him that the Commission will work with the Corps office and the residents to assure that the minimum of trees will be removed. The project in that area is about three years away so there will be plenty of time to work out details, hopefully, to everyone's satisfaction.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, September 1, 2004.

WEST LAKE  
**LOCAL**

THE  
**TIMES**

**TUESDAY**

August 10, 2004

**SECTION B**

# Proposed levee plan raises ire in Munster

**Town officials call for  
meeting with North  
Township trustee.**

BY SUSAN BROWN  
Times Staff Writer

MUNSTER – Officials assured angered Munster residents they have at least two and a half years to work out their differences – and there are many – when it comes to the Little Calumet River Flood Control and Recreation Project.

The Munster Town Council had asked Dan Gardner, president of the Little Calumet River Basin Development Commission, to report on the progress of the much-delayed project.

Tempers flared Monday as homeowner Steve Enger pressed his case for changes to the proposed project design. Enger argued for shifting one of the two rebuilt levees about 15 feet onto the Wicker Park Golf Course to avoid destruction of green space behind 44 homes from Ridge Road to Northcote.

"There's no way of soft-soaping it," Enger said. "There will be significant removal of trees and vegetation."

See LEVEE, B4

**B4** TUESDAY, AUGUST 10, 2004 WE

LO

## Levee

Continued from B1

Enger said the impact was bound to reduce property values. He estimated the 44 homes would easily take \$25,000 hits in valuation.

Gardner countered the project has dual goals: to protect the area from flooding and to increase property values. Homes are expected to appreciate when removed from the flood plain because of the improved levees, he said.

Gardner said officials are

researching similar projects to come up with the best plan to preserve back yards.

"You will be compensated for any loss," he said.

U.S. Army Corps Project Manager Imad Samara said the problem for Enger appeared to be one of aesthetics. Accepting his suggestions would negatively affect the golf course.

Hart Ditch, bounded by two levees, runs between the residential stretch of properties and the golf course.

"Hart Ditch is a very critical part of this project," Samara said. "The distance

between the levees has to stay the same."

Because North Township actually owns the land in question, Munster officials called for a joint meeting with North Township Trustee Greg Cvitkovich, commission members and Munster residents.

"It sounds like there are options, but we have to have North Township here," Councilwoman Helen Brown told residents.

Brown asked Gardner to contact Cvitkovich to set up the meeting and get back to the town so it can notify affected homeowners.



INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue

Room N755

Indianapolis, Indiana 46204-2249

(317) 232-5533

FAX: (317) 232-0238

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JOSEPH E. KERNAN, Governor  
J. BRYAN NICOL, Commissioner

Writer's Direct Line

August 2, 2004

Mr. Dan Gardner  
Executive Director  
Little Calumet River Basin Development Corporation  
8149 Kennedy Avenue  
Highland, Indiana 46322

Dear Mr. Gardner:

Enclosed is the additional information you have requested for Little Calumet River. If you have any questions please contact John Wright at (317) 232-5147.

Sincerely,

A handwritten signature in cursive script that reads 'Laurie Maudlin'.

Laurie Maudlin  
Asst. Deputy Commissioner of Legislative Affairs

5

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION  
FINANCIAL STATEMENT  
JANUARY 1, 2004 - JULY 31, 2004

CASH POSITION - JANUARY 1, 2004

CHECKING ACCOUNT	
LAND ACQUISITION	72,756.84
GENERAL FUND	30,420.54
TAX FUND	0.00
INVESTMENTS	958,000.00
SAVINGS	274,854.48
ESCROW ACCOUNT INTEREST	1,384.39
	<hr/>
	1,337,416.25

RECEIPTS - JANUARY 1, 2004 - JULY 31, 2004

LEASE RENTS	26,732.70
LEL MONIES (SAVINGS)	
INTEREST INCOME(FROM CHECKING & FIRST NATL)	24,421.71
LAND ACQUISITION	2,108,669.89
ESCROW ACCOUNT INTEREST	338.80
MISC. RECEIPTS	83,323.49
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE	892.89
TRANSFERRED FROM SAVINGS	43,154.09
PROCEEDS FROM VOIDED CHECKS	
TOTAL RECEIPTS	2,287,533.57

DISBURSEMENTS - JANUARY 1, 2004 - JULY 31, 2004

ADMINISTRATIVE	
2003 EXPENSES PAID IN 2004	157,015.46
PER DIEM	7,950.00
LEGAL SERVICES	3,058.81
NIRPC	73,936.17
TRAVEL & MILEAGE	1,024.38
PRINTING & ADVERTISING	10.00
BONDS & INSURANCE	6,483.25
TELEPHONE EXPENSE	3,611.51
MEETING EXPENSE	2,946.31
LAND ACQUISITION	
LEGAL SERVICES	52,409.96
APPRAISAL SERVICES	76,900.00
ENGINEERING SERVICES	61,486.21
LAND PURCHASE CONTRACTUAL	34,365.00
FACILITIES/PROJECT MAINTENANCE SERVICES	492.87
OPERATIONS SERVICES	0.00
LAND MANGEMENT SERVICES	128,640.34
SURVEYING SERVICES	45,613.50
MISCELLANEOUS EXPENSES	0.00
ECONOMIC/MARKETING SOURCES	0.00
PROPERTY & STRUCTURE COSTS	1,657,755.00
MOVING ALLOCATION	6,450.00
TAXES	0.00
PROPERTY & STRUCTURES INSURANCE	0.00
UTILITY RELOCATION SERVICES	14,536.41
LAND CAPITAL IMPROVEMENT	0.00
STRUCTURAL CAPITAL IMPROVEMENTS	0.00
BANK CHARGES MERCANTILE	40.60
PASS THROUGH FOR SAVINGS	43,154.09
TOTAL DISBURSEMENTS	2,220,864.41

CASH POSITION - JULY 31, 2004

CHECKING ACCOUNT	
LAND ACQUISITION	113,100.93
GENERAL FUND	56,406.81
TAX FUND	0.00
TOTAL FUNDS IN CHECKING ACCOUNT	169,507.74
TOTAL INVESTMENTS	885,000.00
FIRST NATIONAL BANK	700,000.00
(BASE CAPITAL INVESTMENT)	5/3/2005
FIRST NATIONAL BANK	185,000.00
(MISC INTEREST/RENTAL INVESTMENT)	5/3/2005
BANK ONE SAVINGS ACCOUNT BALANCE	233,446.29
(LEL MONEY)	96,948.06
(MARINA SAND MONEY)	133,721.49
(STATE DRAW MONIES)	-
(GARY PARKS & REC MONIES)	-
SAVINGS INTEREST	2,776.74
TOTAL INVESTMENTS & SAVINGS	1,118,446.29
ESCROW ACCOUNT INTEREST AVAILABLE	1,723.19

TOTAL OF ALL ACCOUNTS 1,289,677.22



**LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION**

**MONTHLY BUDGET REPORT, AUGUST, 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	100.00	150.00	0.00	450.00	3,200.00	3,900.00	11,100.00
5811 LEGAL EXPENSES	8,500.00	418.33	682.33	587.33	425.83	283.33	283.33	2,680.48	5,819.52
5812 NIRPC SERVICES	130,000.00	10,336.79	18,439.62	8,783.84	8,443.81	8,657.50	8,867.50	63,529.06	66,470.94
5821 TRAVEL/MILEAGE	10,000.00	35.36	36.72	26.18	14.28	107.44	337.28	557.26	9,442.74
5822 PRINTING/ADVERTISING	5,000.00	0.00	0.00	0.00	0.00	0.00	10.00	10.00	4,990.00
5823 BONDS/INSURANCE	8,000.00	0.00	77.00	0.00	0.00	6,406.25	0.00	6,483.25	1,516.75
5824 TELEPHONE EXPENSES	7,000.00	121.98	186.92	549.41	585.17	555.37	367.15	2,366.00	4,634.00
5825 MEETING EXPENSES	8,000.00	2,926.81	0.00	0.00	0.00	0.00	0.00	2,926.81	5,073.19
5840 PROFESSIONAL SERVICES	650,000.00	50,657.93	37,970.47	63,862.95	53,605.54	42,814.46	60,835.92	309,747.27	340,252.73
5860 PROJECT LAND PURCHASE EXP.	4,073,177.00	0.00	1,159,250.00	40,000.00	409,238.00	7,431.00	241.20	1,616,160.20	2,457,016.80
5881 PROPERTY/STRUCTURE INS.	25,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	25,000.00
5882 UTILITY RELOCATION EXP.	200,000.00	73.92	0.00	1,387.39	2,202.08	129.64	1,434.35	5,227.38	194,772.62
5883 PROJECT LAND CAP. IMPROV.	25,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	25,000.00
5884 STRUCTURES CAP. IMPROV.	25,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	25,000.00
<b>5892 PROJECT COSTSHARE/ESC ACCT</b>	<b>400,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>400,000.00</b>
	<b>5,189,677.00</b>	<b>64,571.12</b>	<b>1,216,743.06</b>	<b>115,347.10</b>	<b>474,514.71</b>	<b>66,834.99</b>	<b>75,576.73</b>	<b>2,013,587.71</b>	<b>3,176,089.29</b>

	2004							9 MONTH	UNALLOCATED
	BUDGET	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	ALLOCATED	BUDGETED
								TOTAL	BALANCE
5801 PER DIEM EXPENSES	15,000.00	0.00	0.00					3,900.00	11,100.00
5811 LEGAL EXPENSES	8,500.00	463.83	283.33					3,427.64	5,072.36
5812 NIRPC SERVICES	130,000.00	8,759.21	8,838.51					81,126.78	48,873.22
5821 TRAVEL/MILEAGE	10,000.00	30.60	73.16					661.02	9,338.98
5822 PRINTING/ADVERTISING	5,000.00	0.00	0.00					10.00	4,990.00
5823 BONDS/INSURANCE	8,000.00	0.00	0.00					6,483.25	1,516.75
5824 TELEPHONE EXPENSES	7,000.00	124.30	236.26					2,726.56	4,273.44
5825 MEETING EXPENSES	8,000.00	0.00	300.34					3,227.15	4,772.85
5840 PROFESSIONAL SERVICES	650,000.00	33,163.95	36,137.31					379,048.53	270,951.47
5860 PROJECT LAND PURCHASE EXP.	4,073,177.00	0.00	70,951.60					1,687,111.80	2,386,065.20
5881 PROPERTY/STRUCTURE INS.	25,000.00	0.00	0.00					0.00	25,000.00
5882 UTILITY RELOCATION EXP.	200,000.00	1,565.00	165.00					6,957.38	193,042.62
5883 PROJECT LAND CAP. IMPROV.	25,000.00	0.00	0.00					0.00	25,000.00
5884 STRUCTURES CAP. IMPROV.	25,000.00	0.00	0.00					0.00	25,000.00
<b>5892 PROJECT COSTSHARE/ESC ACCT</b>	<b>400,000.00</b>	<b>0.00</b>	<b>0.00</b>					<b>0.00</b>	<b>400,000.00</b>
	<b>5,189,677.00</b>	<b>44,106.89</b>	<b>116,985.51</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,174,680.11</b>	<b>3,014,996.89</b>

# CLAIMS PAYABLE FOR AUGUST 2004

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5811	CASALE, WOODWARD & BULS LLP	283.33	MONTHLY RETAINER FOR MONTH OF AUGUST
5812	NIRPC	8,694.36	SERVICES PERFORMED JULY 2004
5812	UPS	29.96	OVERNIGHT MAIL
5812	UPS	18.19	OVERNIGHT MAIL
5812	KRAMER & LEONARD	96.00	OFFICE SUPPLIES FOR COMMISSION
5821	SANDY MORDUS	25.16	MILEAGE AUGUST 8-AUGUST 12, 2004
5821	SANDY MORDUS	16.00	REIMBURSEMENT FOR TRANS FOR 7/29/04 COE CHICAGO MEETING
5821	JIM POKRAJAC	32.00	TRAVEL EXPENSES FOR COE REAL ESTATE MEETING IN CHICAGO
5824	AT & T	236.26	BILLING PERIOD 6/13/04-7/13/04(TOTAL BILL 253.68,KRBC 17.42)
5825	OLD TOWNE HALL	47.49	EXPENSES INCURRED 8/9/04 AT MUNSTER COUNCIL PUBLIC MEETING
5825	BERGHOFF RESTAURANT	252.85	EXPENSES INCURRED 7/29/04 FOR COE REAL ESTATE MEETING
5841	HOWARD O CYRUS	1,000.00	FEE FOR COURT ORDERED APPRAISAL FOR DC-69A
5841	TONY ZALESKI JR	1,000.00	FEE FOR COURT ORDERED APPRAISAL FOR DC-69A
5841	JEFF VALE	1,000.00	FEE FOR COURT ORDERED APPRAISAL FOR DC-69A
5841	ASSOCIATED PROPERTY COUNSELORS LTD	5,000.00	APPRAISAL FEE FOR DC-1014B
5842	R. W. ARMSTRONG	2,782.50	PROFESSIONAL SERVICES FOR PERIOD ENDED 8/13/04
5843	STEWART TITLE SERVICES OF NORTHWEST	470.00	TITLE WORK FOR DC-612
5843	STEWART TITLE SERVICES OF NORTHWEST	470.00	TITLE WORK FOR DC-820 (1 OF 4)
5843	STEWART TITLE SERVICES OF NORTHWEST	355.00	TITLE WORK FOR DC-820(2 OF 4)
5843	STEWART TITLE SERVICES OF NORTHWEST	355.00	TITLE WORK FOR DC-820(3 OF 4)
5843	STEWART TITLE SERVICES OF NORTHWEST	355.00	TITLE WORK FOR DC-820(4 OF 4)
5843	STEWART TITLE SERVICES OF NORTHWEST	470.00	TITLE WORK FOR DC-1010C
5843	STEWART TITLE SERVICES OF NORTHWEST	85.00	TITLE WORK FOR DC-1014B
5843	STEWART TITLE SERVICES OF NORTHWEST	360.00	TITLE WORK FOR M-10
5843	LAKE COUNTY RECORDER	224.00	RECORDINGS FOR DC-1005-1008.1011B,1020,1025,1015,1031,1031, DC-1042-1050
5844	JAMES E POKRAJAC	4,956.90	ENGINEERING SERVICES 7/16/04-7/31/04
5844	JAMES E POKRAJAC	222.36	JULY MILEAGE
5844	JAMES E POKRAJAC	4,370.60	ENGINEERING SERVICES 8/1/04-8/13/04
5844	JUDITH VAMOS	2,185.95	LAND ACQUISITION AGENT SERVICES 7/16/04-7/30/04
5844	JUDITH VAMOS	29.58	JULY MILEAGE
5844	JUDITH VAMOS	2,435.22	LAND ACQUISITION AGENT SERVICES 8/3/04-8/12/04
5844	LORRAINE KRAY	720.00	CREDITING TECHNICIAN/LAND ACQUISITION ASST 7/20/04-7/29/04
5844	LORRAINE KRAY	787.20	CREDITING TECHNICIAN/LAND ACQUISITION ASST 8/03/04-8/12/04
5844	SANDY MORDUS	350.00	CREDITING TECHNICIAN SERVICES 7/19/04-7/28/04
5844	SANDY MORDUS	250.00	CREDITING TECHNICIAN SERVICES 8/2/04-8/10/04
5849	CASALE, WOODWARD & BULS LLP	5,903.00	LAND ACQUISITION/LEGAL SERVICES FOR PERIOD ENDED 8/23/04
5861	LAKE COUNTY CLERK	70,000.00	PURCHASE PRICE OF DC-69A
5861	STAR SHOPPING NEWS	951.60	SUMMONS & NOTICE FOR DC-1022-1024
5882	SEH	165.00	UTILITY RELOCATION ASSIST SVI

TOTAL 116,985.51



**APPROVAL TO PAY THE FOLLOWING INVOICE  
FROM O&M FUND (LEL MONIES)  
SEPTEMBER 1, 2004**

---

- \$45.26 to the Times for notice of sale of real estate property

---

Balance in O&M account (LEL monies) after paying this invoice is  
\$89,553.00



# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

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

ROBERT MARSZALEK, Vice Chairman  
*Governor's Appointment*

ROBERT HUFFMAN, Treasurer  
*Governor's Appointment*

JOHN MROCZKOWSKI, Secretary  
*Governor's Appointment*

WILLIAM BILLER  
*Governor's Appointment*

GEORGE CARLSON  
*Mayor of Hammond's  
Appointment*

STEVE DAVIS  
*Dept. of Natural Resources'  
Appointment*

CHARLES RAY  
*Porter County Commissioners'  
Appointment*

DR. MARK RESHKIN  
*Governor's Appointment*

VACANCY  
*Governor's Appointment*

VACANCY  
*Lake County Commissioners'  
Appointment*

DAN GARDNER  
*Executive Director*

LOU CASALE  
*Attorney*

August 12, 2004

Ms. Marilyn Schultz  
State Budget Director  
State Budget Agency  
212 State House  
Indianapolis, Indiana 46204

Dear Ms. Schultz:

The Little Calumet River Basin Development Commission respectfully submits a capital funding request for the 2005-2007 State Biennial budget of \$5 million. This amount of funding is needed to fully utilize the U.S. Army Corps of Engineers construction capability from Federal funds made available through Congress. The \$5 million will enable the Development Commission to accomplish the needed right-of-way acquisitions, utility relocations, and provide the required 5% cash match requirement for Federal construction contracts. This cash match requirement has been reduced by the Corps of Engineers from 7% to 5%. This is due to a major effort on the part of the Development Commission to increase the percentage of non-federal participation by receiving more credit toward the required 25% non-federal participation level. This was strongly requested by the State Budget Committee and Budget Agency staff and has been achieved. We will work diligently to continue to submit documentation needed to remain at the 5% level throughout the remainder of the project.

The State Biennial Budget will cover the better parts of 3-½ Federal fiscal construction seasons. The 2004 Federal construction lettings are estimated at \$3.4 million for construction; the 2005 Federal construction capability has earmarked by House of Representatives approvals of \$5.7 million; and the 2006 Federal construction season anticipates over \$10 million of new construction. As of this date, Federal capability projections for FFY2007 are in excess of \$9.3 million, and will depend principally upon the Development Commission's ability to provide right-of-way available, cash match available, and all utilities relocation costs. The project can be expedited if we get adequate State/local funding in order that we can make right-of-way available, then Congressman Visclosky can justify more Federal funding.

Ms. Marilyn Schultz  
August 12, 2004  
Page 2

The **\$5 million** 2005-2007 capital budget request is considerate of the State's tight fiscal situation, while attempting to move to complete the Federal construction of the project in an accelerated schedule. This appropriation will coordinate with the funds currently remaining from the 2003-2005 biennial budget to enable the Federal project construction to complete west from Cline Avenue to Northcote Avenue. This will complete over 45% of the Hammond protection and all of the town of Highland construction. This is significant in that the EJ&E Railroad located in that area will allow for over 1,500 Hammond residences, businesses, and public buildings to begin petitioning removal from the floodplain designation by providing a "tie back" to high ground. Also, the south side of the river construction over to Hart Ditch (the western border of Highland) will allow all of the town of Highland's approximately 1,600 structures to begin floodplain removal. A chart of the acquisition segments and projected dollars needed is included. Maps that are keyed to these segments are also included to reference the use of the current and requested budget appropriations.

One recent situation in Lake County particularly has had major impact to our acquisition schedule, property values, and willing acceptances of our offers. That situation is the recent property tax reassessment in Lake County that has resulted in major increases in property assessments, and major concerns among the property owners (residential and commercial). This confusion/extreme concern over increased property taxes has resulted in numerous refusals to our right-of-way offers. This has necessitated filing of court proceedings to take the needed right-of-way and allow the court process to set the settlement award. This has significantly slowed the larger parcel acquisitions and the court awards that have been returned are significantly higher than our offers based on original appraisals. Our best estimate of use of current funding available, the remaining \$2 million from the 2003-2005 budget, and the use of the requested **\$5 million** is shown on the funding use chart.

In the past year, the Development Commission has attempted to aggressively pursue a greater level of local participation and involvement which would help speed completion and assist in making added local financial commitments. Toward that end, some of the successes that have been achieved are significant and are listed below:

(1) In order to finish the levee in Gary, additional local funding was required, and as a result of discussion, Mayor Scott King has committed \$1.4 million of city funding to meet the "betterment" shortfall. That letter of commitment is included as Attachment A.

(2) Once the project has completed construction in Gary, the City can and is petitioning with the Development Commission to remove the city from floodplain designation. In order to assure the continued compliance of the project to the Federal and State regulations, a detailed operation and maintenance commitment needs to be made. A letter from the Federal Emergency Management Agency (FEMA) is included which requires,

Ms. Marilyn Schultz  
August 12, 2004  
Page 3

as a condition, the Mayor of the city of Gary commit to the basic project's operation and maintenance to meet Federal requirements. This commitment is estimated to be in excess of \$1.5 million per year. This commitment letter is included as Attachment B. We are currently negotiating final terms of the operation and maintenance agreement with the City and the Gary Sanitary District. This item shows significant continuing local commitment to the project by the city of Gary.

(3) The town of Highland has donated to the Development Commission for project purposes, the rights-of-way held by the Town and the Park Board comprising 67 acres valued at \$116,700 for the construction through Highland. This is all municipally controlled property and the \$116,700 can be credited as local contribution.

(4) The Development Commission has approached Mayor McDermott of Hammond to donate all needed rights-of-way held by the City, the Sanitary District, and the Park Board at no cost for demonstration of local support of the project. The Mayor and the City Council representatives agreed to the concept and we are in formal transmittal of the "offers" totaling over 29 acres.


(5) The town of Highland has already accepted responsibility for operation and maintenance of a major pump station and will be accepting responsibility of two (2) more in the near future.


(6) We are currently working with the city of Hammond to assume O&M responsibility for a major pump station, and four (4) more stations that are near completion.

These and similar efforts to seek private sector support and donation of property needed, if possible, is underway.

In summary, the Development Commission biennial budget request of \$5 million will be utilized to bring over \$25 million in Corps of Engineers construction contracts to the heavily developed areas of Hammond and Highland and help to allow applications to remove over 3,100 homes, businesses and public facilities from the floodplain within three to four years. We stand ready to answer any follow-up questions, or make a personal presentation regarding the project. We thank the Budget Agency and Budget Committee for consideration of this request.

Sincerely,

  
Arlene Colvin, Chairperson  
Little Calumet River Basin  
Development Commission

  
Dan Gardner, Executive Director  
Little Calumet River Basin  
Development Commission

**WORK STUDY SESSION**

**OPERATION AND MAINTENANCE**

**September 1, 2004**

**Bob Huffman, Committee Chairman**

- Final  
note  
ride type?*
1. Final inspection for the East Reach project features is scheduled with the COE, LCRBDC, and representatives from Gary. (Refer to attachments 5-8 in the Land Management report)
    - September 13 – Will inspect the Burr Street pump station (located east of Burr Street and north of the Little Calumet River), and the Grant Street pump station (located east of Grant Street and north of the Steel City truck stop).
    - September 17 – Will inspect the Broadway pump station (located east of Broadway, south of the Little Calumet River), and the Ironwood pump station (located approximately ½ mile west of Martin Luther King Drive, south of the Ironwood subdivision and north of the NSRR).
    - September 22 – Will inspect the East Reach sluice gates (Gary will provide truck, portable generator, and crew).
  2. Notes finalized for June 28 O&M coordination meeting with Gary (Refer to attachments 9-14 in the Land Management report)
    - These notes clarify the current status, and who has what responsibility to address the nine (9) outstanding issues.
    - Burr Street II status is included
    - FEMA requirements for Gary to come out of the floodplain

**WORK STUDY SESSION**  
**ENGINEERING COMMITTEE**

**September 1, 2004**

**Bob Huffman, Committee Chairman**

*Jep - want to add  
CER comments re:  
fed funding vs. state  
funding.*

1. Pump Station 1A Contract review meeting (Refer to attached finalized notes from the meeting held August 12).
  - A summarization of the items of discussion was compiled from input from the attendees.
  - A summarization was compiled that included project cost information, scheduling, engineering and real estate problems, and state funding.
  - (Disregard notes as attachments to the Engineering Report, pages 15-18. Not all responses from attendees were included at that point.)
2. A pre-bid meeting was held with the ACOE for Stage VI-1 South (Kennedy to Liable, south of the Little Calumet River) on August 12.
  - Scheduled to be awarded no later than September 30, 2004. This will be the first "levee" contract awarded in the west reach with the exception of Wicker Park Manor.
  - Anticipated construction start would be the spring of 2005.
3. LCRBDC declined to have R. W. Armstrong Company do the Independent Technical Review (ITR) for the Burr Street Phase II project based upon no previous experience, which would tend to make it less effective for both time and money.
  - Army Corps requires an ITR for all of their engineering to assure accuracy and design.
4. Munster Town meeting held on August 9<sup>th</sup>
  - Prime item of discussion was construction on Hawthorne Drive, west of Hart Ditch
  - Reviewed engineering and real estate impacts to interested neighbors after the meeting
  - Follow up meeting to include the North Township Office, will be scheduled shortly.

*Sp. 9  
bid opening*



FINALIZED NOTES FROM THE PUMP STATION 1A CONTRACT REVIEW MEETING  
HELD AT 1:00 P.M. THURSDAY, AUGUST 12, 2004  
AT THE GRIFFITH CORPS OFFICE

---

Attendees: Imad Samara – Project Manager, USACE  
Doug Anderson – Project Manager, USACE  
Victor Gervais – Area Engineer, USACE  
Steve Davis – LCRBDC member  
Bill Biller – LCRBDC member  
Charlie Ray – LCRBDC member  
George Carlson – LCRBDC member  
Dan Gardner – Executive Director, LCRBDC  
Jim Pokrajac – Agent, Land Mgmt/Engr., LCRBDC  
Jim Flora – Consultant, R. W. Armstrong Company

Intent of Meeting: To afford the Commissioners an opportunity to voice their concerns and ask questions regarding the length of time of the contract, waived penalties, Corps process of issuing change orders, modification approval criteria, any other items of concern they may have.

Items of Discussion:

1. Imad Samara explained the history of the project to the Commissioners.
  - It was indicated that the Corps had missed some work features when preparing the cost estimate for this project, resulting in the estimate being low.
  - It was explained how Overstreet won their lawsuit to get this particular contract.
  - Imad Samara said the Corps allows a low bid to be accepted as long as it does not exceed 15% more than the Corps estimate.
2. Vic Gervais distributed the most recent construction progress report, pump and motor status report, summarization table with all modifications and field changes for the project, and current assessment report, for review and discussion.
  - The cost overrun on this project was minimal but the project had overrun its date of completion by 737 days (original estimate was 700 days to complete; current date of completion was 1437 days to complete)
3. Dan Gardner explained and clarified the role the Development Commission has in this project as per our Local Cooperation Agreement.

4. Bill Biller asked why some of the issues that were unclear after the contract was awarded were not discussed at the pre-bid meeting and why some of the issues were not brought up before the final bids were submitted.

- Vic Gervais indicated that when the project was re-bid, the scope of work did not vary.
- Vic Gervais indicated that one of the major problems in defining the scope of the work was that many of the old pumps and motors had to be rebuilt and that it was impossible to diagnose ahead of time what problems and/or bad internal components that would need repairing or replacing until each unit was disassembled and inspected. If additional work, not originally included under the contract, was necessary, it would take additional time and dollars to complete. This was indeed the case in several of the pumps and motors.
- New pumps could have been used in some stations but it was concluded more economically feasible that the old pumps would be reused in order that they could fit into the existing wet well or dry well areas without having to modify the piping or the structural design of the wells.

5. Bill Biller asked why we could only replace one pump at a time

- Doug Anderson and Vic Gervais discussed that it was a contract requirement to replace only one pump at a time in the bid because certain minimum pumping capacity needed to be maintained. During the work, there were at least two (2) instances where the contractor requested that they be allowed to remove and rebuild more than one pump at a time to speed up the work. The Corps discussed this request with the Hammond Sanitary District, but the District requested that the requirement to rebuild only one pump at a time be enforced as written in the contract.

6. The testing of pumps was very slow.

- Much of the testing had to be done out of the area and the testing company did not prioritize testing these pumps and had to be done in sequence with their other projects.

7. Jim Pokrajac mentioned that approximately eight pump stations were left to be rebuilt in the west reach and what could be done to avoid having similar complications on future projects.

- Imad Samara indicated that they would combine no more than two pump stations on all future projects as one bid.
- The Pump Station 1A contract had four pump stations.
- Imad Samara also indicated that we would use all new pumps on future projects as long as no major refurbishing of these stations would have to be done to accommodate the new pumps which would make it uneconomically feasible.

8. Charlie Ray questioned the current engineering design process the Corps has used and are using for the overall project.

- Imad Samara indicated that much of the engineering has already been completed for the project because money was available at that point in time by the Federal government.
- It was also done anticipating that the local sponsor could pay for our share of this construction. (LCRBDC had limited funds from the State Budget Committee)
- Imad Samara indicated that currently all west reach projects have been engineered and that Stage VIII has been engineered to the 50% level.
- All future projects will have to be reviewed a minimum of six months prior to advertising to assure all information is current and accurate.
- Jim Pokrajac indicated that this is one of the major reasons for cost overruns on this project because engineering has to be done twice rather than once and that additional time will be required to gather all of this information and to coordinate this with the municipalities.
- Charlie Ray summed up that in addition to the engineering changing during the review, because of new construction within the original work limits, that real estate values will increase in most cases.

9. Charlie Ray questioned the current Corps modeling as to its accuracy.

- Imad Samara indicated that the original modeling was done in 1985.
- Charlie Ray indicated that almost all new sub-division, or commercial construction requires either retention or detention areas which will reduce the amount of water flowing through its tributaries to the Little Calumet River due to a slower runoff.
- Charlie Ray asked if the current top of levee design from the FDM5 still needs to be at the current design height.
- Jim Pokrajac mentioned that other items have occurred since the original Corps hydrology study, which include drainage to the new Thornton Quarry, a large retention area in Stage VI Phase 2 (Liable to Cline, south of the river), and also the new Hartsdale Pond detention area that will hold much of the water coming from the Schererville area that will flow to the Little Calumet River.

10. Doug Anderson reviewed the current construction progress report and explained to the Commissioners the line items on the report to familiarize them with how to read this report in the future.

- The Corps agreed to submit these monthly progress reports to the Commission in time that they would be available for the monthly Commission meeting which is the first Wednesday of every month.
- This afforded the Commissioners an opportunity to understand the cost figures and the progress of each individual construction project.
- Charlie Ray requested that on all future progress reports, that the amount of the original Corps estimate be included. (Imad Samara agreed that he will provide this information in the future).

11. Jim Pokrajac brought up the issue of retainage of the Pump Station 1A contract.

- The Corps indicated they are allowed to hold up to 10% of the amount of a contractor's invoice, with certain limitations described in the Federal Acquisition regulations (if they feel it is necessary but it is not required and can be done at their discretion).
- The Corps is currently holding retainage from Overstreet Electric Company.

### Summary

- Upon completion of the previous discussion, the Commissioners indicated they felt they had a better perspective on this particular project.
- The complication with the Pump Station 1A contract was that pumps and motors had to be rebuilt and there was no way to determine the scope of the work until the pumps could be physically taken apart. Additionally, the condition of the concrete in the various stations was poor but did not become evident until the components were removed. Repair of the concrete took additional time and dollars.
- To avoid the length of time for pump station contracts in the future, the Corps will include no more than two pump stations in any one contract and use new pumps and motors wherever possible.
- All parties agreed that we should have periodic meetings similar to this meeting for informational purposes.
- The total cost flood control/recreation project has increased from \$86 million authorized in 1986 to a current estimate of \$191 million. Following are some of the items that have attributed to this increase:
  - (1) The project has taken a lot longer than originally estimated which will reflect cost of living increases for the cost of engineering, real estate, administration, and general cost of construction (first construction project started in 1990),

(2) Re-engineering needs to be done on all segments to assure that when the project is released for bids; all information is current and accurate,

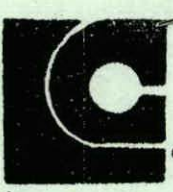
(3) In many cases where outside construction has been completed within our proposed work limits, we now need to use concrete I-wall and sheet piling work instead of levees which is a much more expensive method of construction.

(4) Real estate costs have been much higher than originally anticipated, partly due to higher property values incurred as the result of Lake County property re-assessments.

(5) The longer the project takes, the higher the costs incurred.

/sjm

(Revised 8/31/04)



## Little Calumet River Basin Development Commission

### WORK STUDY SESSION

1 September 2004

### ENVIRONMENTAL COMMITTEE

Dr. Mark Reshkin, Chairperson

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#### 1.) Mitigation Update for Hobart Marsh:

We've received a request from Trust for Public Land to be re-imbursed for: (refer to Lou for exact language on motion)

- a. hard costs for four acquisitions in Hobart Marsh,  
(title costs, survey costs, etc.)
- b. payment for their professional services for acquiring the land.

#### Computation on Mitigation:

411 acres needed in Hobart Marsh

173 acres acquired (Bailey)

238 acres still needed

188 acres could be acquired by exercising TPL options

50 acres still needed (could come from 200 acres Chase to Grant)

- 2.) IDNR is considering donating and the Town of Hobart is considering accepting the landmark house on the Bailey property. Hobart town staff will be viewing the house with IDNR reps as soon as schedules can be coordinated.

THE  
TRUST  
for  
PUBLIC  
LAND



Chicago Office  
53 West Jackson Blvd.  
Suite 815  
Chicago, IL  
60604  
T: 312-427-1979  
F: 312-408-1733  
www.tpl.org

August 24, 2004 .

**BY FACSIMILE (219-762-1653):**

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

**Re: Hobart mitigation land – acquisition expenses**

Dear Dan:

As you know, the Trust for Public Land (or TPL) has been engaged in assisting your agency and the Indiana DNR with acquisition of land in Hobart Marsh for wetlands mitigation. We have been successful in negotiating support from landowners to cover our project costs for several of the larger acquisitions. However, due to smaller parcel sizes and land values for the remaining parcels, and in one case, a very difficult landowner, we have been unable to negotiate adequate support from landowners to cover all of our costs. We have appealed to several Indiana foundations for support with no success.

We are therefore asking for reimbursement of approximately \$22,750 in estimated hard costs associated with three of the remaining five transactions (including appraisal costs only for the Quail Hollow transaction). We are also asking Little Cal to pay a fixed professional services fee of \$8,400 in two of the six Hobart Marsh transactions to enable us to proceed with these transactions. Any reimbursements or fees would be payable at closing.

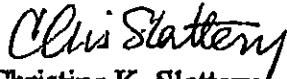
It is entirely up to you whether or not Little Cal wants to acquire any of the remaining properties from TPL on these terms. You are under no financial obligation to TPL until a specific purchase agreement or professional services agreement has been entered into between TPL and the future land steward (Indiana DNR) for each of the remaining transactions. However, we would appreciate your reply at your earliest convenience before we invest more time and money in the remaining transactions.

Because we are still finalizing contracts with some landowners, we would ask you to please keep the attached financial information confidential.

Mr. Dan Gardner  
August 24, 2004  
Page 2 of 2

If you have any questions or need any additional information, please do not hesitate to call me at (312) 427-1979 x101.

Very truly yours,



Christine K. Slattery  
Director, Chicago Area Office

*Attachment: Confidential funding needs table*

cc. Judy Vamos



**CONFIDENTIAL (revised 8/24/04)****Hobart Marsh Mitigation Funding Needs 2004-2005**

Acres Needed 174 436 total mitigation requirement - 89 project area acres and 173 Bailey acres

		Estimated Cost	Estimated Land	Estimated Transaction	Estimated Hard Costs	Professional Services Fee
	Tract Acres	Per Acre	Cost	Costs	(note 4)	(note 5)
Priority Acquisitions						
Quail Hollow (note 1)	46.2	\$7,035	\$325,000	\$3,500	\$3,500	\$0
Bundalo (note 2)	25	\$7,500	\$187,500	\$5,750	\$5,750	0
Kim (note 3)	50	\$7,850	\$392,500	\$15,150	\$6,750	\$8,400
Nozrik-parcels 1, 3 & 4	51.5	\$7,500	\$386,250	\$0 -		
Julian (note 6)	16	\$6,000	\$100,000	\$15,150	\$6,750	\$8,400
<b>Subtotal Land Area</b>	<b>188.7</b>					
<b>Subtotal Land Cost</b>			<b>\$1,391,250</b>			
<b>Transaction Cost</b>				<b>\$39,550</b>		
<b>Total Acquisition Cost</b>			<b>\$1,430,800</b>			
<b>Less Remaining Mitigation Funds</b>			<b>\$577,000</b>			
<b>Estimated Funding Gap (note 7)</b>			<b>-\$853,800</b>			

**NOTES:**

- Option exercised; must close by 10.14.04.
- Option signed; FMV subject to survey. Subdivision approval may be required.
- Owner signed letter of intent, but area is subject to survey. Need answer on access off of Liverpool. Subdivision approval may be required.
- Appraisal cost = \$3500; survey cost = \$1,500 - \$3,000; environmental = \$250; title = \$500 - \$1,000; misc. closing/recording fees = \$500.
- Subject to professional services agreement with Little Calumet River Basin Development Commission.
- Subject to survey. Would include access rights off Liverpool.
- Little Cal to seek gap funding at August budget committee meeting?



# Little Calumet River Basin Development Commission

## WORK STUDY SESSION

1 September 2004

### LAND ACQUISITION COMMITTEE

Arlene Colvin, Chairperson

- 1.) We are asking for authority (motion) to condemn, if necessary, the following three properties in Stage VI-2 (Cline to Liabe south of river:

DC 617

DC 1002

DC 1009

The offers to landowners of these properties are being prepared for mailing. Condemnation is a last resort and will be used if a negotiated settlement can't be reached. Asking for authority one time will eliminate return to this matter each month.

- 2.) The easements for the City of Hammond acquisitions in Stage VI-1 North (Cline to Kennedy north of the river) were delivered to the City Engineer Stan Dostatni on 27 August 2004. Mr. Dostatni will coordinate the passage of the easement agreements through the Public Works Department, the Sanitary District, and Parks and Recreation.

We expect the Kennedy Avenue road closure easement (DC 1049-A) needed for the Stage VI-1 South contract (to be awarded in September) to be signed at the Public Works meeting on 2 September 2004.

### 3.) INFORMATION:

We are currently working on three priority stages/phases of acquisition. As of the 29 July 2004 Real Estate Meeting with the Corps we have two new acquisition deadlines as follows:

<u>Stage/Phase</u>	<u>Previous deadline</u>	<u>New deadline</u>
Stage VI-1 North (Cline to Kennedy north of river)	Jan. 05	Jan. 05 (no change)
Stage VI-2 (Cline to Liabe south of river)	Jan. 05	March 05 (change)
Burr Street II (Burr St. East and south of RR tracks to 37th)	Nov. 04	May 05 (change)

*lengthy discussion*

*5/11-15 -  
2 yr const.*

*R.R.*

## PLEASE SIGN IN

Name of meeting: h CBL

Date: Sept 1, 2004

[illegible]





## Little Calumet River Basin Development Commission

### **WORK STUDY SESSION**

### **LAND MANAGEMENT**

**September 1, 2004**

**Arlene Colvin, Committee Chairperson**

1. Four (4) advertising signs at the Southwest intersection of I-65 and I-80/94
  - Letter sent to VIEW OUTDOOR on August 19 informing them they could pursue permit process (Refer to attachment #3 of Land Management report).
  - They have requested to meet with us on Thursday, September 2 — *2:30 meet*
2. Resolution 04-01 was approved on August 4 Commission meeting for transferring 359 acres of land to Gary.
  - Coordination of this transfer is ongoing with Gary in addition to outstanding engineering issues, takeover of O&M, and \$1.4 million from Gary for Burr Street Phase II (Gary).
3. 3120 Gerry Street
  - Had bid opening on August 17 and no bids were submitted.
  - LCRBDC pursuing sale of this property prior to October 1, 2004.
  - At this point in time, we have no insurance on this property.
4. The sign for the Charles Agnew Handicapped Park has been ordered. Dedication ceremony for the park will be scheduled for late October. River Forest Elementary will coordinate the ceremony.

*Don -  
need mtg.*

*they did survey.*

*reject the bid 2/ Coe J. J.*

*lengthy discussion  
TMDL  
SMY -  
whole thing  
how to proceed?*

*prints  
mid week  
next week  
will receive*

**RESOLUTION 04-01  
OF THE LITTLE CALUMET RIVER  
BASIN DEVELOPMENT COMMISSION**

WHEREAS, the Little Calumet River Basin Development Commission is the local sponsor for the United States of America, Army Corps of Engineers Flood Control/Recreation Project along the Little Calumet River; and,

WHEREAS, as the local sponsor for said flood Control Project, the Little Calumet river Basin Development Commission is charged with the responsibility of acquiring the necessary lands, easements, and rights-of-way; utility relocations; 5% local share cash contribution; and providing for operation and maintenance of the project once it is construction complete; and,

WHEREAS, the U.S. Army Corps of Engineers will be conducting a final inspection of the flood control features with the intent of turning over operation to the local entities; and,

WHEREAS, the Federal Emergency Management Agency has indicated that to remove the city of Gary from the floodplain, a commitment in writing by the Mayor of Gary for operation and maintenance of said flood control project within the city is required; and,

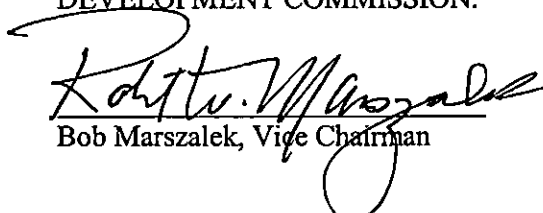
WHEREAS, in discussions with the Mayor's office, there has been a request for the Little Calumet River Basin Development Commission to donate Commission owned surplus property, as indicated on attached map, to the city at no cost for development purposes; and,

WHEREAS, to demonstrate good faith commitment to a cooperative comprehensive approach to removing Gary from the floodplain and meeting the Mayor's request;

NOW, THEREFORE, BE IT RESOLVED by the Little Calumet River Basin Development Commission, that it commits to donating to the city of Gary at no cost, the approximate 359 acres of surplus property, as indicated on the attached map (Exhibit A), according to the rules and regulations of the Indiana Deposition of Property Act subject to the City of Gary's agreement and commitment, in writing, to provide the operation and maintenance of the portion of the Little Calumet River Flood Control Project lying within the City of Gary, all in accordance with the Local Cooperation Agreement between the Little Calumet River Basin Development Commission and the United States Army Corps of Engineers.

This Resolution approved this 4th day of August, 200 4 by the Little Calumet River Basin Development Commission.

LITTLE CALUMET RIVER BASIN  
DEVELOPMENT COMMISSION:

  
Bob Marszalek, Vice Chairman

ATTEST:

  
Dan Gardner, Executive Director



**LAND ACQUISITION REPORT**  
***For meeting on Wednesday, September 1, 2004***  
**(Information in this report is from July 29 – August 25, 2004)**

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**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. Two offers (DC210 and DC211) were sent to landowners on 7/15/04.
2. **Landowner has rejected our offers. We will file for condemnation. Landowners believe our offers are too low in comparison to their reassessed value.**

**STATUS (Stage III) – REMEDIATION**

**Pumping west of Grant Street**

1. Status of Right-of-Entry:
  - ROE was signed by the LCRBDC on April 4<sup>th</sup>, 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. **Appraiser Tim Harris will complete the appraisal after he completes the railroad appraisal in September.**
2. Appraiser Tim Harris, under a new contract due to the excessive time delays, will complete the Norfolk & Southern RR appraisal in September.
  - **We've contacted the appropriate railroad personnel in Real Estate. They will not authorize their appraisers to appraise our easements. They will review our appraisal and forward it to the Legal Department with their recommendations.**

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

1. A Proposal to divide V-2 into (2) segments is being considered as follows:
  - Stage V-2A (Kennedy to Indianapolis Blvd.)
  - Stage V-2B (Indianapolis Blvd. to Northcote)
2. On a conference call with INDOT, the COE, and the LCRBDC on March 19<sup>th</sup>, 2004, INDOT indicated that our portion of construction in this area must be completed before they install their pump station. LCRBDC needs to work with the COE to modify our construction and acquisition schedules to accommodate the INDOT project.

**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".
  - A meeting was held with Woodmar Country Club on 7/28/04 to discuss pertinent issues.
  - A follow-up meeting was held on August 13, 2004.

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

1. Highland easements were signed on 7/12/ and 7/15 and recorded on 7/21/04.
2. Right-of-entry for Stage VI-1 South with all tracts acquired signed 7/16/04.



3. Appraiser Dale Kleszynski will complete an appraisal on two small ball fields in Homestead Park. The ball fields will be eliminated by our levee. Highland Parks Dept. has already constructed new fields.
  - LCRBDC committed to the Highland Parks Department in a letter on July 12 that we intend on fully compensating them for damages to their fields. **Additional data from Highland Parks to complete appraisal was sent to appraiser.**
4. **At a pre-bid meeting for Stage IV- 1 South with the COE and interested contractors on August 19, the COE introduced a small portion of construction from VI-1 North into the scope of work.**
  - An e-mail was sent to Stan Dostatni on August 20 requesting that Hammond sign an easement agreement to allow construction in this area. /
  - Met with Stan Dostatni on August 24 to explain properties needed.

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

**Land Acquisition deadline January, 2005**

1. Landowners of the Deja-Vu and the old Burger King are meeting with our attorney to discuss our offer.
  - Corps has supplied a letter eliminating the 18 parking spaces landowner needs for business expansion. Negotiations could be completed by 9/1/04.
2. Oak Brook Metro has rejected our offer. **Condemnation court date is set for 9/16/04.**
3. Krosan (DC 1015) condemnation is proceeding. Krosan's attorney has informed our attorney he will accept the court award and drop his objections to the court award as being too low.
  - Second Krosan parcel has finally been approved by the COE. Offer will be sent as soon as possible. **We received approval documents on 8/19/04.**
4. Condemnation papers for Motel 6 were filed April 29<sup>th</sup>, 2004. Appraisers were sworn in on July 13, 2004. Will return with findings on October 15<sup>th</sup>, 2004.
5. **An e-mail was sent to the city of Hammond on August 20 requesting a meeting with appropriate City administration to discuss land requirements that would allow the project to construct on schedule.** 2

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

**Land Acquisition deadline January 31, 2005**

1. All appraisals have been submitted and approved. **We received appraisal approval documents on 8/19/04. Offers can now be sent.**
2. **NIPSCO may now be expecting payment for Commission easements on its property. This is a change from past practice. We'll learn more as we progress with NIPSCO acquisitions.** 3

**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 1 - Gary) Colfax to Burr Street:**

**Land Acquisition is completed.**

1. This portion of construction will be advertised, paid for, and coordinated by the city of Gary. The COE will oversee the construction to assure compliance with Federal specifications. We still need a signed agreement with Gary before we can sign our right-of-entry.

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

**Land Acquisition deadline is November, 2004**

1. This portion of construction will be advertised, coordinated, and facilitated by the COE and Commission as a project cost.
2. Only two acquisitions are remaining in Burr Street Phase 2. DC-69A (I-80 Auto Parts) and DC582/583 (Tip Top lots) are both in condemnation.
  - DC 69 – I/80 Auto Parts is in condemnation. Appraisers were sworn in on July 1<sup>st</sup>, 2004. Findings were returned on August 2<sup>nd</sup>, 2004.
    - We received notice on 8/6/04 that the court award is 7.8 times our offer.
  - DC 582/583 – Condemnation on Tip Top lots was filed in superior court of July 5<sup>th</sup>, 2004.
    - Landowner has contracted a Chicago law firm to represent the estate in a court hearing on 9/16/04.
  - Appraiser Tim Harris has been given a new contract to finish the NSRR appraisal. He will not be done until September.

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

1. Nine parcels may be available on commissioners' tax sale. We need to submit a letter to Rosa at the Lake County Commissioners office to start the property transfer process.
  - Lake County decided to hold a "tax auction" instead of a tax sale. A "tax title certificate" is issued instead of a deed. To receive project credit, we must have a deed. We will now petition the Lake County Commissioners for the properties.
  - Lots will be available on August tax sale.

**IN-PROJECT MITIGATION:**

1. Acquisition on in-project mitigation is complete. Construction started March, 2003 and we anticipate completion by June, 2004. (ongoing)
  - Renewable Resources is the contractor.
  - Contractor began 24 month monitoring period May 15, 2004

**CREDITING:**

1. INDOT will send LCRBDC cost information regarding approximately \$700,000 additional credit for their Cline Avenue project.(Ongoing)
  - COE to send copies of their agreements with INDOT indicating costs and scopes that they paid for. After LCRBDC review, there may be additional items. (Ongoing)
2. The COE's new computer tracking program is primarily for crediting use, but it may have the ability to trace current acquisitions as well. A demonstration of the software program was not held at the July Real Estate meeting. A new date will be scheduled.



**GENERAL INFORMATION:**

1. Acquisition in the Hobart Marsh is continuing. Three acquisitions totaling approximately 120 acres are being considered.
2. We are calling appraisers to work with our project and receiving refusals because of the review process with the COE. We keep trying.
3. We are receiving tax bills from the Lake County Treasurer. Confusion is due to current re-assessment situation. We are asking for a change in tax status. (Ongoing)
  - **Lake County Auditor has changed the taxing status on eleven properties we own from “taxable” to “non-taxable”.**

**Sandy Mordus**

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**From:** "Sandy Mordus" <smordus@nirpc.org>  
**To:** <dostatnis@hmdin.com>  
**Cc:** "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>  
**Sent:** Friday, August 20, 2004 2:51 PM  
**Subject:** Kennedy Avenue-I-wall construction in Hammond

Stan:

At our preliminary pre-bid meeting on August 19, the Army Corps of Engineers introduced a small segment of construction in Hammond that they wanted to be included with our project from Kennedy Avenue to Liable, south of the river. At this point in time, we think the construction of a concrete I-wall will be entirely on the Kennedy Ave. right-of-way (we are currently having a survey done to confirm this). A right-of-entry has already been signed by the Commission for all of the property south of the river. Currently, we do not have any signed agreements with the city of Hammond north of the river. We are hoping to contact you Monday morning for a conference call with Dan Gardner, Imad Samara (Army Corps project manager), and myself. We would like to discuss with you the possibility of expediting an agreement for this parcel to allow us to include this portion as part of our contract. We would like to discuss with you the quickest way possible to allow us the right to construct on this right-of-way. We will call you around 10:00 a.m. Monday morning to discuss this with you and answer any questions you may have.

Jim Pokrajac, Agent  
Land Management/Engineering

8/20/2004

## **Sandy Mordus**

---

**From:** "Sandy Mordus" <smordus@nirpc.org>  
**To:** <wielgosM@hmdin.com>  
**Sent:** Friday, August 20, 2004 3:09 PM  
**Subject:** Fw: City of Hammond Real Estate Commitments to Little Calumet River Flood Control Project

Marty:

This e-mail is a follow-up of the Development Commission's request for a meeting to outline for the city administration and leadership of the Park Department and Sanitary District, the land requirements needed from the respective governmental units to meet the Army Corps fastest available construction schedule for the Hammond stretch of the river. I cannot emphasize strongly enough the need for a meeting as soon as possible to outline the steps necessary to allow Federal construction to begin. Because several units of Hammond government are involved and the process we are suggesting is fairly complicated, we are seeking a meeting called by the Mayor's Office to establish the fastest timeline and the best hope for cooperation to be successful.

The Corps' scheduled deadline for the project advertisement is currently January 2005 with an award of contract in March of 2005. However, to meet that earliest advertisement, we must acquire all of the necessary rights-of-way for the project, including the approximately 29 acres of easements held by the city, Hammond Sanitary District and the Hammond Park Department.

The Development Commission staff will make themselves available at the earliest convenient time for you to begin moving this project forward within the city of Hammond. I look forward to hearing from you very soon. Thank you.

Dan Gardner  
Executive Director  
Little Calumet River Basin  
Development Commission

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

**From:** Sandy Mordus  
**To:** wielgosM@hmdin.com  
**Cc:** mayor@ci.hammond.in.us ; sdostatni@aol.com ; billerW@hmdin.com ; Louis M. Casale  
**Sent:** Tuesday, August 03, 2004 2:08 PM  
**Subject:** City of Hammond Real Estate Commitments to Little Calumet River Flood Control Project

Marty:

I'm sorry for the delay in responding back to you - the purpose of my call is to set up a meeting called by the Mayor's Office with leadership of the City, Park Department, and Sanitary District for the purpose of our explaining the land requirements needed from the respective city entities and the proposal the Commission is suggesting to move forward together.

I had the opportunity, since I left the message on your voice mail, to be in a meeting with Mayor McDermott and I emphasized to him that we would be pleased to meet with key representatives from the administration to update them on the commitment to get a portion of the city of Hammond out of the floodplain as quickly as possible and the necessary real estate requirements to accomplish that.

Either you or the Mayor can set up the meeting and we will be available to meet with you and other appropriate representatives. There is some urgency to setting up this meeting in that the COE's schedule deadline is for the project to be advertised by January 2005; and award a contract in March 2005. This Stage VI Phase 1 North segment would be from Kennedy to Cline, north of the river.

I will be in touch with you at the end of the week so see if a date can be identified.

Thanks,  
Dan Gardner  
Executive Director  
Little Calumet River Basin  
Development Commission

8/20/2004

LCRBDC

INTERDEPARTMENTAL MEMO

TO: Jim Pokrajac, Engineering  
Sandy Mordus, Coordination

FROM: Judy Vamos, Land Acquisition *JV.*

DATE: 6 August 2004

SUBJ: Flood Protection Levee and Temporary Work Area Easements for  
DC 1001 and DC 1030 (landowner - NIPSCo in Stage VI-2)

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Attached is information for two acquisitions (DC 1001 and DC 10300) we need from NIPSCo for Stage VI-2. The property lies east of Liable Road. Would you please prepare the easement agreements and make initial contact with NIPSCo?

In the past LCRBDC presented easement acquisitions to the NIPSCo representatives who signed the agreements without expecting payment. In recent conversations with other land acquisition personnel, however, I've been informed that there may be a change in the way NIPSCo now conducts property transfers and just compensation for easements may be expected.

Our relationship with NIPSCo has been cordial and no payment for easements was expected from us. If their procedure has changed and payment is expected a Uniform Land Offer (ULO) will need to be presented to NIPSCo first before the easement agreements. Please let me know and I can provide you a Uniform Land Offer.

Thank you for your help and I ask you to contact me if you have questions.

## **LAND MANAGEMENT REPORT**

***For meeting on Wednesday, September 1, 2004***

**(Information in this report is from July 29 – August 25, 2004)**

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### **A. NON-PROJECT LAND MANAGEMENT**

The Charles Agnew Handicapped Park sign has been approved. The sign was not in the original estimate and we will be expected to pay for it. Installation of the sign will be completed by River Forest School personnel.

#### **1. 3120 GERRY STREET (RENTAL HOUSE)**

- LCRBDC advertised this property for sale on July 27. The bid opening is scheduled for August 17.
- No bids were received by the August 17, 2004 2:00 p.m. deadline. Previously-interested parties will be re-contacted to see if they are interested.

#### **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 35<sup>th</sup> Avenue.
- LCRBDC has now, and will be receiving \$1700/month.

#### **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.
- Both areas currently being farmed.

#### **4. A letter was received from VIEW OUTDOOR ADVERTISING on July 28, 2004,** 1-2 requesting consideration for installing (4) advertising signs on LCRBDC property at the Southwest intersection of I- 80/94 and I-65.

- Over \$25,000 in annual revenue could be received from VIEW Outdoor if we leased property to them for this purpose.
- The Board members agreed at the August 4, 2004 board meeting to allow VIEW Outdoor to proceed with their process to obtain permits.
- A letter was sent to VIEW Outdoor on August 19, 2004, notifying them of the Board decision. 3

### **B. PROJECT RELATED LAND MANAGEMENT**

#### **A. O&M Committee (ongoing issues)**

##### **1. Funding to complete O&M obligations.**

A. A letter was received from the COE on April 14 indicating that FEMA will require that the city of Gary must provide certification that they will provide O&M in compliance with the COE manual prior to FEMA completing their re-mapping of the floodplain.

- As part of the City of Gary's request for taking O&M responsibility, they requested that the COE assume responsibility for complying with IDEM requirements for water quality regarding discharges for the Little Calumet River Flood Control Project.



- A letter was sent to Greeley & Hansen Engineers (GSD Engineering consultants) on May 24, 2004, requesting they provide a Scope of Work that could be incorporated into a contract that would be done in 2005 as a LCRBDC/COE project cost. **(Ongoing)**
- B. City of Gary (or their representatives) position on taking over O&M for pump stations.
- A letter was received from United Water on June 1, 2004, indicating status of pumps at the Burr Street Pump Stations.
  - LCRBDC received a letter from United Water regarding the maintenance of pump stations on June 9, 2004.
    - Services which had been performed in the past were stopped because they were not being compensated for their time or material.
    - A proposal was submitted with this letter requesting \$37,250.71 in back payments as well as \$4,876/month for services with additional adjustments. (Available upon request.)
  - **These costs are being reviewed and may be part of the request by the LCRBDC to obtain money from the state to cover capital expenses.**
2. A meeting was held with the City of Gary on June 28, 2004, to discuss land transfers, COE upgrades on lift stations, and Gary Stormwater Management District O&M.
- A. **Land transfers (approximately 359 acres) were discussed. LCRBDC Passed a resolution at the July 7, 2004 Commission meeting to begin process.** 4
- B. **An inspection with the COE, LCRBDC, and representatives from Gary is scheduled for the (4) pump stations in Gary on September 13<sup>th</sup> and 14<sup>th</sup>, 2004. The sluice gates will be inspected on September 22<sup>nd</sup>, 2004.** 5-6
- **United Water (formerly WREP) indicated they could attend these (3) dates.** 7-8
- C. **The notes from this meeting were finalized after review from LCRBDC attendees and submitted to Gary on August 20<sup>th</sup>, 2004.** 9-14
- D. 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.
- LCRBDC received a phone call that the HSD was reluctant to sign the agreement because they were concerned that a sluice gate was being installed at the line of protection which could prohibit their pumping during a flood event.
    - The COE indicated this is not true in an e-mail on April 20, 2004.
  - Signing of the agreement is ongoing.



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OUTDOOR ADVERTISING

July 28, 2004

Mr. James Pokrajac  
Little Calumet River Basin Development Commission  
6100 Southport Road  
Portage, IN 46368

Dear Jim,

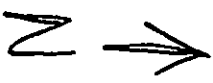
Pursuant to our telephone discussions, this letter will serve to express our interest in leasing up to four advertising sign locations on property owned by the Commission at the southwest corner of the intersection of I-80/94 and I-65.

Preliminary engineering appears to indicate that there are 2 potential sites on Commission property along I-80/94 that would meet State and Local requirements for advertising signs, and also two sites along I-65. Subject to working out the specifics of such an agreement, this could result in an annual cash flow to the Commission totaling over \$25,000 per year.

I would welcome the opportunity to discuss this proposal in anticipation of establishing a mutually beneficial relationship.

Regards,

  
Dennis Sonntag  
Real Estate Manager  
View Outdoor Advertising, LLC



50-5619-0A

T-30/94

NIPSO property

PROPOSED  
LOCATIONS

T-65

30.23

48-1-2

31ST AVE

2ND AVE

50-110  
38.10

PENNSYLVANIA

50-110-8

2





# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson  
Mayor of Gary's  
Appointment

ROBERT MARSZALEK, Vice Chairman  
Governor's Appointment

ROBERT HUFFMAN, Treasurer  
Governor's Appointment

JOHN MROCZKOWSKI, Secretary  
Governor's Appointment

WILLIAM BILLER  
Governor's Appointment

GEORGE CARLSON  
Mayor of Hammond's  
Appointment

STEVE DAVIS  
Dept. of Natural Resources'  
Appointment

CHARLES RAY  
Porter County Commissioners'  
Appointment

DR. MARK RESHKIN  
Governor's Appointment

JACANCY  
Governor's Appointment

JACANCY  
Lake County Commissioners'  
Appointment

DAN GARDNER  
Executive Director

LOU CASALE  
Attorney

August 19, 2004

Mr. Dennis Sonntag  
Real Estate Manager  
VIEW Outdoor Advertising  
1000 E. 80<sup>th</sup> Place, Suite 700N  
Merrillville, Indiana 46410

Dear Dennis:

At our August 4, 2004 Development Commission meeting, your request to install four (4) signs at the southwest intersection of I-80/94 & I-65 was discussed. The Commission agreed that they would allow you to proceed with whatever process is necessary for you to obtain permits to construct. They did request exact locations of these signs to assure that these locations are on property owned by the Commission. There are several other owners in this triangular parcel of land, including INDOT and NIPSCO. View Outdoor Advertising will assume all preliminary costs accrued during the process of obtaining the necessary permits. Upon providing us with these locations, you will need to coordinate with the city of Gary to assure that their codes are met, which includes a minimum distance between signs.

If you can meet all of the requirements for permits, please contact us at that point and we can discuss the possibility of entering into license agreements with you. We look forward to hearing back from you. If you have any questions regarding this letter, please call me at the above number.

Sincerely,

James E. Pokrajac, Agent  
Land Management/Engineering

/sjm  
cc:

Larry Alt, VIEW Outdoor Adv.  
Arlene Colvin, City of Gary/LCRBDC  
Lou Casale, LCRBDC attorney

**RESOLUTION 04-01  
OF THE LITTLE CALUMET RIVER  
BASIN DEVELOPMENT COMMISSION**

WHEREAS, the Little Calumet River Basin Development Commission is the local sponsor for the United States of America, Army Corps of Engineers Flood Control/Recreation Project along the Little Calumet River; and,

WHEREAS, as the local sponsor for said flood Control Project, the Little Calumet river Basin Development Commission is charged with the responsibility of acquiring the necessary lands, easements, and rights-of-way; utility relocations; 5% local share cash contribution; and providing for operation and maintenance of the project once it is construction complete; and,

WHEREAS, the U.S. Army Corps of Engineers will be conducting a final inspection of the flood control features with the intent of turning over operation to the local entities; and,

WHEREAS, the Federal Emergency Management Agency has indicated that to remove the city of Gary from the floodplain, a commitment in writing by the Mayor of Gary for operation and maintenance of said flood control project within the city is required; and,

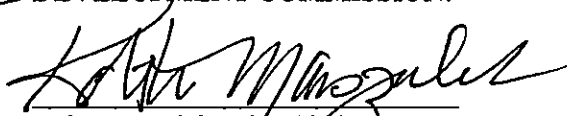
WHEREAS, in discussions with the Mayor's office, there has been a request for the Little Calumet River Basin Development Commission to donate Commission owned surplus property, as indicated on attached map, to the city at no cost for development purposes; and,

WHEREAS, to demonstrate good faith commitment to a cooperative comprehensive approach to removing Gary from the floodplain and meeting the Mayor's request;

NOW, THEREFORE, BE IT RESOLVED by the Little Calumet River Basin Development Commission, that it commits to donating to the city of Gary at no cost, the approximate 359 acres of surplus property, as indicated on the attached map (Exhibit A), according to the rules and regulations of the Indiana Deposition of Property Act subject to the City of Gary's agreement and commitment, in writing, to provide the operation and maintenance of the portion of the Little Calumet River Flood Control Project lying within the City of Gary, all in accordance with the Local Cooperation Agreement between the Little Calumet River Basin Development Commission and the United States Army Corps of Engineers.

This Resolution approved this 4th day of August, 2004 by the Little Calumet River Basin Development Commission.

LITTLE CALUMET RIVER BASIN  
DEVELOPMENT COMMISSION:

  
Bob Marszalek, Vice Chairman

ATTEST:

  
Dan Gardner, Executive Director

**Sandy Mordus**

---

**From:** "Witowski, Reric J LRC" <Reric.J.Witowski@lrc02.usace.army.mil>  
**To:** "Jim Pokrajac" <jpokrajac@nirpc.org>  
**Cc:** "Shah, Bharat S LRC" <Bharat.S.Shah@lrc02.usace.army.mil>; "Plachta, Jan S LRC" <Jan.S.Plachta@lrc02.usace.army.mil>; "Go, Ernesto T LRC" <Ernesto.T.Go@lrc02.usace.army.mil>  
**Sent:** Friday, August 20, 2004 11:44 AM  
**Subject:** RE: ICW Inspections

Jim: We would like to conduct the pump stations on 13 and 17 September and the Sluice gates on 22 Sep, if this is acceptable to you. We can depart our area and arrive at yours about 0830-0845, meeting at the Burr Street Station, then working Eastward from there. Are any of these spaces confined?

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

**From:** Jim Pokrajac [mailto:jpokrajac@nirpc.org]  
**Sent:** Friday, August 20, 2004 11:31 AM  
**To:** Witowski, Reric J LRC  
**Subject:** Re: ICW Inspections

Ric:

It appears you were copied on the e-mail from Dwain Bowie on August 19th indicating that United Water will be able to attend the inspections we have scheduled for Sept. 13th, 17th, and 22nd. As we had discussed, two of these days will be pump station inspections and one day will be for sluice gate operation. Will you please let me know what day and what times we will be doing these activities? It appears, at this point in time, that United Water could provide a truck, generator and crew to operate the sluice gates. I need to know what day of these three you plan on doing the sluice gate inspection. Unfortunately, United Water has asked for reimbursement for the time and material to provide this service; we will pursue this with Gary on our own.

I realize other inspections will have to be performed in addition to the pump stations and sluice gates, and I look forward to working with you to complete the remainder of these inspections in your next fiscal year.

Thanks,  
Jim Pokrajac, Agent  
Land Management/Engineering

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

**From:** Witowski, Reric J LRC  
  
**To:** Jim Pokrajac  
**Cc:** Samara, Imad LRC ; Abou-El-Seoud, Shamel LRC  
**Sent:** Friday, August 20, 2004 7:41 AM  
**Subject:** RE: ICW Inspections

Jim: Great! Could we save the spirits until after duty hours?

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

**From:** Jim Pokrajac [mailto:jpokrajac@nirpc.org]  
**Sent:** Thursday, August 19, 2004 11:12 AM  
**To:** Witowski, Reric J LRC  
**Cc:** Samara, Imad LRC; Abou-El-Seoud, Shamel LRC  
**Subject:** Re: ICW Inspections

5

8/20/2004

Ric:

As per our conversation of August 18, I indicated to you the importance of having representatives from the city of Gary attend the inspections. In an O&M coordination meeting with the city of Gary on June 28, they requested, and we offered, to have their representatives attend our upcoming inspections. It is critical, as part of our ongoing coordination with Gary to take over O&M responsibilities, to have them attend. The current schedule to do the 4 pump stations and all the sluice gates in Gary are September 13, September 17, and September 22. Greeley & Hansen, the Development Commission, and yourself have these dates open. I am currently awaiting a response from United Water (Gary Sanitary District contractor for maintenance) to have them attend these inspections. This maintenance group has been performing O&M on all 4 stations until 3 months ago and have all of the records for deficiencies of these stations. In the event they cannot attend the 3 dates we have scheduled, I will attend as well as Greeley & Hansen to assure that you can complete the inspections in this Army Corps fiscal year.

Let's open that bottle of fine wine on September 13.

Jim Pokrajac, Agent  
Land Management/Engineering

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

From: Witowski, Reric J LRC

To: jpokrajac@nirpc.org  
Cc: Abou-El-Seoud, Shamel LRC ; Samara, Imad LRC  
Sent: Wednesday, August 18, 2004 3:39 PM  
Subject: ICW Inspections

We need to consider, and within existing constraints act upon, the earliest possible execution of these inspections. If there are items which need attention, delay of the discovery that particular maintenance is required, unlike fine wine, will not become better with age. Moreover, our constituents deserve the best possible service we are able to provide. My recommendation is that we begin the pump station inspection of Burr Street, in conjunction with the et al, no later than 30 Aug 04.

Ric Witowski

ICW Program Manager

US Army Corps of Engineers

Chicago District

111 N. Canal Street

Chicago, IL 60606

312-846-5476

**Sandy Mordus**

**From:** "Bowie, Dwain" <Dwain.Bowie@UnitedWater.com>  
**To:** "Sandy Mordus" <smordus@nirpc.org>; "Bowie, Dwain" <Dwain.Bowie@UnitedWater.com>;  
 "Fancher, Adrienne" <Adrienne.Fancher@UnitedWater.com>; "Hughes, David"  
 <David.Hughes@UnitedWater.com>; "Ciaccio, Greg" <Greg.Ciaccio@UnitedWater.com>  
**Cc:** "Spike Peller" <spike@garysan.com>; <jmeyer@meyerwyattpc.com>; <pvogel@greeley-  
 hansen.com>; "Niec, Jay" <jniec@greeley-hansen.com>; "Samara, Imad LRC"  
 <Imad.Samara@lrc02.usace.army.mil>; "Smales, Donald" <dsmales@greeley-hansen.com>;  
 "Arlene Colvin" <acolvin@ci.gary.in.us>; <Reric.J.Witowski@lrc02.usace.army.mil>;  
 <jflora@rwa.com>  
**Sent:** Thursday, August 19, 2004 5:29 PM  
**Subject:** RE: Pump Station Inspections in Gary

United Water will be attending the inspections will provide a work crew on the day in question for the sluice gate inspections once compensation is agreed upon for providing the mechanical staff to do that work. The day days seem perfectly ok as of today.

Dwain L. Bowie  
 General Manager  
 United Water Inc.  
 Gary, IN 46406  
 219-944-1211 ext 1205

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

**From:** Sandy Mordus [mailto:smordus@nirpc.org]  
**Sent:** Wednesday, August 18, 2004 2:34 PM  
**To:** dwain.bowie@unitedwater.com  
**Cc:** Spike Peller; jmeyer@meyerwyattpc.com; pvogel@greeley-hansen.com; Niec, Jay; Samara, Imad LRC; Smales, Donald; Arlene Colvin; Reric.J.Witowski@lrc02.usace.army.mil; jflora@rwa.com  
**Subject:** Pump Station Inspections in Gary

Dwain:

In coordinating for the final inspection of the four pump stations we have completed in the city of Gary as part of our flood control project, we have set 3 dates that need to be set aside in order to complete the "FINAL" inspection with the Corps of Engineers. These four stations are as follows:

- Burr Street North pump station (located east of Burr St. north of the NSRR)
- Grant Street pump station (located east of Grant St. directly north of the Steel city Truck Stop)
- Broadway pump station (located east of Broadway directly south of the Little Calumet River)
- Ironwood pump station (located between Georgia and Martin Luther King Drive, north of the NSRR, directly south of the Ironwood sub-division)

**The three dates we have set aside are September 13, September 17, and September 22.** These dates are good for the Development Commission, the Army Corps, and Don Smales from Greeley-Hansen. Two of these days will be scheduled to inspect the four pump stations (2 stations each day for 2 days). The other date would be to inspect the sluice gates in Gary. We would request that on the day we inspect the sluice gates, that WREP could provide a pickup truck, portable generator, and 2 men. It is critical that we complete the inspection of the pump stations and the sluice gates by the end of September this year (which is the end of the Corps fiscal year). Will you please respond back to me and confirm that these three dates can be set aside by the appropriate representatives from WREP? Will you also provide me your maintenance records for these four pump stations that will show us what deficiencies you have found up to this point in time?

It is the intent of the Army Corps that all flood control features will be inspected and a punch list will be put together. The Development Commission will try to facilitate paying for the upgrading of all of these deficiencies prior to the city of Gary signing off to accept O&M responsibilities for the flood control project throughout Gary. In a meeting on June 28 with representatives from Gary, we pointed out to Jim Meyer, Spike Peller, and Arlene Colvin, that we would involve appropriate representatives from the city of Gary to

participate in these inspections to assure that all deficiencies are noted.

Once again, please contact me immediately via email in order that we may finalize our coordination to complete these tasks. If you have any questions, please contact me at [jpokrajac@nirpc.org](mailto:jpokrajac@nirpc.org).

Jim Pokrajac, Agent  
Land Management/Engineering



# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson  
Mayor of Gary's  
Appointment

TO: James Meyer, Spike Peller  
Arlene Colvin, Bob Huffman  
Jim Flora, Lou Casale, Jim Pokrajac

ROBERT MARSALEK, Vice Chairman  
Governor's Appointment

ROBERT HUFFMAN, Treasurer  
Governor's Appointment

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

JOHN MROCZKOWSKI, Secretary  
Governor's Appointment

WILLIAM BILLER  
Governor's Appointment

SUBJECT: Notes from GSD Outstanding Issues meeting held  
6/28/04

GEORGE CARLSON  
Mayor of Hammond's  
Appointment

DATE: August 20, 2004

STEVE DAVIS  
Dept. of Natural Resources'  
Appointment

CHARLES RAY  
Porter County Commissioners'  
Appointment

DR. MARK RESHKIN  
Governor's Appointment

VACANCY  
Governor's Appointment

VACANCY  
Lake County Commissioners'  
Appointment

Enclosed are notes from the meeting held with representatives from the Development Commission and the city of Gary on June 28 to discuss outstanding GSD issues, operation and maintenance of the flood control project, and upcoming construction for Burr Street II (Gary). The nine outstanding issues that have been ongoing for some time were discussed. Included is the current status and who has what responsibilities to complete or address these issues. Also included are several comments from the Corps, although they were not in attendance at the meeting. Their comment expresses their position on any one of several different issues.

DAN GARDNER  
Executive Director

LOU CASALE  
Attorney

It was the intent of this meeting to expedite, and clarify, any outstanding issues that need to be addressed in order that the city of Gary would commit to taking responsibility for the operation and maintenance of this project. We feel that although some of these issues have not been completed, that they will be in the near future. We are hoping that we can come to a common resolution in order that we may proceed with entering into an agreement, whereby Gary will start the responsibility of operation and maintenance of the flood control features in Gary. This is critical to complete the progress in Gary and as importantly, allowing FEMA to continue their process to remove Gary from the floodplain (which will not happen without the commitment from the Mayor/City).

We look forward to meeting with you to come to a final resolve on all of these issues and to further discuss coordination for the Burr Street II levee (Gary's portion between Colfax and Burr). If you have any questions regarding any of these comments or notes from the meeting, please contact me.

/encl.

**OUTSTANDING GARY SANITARY DISTRICT ISSUES**  
**MEETING HELD JUNE 28 WITH GARY CITY COUNCIL OFFICE**

Participating people: James Meyer, Spike Peller - Gary Sanitary District  
Arlene Colvin - City of Gary, LCRBDC  
Jim Pokrajac, Bob Huffman, Lou Casale - LCRBDC  
Jim Flora - R. W. Armstrong

1. **Issue:**      **Installation of telemetry at pump stations constructed in Gary.**
  - All parties have concurred that a telemetry system for the pump stations is not project related and cannot be funded by the flood control project. This is no longer an issue.
  
2. **Issue:**      **Whether the levee project has a significant impact on GSD sewer outfalls due to higher river levels**
  - Sue Davis has been working with Paul Vogel from Greeley & Hansen to determine whether there is an impact or not. The process is ongoing.
  - Earthtech has provided Sue Davis the SWMM information and she is currently reviewing.
  
3. **Issue:**      **Access to the Ironwood Pump Station**
  - The Army Corps has committed to provide a spare pump and a jib crane on the job site.
  - This will be provided in an upcoming contract that the Army Corps is projecting to advertise in their upcoming 2005 fiscal year.
  - By providing the pump and the crane on the site, it would eliminate a major concern of gaining access to this area during a flood event to replace any pumps.
  - Spike Peller to provide GSD's anticipated scope of work for the upcoming Army Corps 2005 contract.
  
4. **Issue:**      **I-80/94 Drainage**
  - Gary has a concern with the ongoing INDOT/I-80/94 construction drainage. The LCRBDC north line of protection does not provide any culverts or control structures that would allow highway runoff to drain to the Little Calumet River.
  - The only areas where drainage could get to the river are at the main interchange intersections where culverts and/or control structures will be adjacent to the ingress/egress ramps.
  - Army Corps engineering and environment coordination were done with INDOT for the outfalls and culverts during INDOT's design phase.

**Army Corps comment: Any concern regarding drainage adjacent to I-80/94 should be addressed with INDOT.**



**5. Issues:**

**USEPA and IDEM correspondence regarding Gary projects**

- Sue Davis said the Army Corps did not address this issue during their design phase and that these are the city of Gary's outfalls for which they have permits. Responsibility or special permitting for land side settlement of sewage would be the responsibility of Gary.
- Sue Davis also pointed out that prior to finalizing any design in Gary, that the city of Gary and the GSD were provided all the plans and specifications for review and comment. They did not express any concern regarding these issues at that time.
- Imad Samara asked where this may be occurring. It was indicated that Grant Street had this problem but now with the penetration through the existing I-wall on the east side of Grant, that backup in this area would not be a concern. Currently, the same condition exists on the east side of Broadway and also needs to be addressed. There may be other areas that may also be impacted.
- The city of Gary assumed that the LCRBDC and/or Army Corps would get all the necessary permits for this. Sue pointed out that it was not the project responsibility because the city of Gary is the owner.
- Sue Davis indicated that she gave Jim Pokrajac all the IDEM/IDNR correspondence and documentation regarding these issues.

*Army Corps comment: The contractors had to submit NPDES permit request to IDEM before construction could start. All contractors on the Little Calumet River Project had to perform that task. This information should be at the Griffith area office or in contract documents for old contracts.*

**6. Issue:**

**Documentation that contractors practiced soil and erosion control measure during construction**

- Gary required that they be provided with all of the necessary permits and information from the Army Corps regarding coordination with IDEM and the IDNR.
- Sue Davis provided this information to Jim Pokrajac to distribute to Gary. (Jim Pokrajac to review files and forward to the city of Gary).
- Jim Pokrajac to provide information from the Army Corps specification packages for each of the east reach flood control projects.
- This information will be provided to the Army Corps Griffith area Office to get a sign-off from the Army Corps that these construction procedures were followed on all of the projects.

**7. Issue:**

**O&M Manual**

- The Army Corps provided the O&M manuals for the city of Gary to the LCRBDC as a "living document".
- Two of these sets of manuals were provided to Spike Peller (with one to be distributed to the WREP/Greeley & Hansen) and one set was provided to Jim Meyer at this meeting.

- An inspection is scheduled in the next few months with the Army Corps to comprise a punch list for all completed flood control features from Cline Avenue to I-65.
- Jim Pokrajac to coordinate with Spike Peller to assure appropriate representation will be involved for Gary on these inspections.
- It is the intent of the LCRBDC to pursue with the State and the Army Corps to pay capital expenses to bring these deficiencies to the original intent of design.
- Lou Casale suggested that LCRBDC, city of Gary, and the Army Corps coordinate to facilitate a turnover process whereby all concerned parties will sign off to assure that the city of Gary will assume responsibility to maintain this project from this point on, as per the Army Corps manual.

**8. Issue: Drainage ditch at the 27<sup>th</sup> and Chase Street Pump Station**

- The Army Corps is coordinating with the city of Gary to determine what will be required to remediate the drainage problem along the north line of protection east of Chase Street at the closure structure.
- Upon concurrence with the city of Gary, the Army Corps will incorporate the remediation of this feature into their 2005 construction project.
- Jim Pokrajac said he would ask Jay Niec about the work scope to see if this is OK and if he will meet the schedule.

*Army Corps comment: The Army Corps agrees that upon receiving EPA requirements and the suggested implementation measures from Greeley & Hansen, that will be evaluated by the Army Corps, that they will design and formulate the modification.*

**9. Issue: Is an EPA discharge permit necessary for our project? (As per request from Jim Meyer, GSD attorney)**

- The Army Corps has agreed that they will be in compliance with EPA discharge requirements in those areas where our project has impacts upon the discharge going into the Little Calumet River.
- The Army Corps agreed that upon receiving the scope of work from Greeley & Hansen, they would review those issues and formulate a scope of work that will be incorporated into the Army Corp's upcoming 2005 construction project.
- Jim Pokrajac said he would ask Imad Samara about IDEM requirements. Army Corps needs to determine if they will agree to comply.

**MISCELLANEOUS ITEMS OF DISCUSSION**

1. Burr Street II (Gary portion of the Betterment Levee) from Colfax to Burr Street
  - Gary will submit their concerns and comments to the Army Corps no later than July 2, 2004.

- Treatment of water from the open drainage ditch south of the NIPSCO right-of-way that drains to Burr Street is an issue from Gary.
- Gary is suggesting the possibility of some type of treatment of this water west of Burr Street before it discharges into the Gary pump station located east of Burr Street.
- Jim Meyer requested that when the Army Corps responds to these concerns that a final meeting will be held to discuss what the Army Corps is going to do and how they will be addressed before the plans are finalized.

*Army Corps comment: The Army Corps is questioning the total volume of water going into the pump station from Ridge Road and how it will be treated by the city of Gary. They also questioned why the water is not treated after it comes out of the pump station before it goes into the river.*

2. Resolution for transfer of LCRBDC surplus lands to the city of Gary
  - Lou Casale suggested that the LCRBDC Board members will review the resolution at the upcoming July 7 Board meeting.
  - This would allow the process to begin to transfer LCRBDC surplus lands that are not needed for project purposes to be transferred to the city of Gary.
  - Gary questioned who would have the responsibility of doing survey and/or appraisal work for these parcels.
  - Jim Meyer asked how many acres of the 179 acre parcel were in wetlands and could not be used.
  - Gary asked if LCRBDC had any other lands that could be made available to them other than what was shown on the mapping.
  - Jim Meyer asked about the omission of the Chase Street Produce and the radio tower from the turnover. Bob Huffman mentioned that these were deliberately omitted to allow the LCRBDC future revenue after the flood protection project has been completed to perform their O&M responsibilities to the project.
  - Attorney Lou Casale suggested that the LCRBDC has to follow a process for transferring land according to State regulations.
3. LCRBDC mentioned ongoing problems with the existing four (4) pump stations that we have constructed as part of the flood control in Gary.
  - The Burr Street pump station located east of Burr Street and north of the Little Calumet River is currently not operational.
  - The only way water can be pumped down is by manually operating one (1) pump. If this was not done, a large portion of Black Oak would have been flooded out.
  - It was suggested that as part of the turnover process, if the pump stations could be handled as a separate issue in order to expedite responsibility for the O&M of these stations to avoid potential serious overflowing into areas that should be currently protected as part of our project.
4. United Water letter of June 9, 2004 requesting reimbursement for past O&M services as well as future charges to continue maintaining pump stations.

- Jim Pokrajac stated that this will be one part of the overall O&M for the city of Gary and the monthly and/or annual fees for this work would be incorporated into the overall agreement.
  - Gary requested a sum of \$37,250.71 to compensate them for past services to do the O&M for these pump stations. This will have to be discussed to see if this might be a capital expense issue.
5. FEMA requirement for the city of Gary to assume operation & maintenance responsibilities for this project in order that they may be removed from the floodplain.
- Discussion of Army Corps letter to the LCRBDC on April 14, 2004 stating FEMA position on O&M for the flood control project.
  - Also discussed April 30, 2004 letter to Mayor Scott King referring to the FEMA requirements for removing Gary from the floodplain.
6. Current LCRBDC review of the O&M Manual presented to the LCRBDC by the Army Corps.
- LCRBDC had comprised 11 initial comments questioning data as part of the O&M.
  - Provided a 3-page summarization table of the operation and maintenance manual abbreviating the estimated tasks as well as the operation & maintenance costs.
  - The intent of this table was to provide a "quick and easy glance" of all of those items that the Army Corps will be requiring to continue ongoing operation & maintenance.
  - The Army Corps is awaiting comments from the city of Gary.



# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson  
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*Governor's Appointment*

VACANCY  
*Lake County Commissioners'  
Appointment*

DAN GARDNER  
*Executive Director*

LOU CASALE  
*Attorney*

September 1, 2004

Ms. Donna Pappas  
Clerk-Treasurer  
City of Portage  
Portage City Hall  
6070 Central Avenue  
Portage, Indiana 46368

Dear Ms. Pappas:

Please consider this letter as the Development Commission's request for the \$28,643.84 revenue bond payment that is due October 1, 2004 to Bank One. Please cause this claim payment to be approved by the Portage Board of Public Works at their next Board meeting. This check should be made payable to the Little Calumet River Basin Development Commission, as stated in the bonding requirements.

We have not received the Bank One invoice yet but should be receiving it very shortly. I'm sending this to you now as a courtesy to allow the city enough time to process the check so that the payment can be made before the October 1 due date.

If your office would kindly call me when the check is ready, I will pick it up at City Hall. Thank you for your attention to this matter. If you have any questions, please call.

Sincerely,

Sandy Mordus  
Business Coordinator

/sjm

cc: Honorable Doug Olson, Mayor of Portage  
John Smolar, Portage Port Authority  
Lou Casale, LCRBDC attorney  
Charlie Ray, LCRBDC

# **PROJECT ENGINEERING MONTHLY STATUS REPORT**

**For meeting on Wednesday, September 1, 2004  
(Information in this report is from July 28 – August 25, 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 1<sup>st</sup>, 1993  
Dyer/Ellas Construction – Contract price: \$1,220,386

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

1. Project completed on January 13<sup>th</sup>, 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 20<sup>th</sup>, 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 18<sup>th</sup>, 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.

## **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

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

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



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

1. 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%)

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

1. Projected date to advertise – May 15, 2004
2. Anticipated award of contract – June 30, 2004
3. Projected construction start – September, 2004
4. Anticipated construction cost \$1,787,000.
5. A review meeting was held on April 26, 2004 to discuss the 100% submittal of plans & specs
  - Scope of work, seed mixes, and locations for plantings was modified to improve aesthetics, and reduce long term O&M.
  - First seed planting anticipated in fall, 2005, after which the contractor assumes O&M for 5 years.
  - First tree plantings anticipated in spring, 2006, after which the contractor assumes O&M for 2 years.
  - A field walk-thru was held.
6. A pre-bid meeting was held with the COE on June 3<sup>rd</sup>, 2004, to answer any questions, provide clarifications, and discuss schedules with contractors and sub-contractors.
  - Bid due date is June 22<sup>nd</sup>, 2004.
  - 104 acres included in bid – 100 to be herbicided, remaining 4 acres are ditches.
  - First seeding will probably be done in the Fall of 2005.
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 6<sup>th</sup>, 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 May 28<sup>th</sup>, 2004
  - B. Project money status:
    - Original contract estimate - \$1,695,822
    - Original contract amount - \$1,231,845
    - Current contract amount - \$1,435,747.42
    - Amount overrun - \$203,902 (16%)



2. The scope of this project is to include the following:
  - A. Lift station West of Grant to remediate drainage problems due to Stage III construction. **(completed)**
  - B. East Reach Remediation lift station for interior drainage. **(completed)**
  - C. Extending the combination sewer, East of Grant St., North to our line of protection.
  - D. Phase indicator system, for generator plug-in at the North Burr St. pump station.
3. The pump station start-up was done on July 20<sup>th</sup>, 2004. This pump station is now functional.
  - A punch list will be completed by the COE and the turnover will be done after the Marshalltown Station is completed.
  - The COE and their contractor will schedule training and turn over spare parts in the near future.
4. Refer to **July** COE monthly contract status report.
5. **Received (3) modifications to the contract, all for continued contract funding as follows:**
  - **Mod #3 - \$155,021.50, dated November 3<sup>rd</sup>, 2003**
  - **Mod #5 - \$50,000.00, dated January 23<sup>rd</sup>, 2004**
  - **Mod #6 - \$55,031.67, dated August 10<sup>th</sup>, 2004**

1  
2  
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4

**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 13<sup>th</sup>, 2002. The only item needed to be completed is to assure turf growth in all areas. (This will be inspected in the spring, 2004)
3. We received a response from the COE on January 7<sup>th</sup>, 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 needed to be included in an upcoming contract.
  - LCRBDC has a concern with sloughing in the concrete ditch bottom between Colfax and Calhoun.
  - As part of the upcoming “project inspection” with the COE and Gary, we are anticipating this to be a punch list item that needs to be reviewed for remediation responsibility.

**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 18<sup>th</sup>, 2002, with the COE, Dyer & LCRBDC and found to be satisfactory as per plans and specifications.



**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 9<sup>th</sup>, 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 – Gary) Colfax to Burr St.**

1. This portion of construction will be advertised, paid for, and coordinated by the City of Gary. The Army Corps will oversee the construction to assure compliance with federal specifications.
2. We were informed of the change in schedule on May 19<sup>th</sup>, 2004 as follows:  
Final engineering drawings for review will be submitted May 21<sup>st</sup>, 2004; design completion June 2004; advertise June 2004; and award August 2004.
  - As per a request from the city of Gary, we are awaiting the final engineering drawings in order that a meeting can be held to discuss comments.
  - **An email was sent to the COE on August 17<sup>th</sup>, 2004, suggesting a final engineering design review meeting with Gary prior to advertising this segment.** 5
3. A meeting was held with the COE, LCRBDC, and Jim Meyer (GSD attorney) on March 23<sup>rd</sup>, 2004, to discuss their portion of this project, funding, project management, and coordination.
  - Gary will contribute \$1.4 million toward this portion of construction.
  - The scope of work will be reviewed to reduce COE estimate of \$1.6 million to allow Gary appropriate budget.
4. Engineering drawings were sent to the Marathon Pipeline Company on June 17<sup>th</sup>, 2004, requesting review & comments for any impacts.
5. Comments were submitted to the COE on June 18<sup>th</sup>, 2004 regarding plans and specifications.
6. The COE has requested the R.W. Armstrong do an ITR (Independent Technical Review) of both Burr St. plans. Currently investigating comparison of the amount of time & money it would take R.W. Armstrong compared to the COE doing their own review.
  - **R.W. Armstrong submitted a letter to the LCRBDC on August 18<sup>th</sup>, 2004, indicating that, due to unfamiliarity, they would take longer, and cost more, than having the COE in Chicago or another district do the review.** 6
  - **LCRBDC enclosed this letter along with our letter of concurrence dated August 20<sup>th</sup>, 2004, to the COE.** 7
7. Gary Council Finance meeting held on July 27 for approval of ordinance for \$1.4 million available for Burr Street Phase 2 Gary portion of levee.
  - **A meeting was scheduled with the Gary Common Council on August 17<sup>th</sup>, 2004 (public meeting). The approval of the \$1.4 million was on the agenda. The item was taken off the agenda on the day of the meeting.**

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

1. This portion of construction will be advertised, coordinated, and facilitated by the COE and LCRBDC as a project cost.



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. We were informed of the change in schedule on May 19<sup>th</sup>, 2004 as follows: Final engineering drawings for review will be submitted August 15<sup>th</sup>, 2004; design completion October 2004; advertise November 2004; and award January 2005.
4. Engineering drawings were sent to the Marathon Pipeline Company on June 17<sup>th</sup>, 2004, requesting review & comments for any impacts.
5. **A letter was sent to the NSRR on August 6<sup>th</sup>, 2004, requesting a meeting to discuss engineering design and project impacts, scheduling, and real estate coordination.**

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

1. Project completed on September 14<sup>th</sup>, 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<sup>th</sup>, 2003 requesting division of V-2 into (2) segments & also hydrology data and recreational tie-in. (Response is ongoing.)
2. INDOT drainage issues at Indianapolis Blvd. and the Little Calumet River.
  - A. INDOT had a coordination meeting on August 12<sup>th</sup>, 2003, to review their projects in the Lake County area.
    - 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.
  - B. We received a letter from INDOT on February 9<sup>th</sup>, 2004, agreeing to pay 85% of the maintenance and power costs and Highland and North Township will pay \$314,500 of the \$1,746,950 pump station construction cost.
    - North Township sent a letter to INDOT on March 8<sup>th</sup>, 2004, indicating they support the 15% to be provided locally and that they will pay their fair share.
    - A call with Dan Gardner, John Bach (Town of Highland) and Jim Pokrajac on March 17<sup>th</sup>, 2004, indicated that Highland would also support their fair share.
    - On a conference call with INDOT, the COE, and the LCRBDC on March 19<sup>th</sup>, 2004, INDOT indicated that our portion of construction in this area must be completed before they install their pump station. LCRBDC needs to work with the COE to modify our construction and acquisition schedules to accommodate the INDOT project.
    - LCRBDC received a letter dated April 5, 2004, on behalf of the town of Highland, from NIES Engineering, to American Consulting Engineers which enclosed data regarding the floodplain in this general area.
    - The town of Highland sent a letter to INDOT on April 5, 2004 questioning the cost information previously provided by INDOT.



3. LCRBDC received a fax from the Town of Munster on July 7<sup>th</sup>, 2004 with (8) questions regarding the future construction of our project in Munster.
  - A letter was sent back to Munster on July 9<sup>th</sup>, 2004, addressing these concerns, which included scheduling impacts to the community, design, and property ownerships.
  - A meeting with Munster, and the public, **was held on August 9<sup>th</sup>, 2004**, at the Munster Town Hall. **(An article in the Times was in the August 10<sup>th</sup>, 2004 edition).**

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#### **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.
4. A meeting was held with Woodmar on July 28<sup>th</sup>, 2004, to review and discuss the current schedule and construction options.
  - **A follow-up meeting was held on August 13<sup>th</sup>, 2004**

#### **STATIS Stage VI-1 (South) South of the river – Kennedy to Liable**

1. The final engineering drawings were made available for review on April 6, 2004; design completion scheduled May, 2004; advertise contract July 2004; and award contract in September 2004.
  - A Right of Entry was signed on July 16<sup>th</sup>, 2004.
2. LCRBDC received a letter from the COE on May 19<sup>th</sup>, 2004, regarding the suggestion of using a decorative concrete finish for the I-Walls.
  - **A letter was sent to the COE on August 3<sup>rd</sup>, 2004, indicating LCRBDC concurrence on using the "Random Ashlar" finish and that we would forward information in the future for alternative finishes on other West Reach projects.**
3. **At a pre-bid meeting for IV-1 South with the COE and interested contractors on August 19<sup>th</sup>, 2004, the COE introduced a small portion of construction from VI-1 North into the scope of work.**
  - **This would include a concrete I-Wall East of Kennedy Avenue, which extends 11' east of the Kennedy Ave. right-of-way.**
  - **An email was sent to Stan Dostatni on August 20<sup>th</sup>, 2004, requesting that an agreement with Hammond be expedited to allow construction (need it for the right-of-entry).**
  - **A meeting was held with Stan Dostatni on August 24 to review scope of work and review coordination.**

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

1. The COE is anticipating to make final engineering drawings available for review on August 13<sup>th</sup>, 2004, complete design by September, 2004, advertise January 2005 (based upon real estate acquisition to sign ROE), and award contract in March, 2005. **(no drawings to date)**



2. A coordination meeting was held on August 25<sup>th</sup>, 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 current schedule (as of April 15, 2004) is to complete engineering design in late September 2004; advertise in December 2004; and a tentative construction start in April 2005.
  - 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. This will be facilitated after the final COE design is completed and incorporated into their plans for bid.
  - An interlocal agreement will need to be signed between the COE, Lake Co. Hwy., and the LCRBDC.

#### **UTILITY COORDINATION**

1. A utility coordination meeting was held with NIPSCO on February 20<sup>th</sup>, 2004, to review all re-locations and identify necessary coordination to get agreements.
  - NIPSCO completed engineering design and cost estimates for re-locations in VI-1 South. These were submitted to the COE for review and concurrence on June 22<sup>nd</sup> 2004.
  - LCRBDC received a letter from the COE on July 12<sup>th</sup>, 2004, finding NIPSCO submittal fair and reasonable in the area at Kennedy Ave. The agreements will be sent to NIPSCO.
  - **Agreement was signed, and received, on August 16, 2004. (3) other NIPSCO proposals need to be reviewed by the COE and will require additional agreements. (Ongoing)**

#### **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 **September, 2004.**
  - The anticipated construction cost for this segment is \$3,650,000.
2. We received a modified schedule from the COE on May 19<sup>th</sup>, 2004, indicating that final engineering drawings would be made available for review in May 2004; design completion May 2004; advertise contract January 2005; and award contract in March 2005.
  - NIES Engineering has been given the task to do all utility coordination.
3. A memo was sent to LCRBDC attorney on May 5<sup>th</sup>, 2004, along with a copy of a license agreement with the EJ&E RR, East of Cline, requesting we begin coordination of an easement agreement.

#### **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 21<sup>st</sup>, 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.



**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.)
3. **A request was received from the Hammond Parks and Recreation Dept. (Doyle Godbolt) on August 16<sup>th</sup>, 2004 as to what our current project impact is in the Riverside Park area.**
  - **Mapping and general information were sent to them on August 18<sup>th</sup>, 2004.**

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**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. (See Stage III remediation for information.) **(ongoing)**

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

1. Bids were opened on September 17<sup>th</sup>, 2002, and Renewable Resources, Inc. (from Barnesville, Georgia) is the successful bidder.
  - The current contract amount is \$1,341,940.96, based upon COE monthly June construction progress report.
  - Amount overrun - \$420,838 (above their bid). This is approx. a 46% overrun.
2. A final inspection was held on both sites on May 12<sup>th</sup>, 2004, with the COE, LCRBDC, project A/E, and Renewable Resources.
  - A summarization of the inspection was received by the LCRBDC on June 4<sup>th</sup>, 2004.
3. Refer to **July** COE monthly contract status report.

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**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 7<sup>th</sup>, 2000 – 700 work days to complete (Anticipated completion date is August 26, 2004)
  - Current contract amount - \$4,855,320
  - Original contract amount - \$4,638,400
  - Amount overrun – \$216,920 (4.7%)
3. **We received modification #19 to the contract for continued contract funding in the amount of \$250,000, dated August 16<sup>th</sup>, 2004.**
  - A. The meeting with the COE and the interested Commission members **was held** at the Griffith COE office on August 12 from 1:00 p.m. to 4:00 p.m.
    - **Notes from the meeting were distributed to all attendees, interested Commissioners, and the Army Corps.**

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15-18



### **West Reach Pump Stations – Phase 1B:**

1. The two (2) pump stations included in this contract are S.E. Hessville (Hammond), and 81<sup>st</sup> 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 January 6<sup>th</sup>, 2004.
2. LCRBDC received a copy of the pre-inspection punch list from Highland on February 2<sup>nd</sup>, 2004. (Dated January 29<sup>th</sup>, 2004.)
  - Additional comments for a punch list were submitted by NIES Engineering to the COE on March 2<sup>nd</sup>, 2004.

### **General**

1. INDOT coordination for Grant St. & Broadway interchanges with I-80/94.
  - INDOT sent a letter to the COE on April 15<sup>th</sup>, 2004, indicating they worked out an agreement with the COE whereby flood control features will be included in their contract at no cost to the COE, which could be credited to the LCRBDC for that portion constructed for the flood control of the Little Calumet River.
  - A revised schedule has been submitted by the COE on May 19<sup>th</sup>, 2004, based upon the April Real Estate meeting. (This is work anticipated for this biennium.)
  - LCRBDC is awaiting a letter from the COE indicating that all of the flood control related features done as part of the INDOT construction will be creditable to the LCRBDC.
2. LCRBDC received general information from the Lake County Highway Department on August 12<sup>th</sup>, 2004, that outlines their completed, and projected, bridge construction over the Little Calumet River.
  - This information will be included in the LCRBDC letter to the State Budget Committee indicating local participation by one of the Northwest Indiana Governmental Agencies.

19

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

TS-C-S  
 Gervais  
 Stebens

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	29-Sep-02	1,231,848.50
NTP DATE/CURRENT CONTRACT AMOUNT: Mods A00008 Thru P00005	14-Nov-02	1,435,747.42
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	9-Nov-03	360
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	28-May-04	561
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	27-Jul-04	60

**ESTIMATED PROGRESS**

A. Present Earnings as of Pay Est. No.	1,323,856.16
B. Estimated Earnings thru end of reporting period	0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)	0.00
<b>TOTAL ESTIMATED PROGRESS (A+B+C)</b>	<b>1,323,856.16</b>

D. Work Paid for but not in Place (Materials in Storage)	0.00
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<b>TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D)</b>	<b>1,323,856.16</b>
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E. Potential Termination Costs (% of Remaining Costs)(If Applicable)	0.00
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<b>FINANCIAL PROGRESS - (A+B+C+D-E)</b>	<b>1,323,856.16</b>
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**TOTAL ESTIMATED FINAL CONTRACT AMOUNT**

F. Current Contract Amount thru Mod.	A00008 Thru P00005	1,435,747.42
G. Current Value of Overruns/Underruns (+/-)		4,144.25
H. Directed, Pending Modifications		0.00
<b>TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)</b>		<b>1,439,891.67</b>

FUNDS OBLIGATED FOR PAYMENT: thru Modification	A00008 Thru P00005	1,380,715.75
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<b>ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H)</b>	<b>91.94%</b>
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<b>SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)</b>	<b>92.00%</b>
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<b>PRESENT EARNINGS</b>	<b>1,323,856.16</b>
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**PROJECT STATUS/MAJOR ISSUES:**

- Contractor submitted proposal for electrical upgrades, modification has been executed and work is approximately 50% complete.
- Pump testing and comissioning at the Grant Street pump station was completed on 20 July 04
- Contractor/TS-C-S still awaiting NIPSCO to provide electrical power at the Marshalltown pump station. Power has been activated at the Grant Street pump station.
- LCRBDC has requested a bike trail entrance at Grant Street Lift Station.
- Requested engineering assistance on problems with erosion on outlet of pump stations. Response from TS-DC requested by 30 July 04.

RECEIVED AUG 13 2004

• STAGE III DRAINAGE REM. - MOD. #3

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

3 NOV 2003


MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. DACW23-02-C-0010  
Local Flood Protection  
Stage III Drainage Remediation  
Little Calumet River, Indiana  
Modification No. P00003 - Executed

• CONTINUED CONTRACT FUNDING  
• OBLIGATE AN ADDITIONAL \$155,021.50  
• OBLIGATION INCREASED FROM  
\$920,000.00 to \$1,075,021.50

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. P00003, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.

Enclosures

  
V. S. Garces  
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) V. Garces  
CELRC-TS-C-S (Mod. Only) E. Karwatka  
CELRC-TS-C-S (Mod. Only) Project Binder  
CELRC-PM-PM (Mod. Only) I. Samara  
✓ LCRBDC (Mod. Only) J. Pokrajac

RECEIVED AUG. 13, 2004

• STAGE III DRAINAGE REM.-- MOD. #5

• CONTINUED CONTRACT FUNDING

• OBLIGATE AN ADDITIONAL \$50,000

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

23 JAN 2004

MEMORANDUM FOR: See Distribution

• CURRENT OBLIGATION INCREASED FROM  
\$1,205,011.50 TO \$1,255,011.50

SUBJECT: Contract No. DACW23-02-C-0010  
Local Flood Protection  
Stage III Drainage Remediation  
Little Calumet River, Indiana  
Modification No. P00005 - Executed

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

Enclosures

*Robert B. Smolar*

Robert B. Smolar  
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) R. Smolar  
CELRC-TS-C-S (Mod. Only) Project Binder  
CELRC-PM-PM (Mod. Only) I. Samara  
✓ LCRBDC (Mod. Only) J. Pokrajac

- STAGE III DRAINAGE REM.- MOD.# 6
- CONTINUED CONTRACT FUNDING
- OBLIGATE AN ADDITIONAL \$55,031.67

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

10 AUG 2004


MEMORANDUM FOR: See Distribution

- CURRENT OBLIGATION INCREASED FROM  
\$1,380,715.75 TO \$1,435,747.42

SUBJECT: Contract No. DACW23-02-C-0010  
 Local Flood Protection  
 Stage III Drainage Remediation  
 Little Calumet River, Indiana  
 Modification No. P00006 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. P00006, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.

Enclosures

  
 Rick L. Stebens  
 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) R. Stebens
- CELRC-TS-C-S (Mod. Only) Project Binder
- CELRC-PM-PM (Mod. Only) I. Samara
- ✓ LCRBDC (Mod. Only) J. Pokrajac

**Sandy Mordus**

---

**From:** "Sandy Mordus" <smordus@nirpc.org>  
**To:** "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>  
**Sent:** Tuesday, August 17, 2004 10:21 AM  
**Subject:** Friendly Reminder from Jim Pokrajac

Imad:

Following are 2 items that have been ongoing that need to be addressed as soon as possible. They are as follows:

(1) Burr Street Phase 2 Gary:

- Plans and specs have been reviewed and we are awaiting a meeting with the Army Corps to discuss final design with Gary before advertising.
- At our June 28 coordination meeting with Gary, Jim Meyer requested that we review the final plans prior to advertising - we concur that there still may be a few outstanding issues that Gary wants to address before we advertise.
- Please let me know if we could arrange a meeting with Gary, as soon as possible, in order that we may advertise this project on schedule.

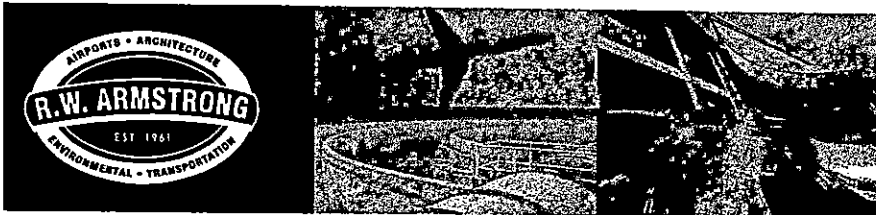
(2) I am awaiting your final review on a utility relocation by Nipsco in Stage VI Phase 1 South. We have received an executed agreement for the work to be done on and around Kennedy Ave. but have not received any information on the other item I had submitted to you.

If you have any questions regarding these requests, please let me know in order that we may expedite these 2 issues.

Thanks,  
Jim Pokrajac, Agent  
Land Management/Engineering

5  
8/17/2004





August 18, 2004

20042060.90

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

Re: Independent Technical Review: Burr Street Betterment Levee-2

Dear Dan:

We have reviewed the ITR requirements supplied to use by Khallid Maali. As we have previously advised the Corps of Engineers, the intent of our review of the Burr Street Betterment Levee-2 that we completed was not to meet the requirements of an ITR and did not come close to meeting those requirements.

While we could do an ITR of the referenced project, we believe that it would be costly and take longer than we believe is available in the project schedule. The primary reason for this is the fact that we have not done an ITR before and consequently there would be a substantial learning curve for a one time ITR.

We believe that a more cost-effective and timely way to complete the ITR would be for the Corps, either the Chicago District or some other district, to do the ITR. The Chicago District and, we assume, other districts are familiar with the ITR requirements. We believe that this familiarity will result in a cost-effective and timely ITR.

If you have any questions, please do not hesitate to call.

Very truly yours,

R. W. Armstrong & Associates, Inc.

A handwritten signature in cursive script that reads "Phillip E. Gralik".

Phillip E. Gralik, P. E.  
Regional Director

P. 219.738.2258 F. 219.738.2259

8300 BROADWAY MERRILLVILLE, IN 46410-6251

WEB SITE: [www.rwarmstrong.com](http://www.rwarmstrong.com)



# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

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

August 23, 2004

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

Dear Imad:

You requested R. W. Armstrong to do an Independent technical Review (ITR) of the Burr Street betterment levee several weeks back. I have coordinated with Jim Flora and Phil Gralik from R. W. Armstrong as to whether or not they could perform this service in a timely and cost effective manner. I have enclosed a copy of a letter to Dan Gardner from them dated August 18. Upon reviewing this letter, we concur that it would not be cost effective nor could it be done in a timely manner.

As the letter indicates, they have not done an ITR before and there would be a substantial learning curve to do this properly for the first time. A number of individual "experts" from different fields would be required and, once again, this would not be cost effective because it is also a first time for their technical people.

We believe that it would be more cost effective and timely to have the ITR done by the Chicago Corps district, or some other Corps district. The Corps is familiar with ITR requirements and, accordingly, could produce a more cost effective product.

If you have any questions, please contact us.

Sincerely,

James E. Pokrajac, Agent  
Land Management/Engineering

/sjm  
encl.  
cc: Jim Flora, Phil Gralik



# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson  
Mayor of Gary's  
Appointment

ROBERT MARSZALEK, Vice Chairman  
Governor's Appointment

ROBERT HUFFMAN, Treasurer  
Governor's Appointment

JOHN MROCZKOWSKI, Secretary  
Governor's Appointment

WILLIAM BILLER  
Governor's Appointment

GEORGE CARLSON  
Mayor of Hammond's  
Appointment

STEVE DAVIS  
Dept. of Natural Resources'  
Appointment

CHARLES RAY  
Porter County Commissioners'  
Appointment

DR. MARK RESHKIN  
Governor's Appointment

VACANCY  
Governor's Appointment

VACANCY  
Lake County Commissioners'  
Appointment

DAN GARDNER  
Executive Director

LOU CASALE  
Attorney

August 6, 2004

Mr. David Orrison  
Norfolk Southern Railroad  
175 Spring St., SW  
Atlanta, Georgia 30303

Dear Dave:

I sent two (2) sets of drawings to you on March 11, 2004 for your review and comments. To date, we have not received any communication regarding this design. The schedule at the time I submitted this to you in March was to complete the design in August 2004, advertise in September 2004, and award the contract in November 2004. These dates have been pushed back several months because of concerns in obtaining the necessary easement agreements with the railroad. In dealing with the Norfolk Southern in the past, I am aware that prior to any agreements or negotiations, your real estate representatives need to have your blessing that there are no complications or conflicts with what will be installed on the railroad right-of-way. With this in mind, will you please review the drawings I sent to you and submit your comments to me at your earliest convenience? From our conversation on August 3, I understand that you are using a consultant for doing aerial mapping that is in the same building as the Chicago Corps. It would probably be to our benefit to schedule a meeting with you when you are up this way to review engineering concerns, scheduling, and coordination of easement agreements. I would facilitate this meeting.

This construction will be our last construction for our flood control project in the east reach (Cline Avenue to I-65). Upon completion of this particular segment, the city of Gary will be able to be removed from the floodplain. It is critical that we complete this construction as soon as possible in order that the process with the Federal Emergency Management Agency (FEMA) can progress. The city of Gary already has some plans regarding land side development that cannot begin, or be approved for construction, until this segment is completed.

If you have any questions regarding this letter, please feel free to contact me at any time.

Sincerely,

James E. Pokrajac, Agent  
Land Management/Engineering

/sjm  
cc:

Imad Samara, USACOE  
Lou Casale, LCRBDC attorney  
Judy Vamos, LCRBDC

8

# WEST LAKE LOCAL

THE  
TIMES

TUESDAY

August 10, 2004

SECTION B

## Proposed levee plan raises ire in Munster

**Town officials call for  
meeting with North  
Township trustee.**

BY SUSAN BROWN  
Times Staff Writer

MUNSTER – Officials assured angered Munster residents they have at least two and a half years to work out their differences – and there are many – when it comes to the Little Calumet River Flood Control and Recreation Project.

The Munster Town Council had asked Dan Gardner, president of the Little Calumet River Basin Development Commission, to report on the progress of the much-delayed project.

Tempers flared Monday as homeowner Steve Enger pressed his case for changes to the proposed project design. Enger argued for shifting one of the two rebuilt levees about 15 feet onto the Wicker Park Golf Course to avoid destruction of green space behind 44 homes from Ridge Road to Northcote.

"There's no way of soft-soaping it," Enger said. "There will be significant removal of trees and vegetation."

See LEVEE, B4

**B4** TUESDAY, AUGUST 10, 2004 WE

LO

## Levee

Continued from B1

Enger said the impact was bound to reduce property values. He estimated the 44 homes would easily take \$25,000 hits in valuation.

Gardner countered the project has dual goals: to protect the area from flooding and to increase property values. Homes are expected to appreciate when removed from the flood plain because of the improved levees, he said.

Gardner said officials are

researching similar projects to come up with the best plan to preserve back yards.

"You will be compensated for any loss," he said.

U.S. Army Corps Project Manager Imad Samara said the problem for Enger appeared to be one of aesthetics. Accepting his suggestions would negatively affect the golf course.

Hart Ditch, bounded by two levees, runs between the residential stretch of properties and the golf course.

"Hart Ditch is a very critical part of this project," Samara said. "The distance

between the levees has to stay the same."

Because North Township actually owns the land in question, Munster officials called for a joint meeting with North Township Trustee Greg Cvitkovich, commission members and Munster residents.

"It sounds like there are options, but we have to have North Township here," Councilwoman Helen Brown told residents.

Brown asked Gardner to contact Cvitkovich to set up the meeting and get back to the town so it can notify affected homeowners.



# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

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DR. MARK RESHKIN  
Governor's Appointment

CHARLIE RAY  
Porter County Commissioners'  
Appointment

DAN GARDNER  
Executive Director

LOU CASALE  
Attorney

August 3, 2004

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

Re: Stage VI-1S Concrete Formliners

Dear Imad:

In a recent conversation with Eric Sampson, Jim Flora, and myself regarding the use of concrete formliners for Stage VI-1S, we concurred that the use of a RANDOM ASHLAR formliner could be used. It appears that the cost differential between this particular pattern and the "fin type" would be minimal. If there is minimal differential, this particular pattern could be used whereby little or no betterment would be incurred. We feel that the use of this type of a formliner would make our project more aesthetically pleasing, thereby improving public relations in that particular neighborhood.

As we have discussed before, we would like to pursue other options for formliners for future projects in the west reach. I will be forwarding you some additional information regarding this issue. I realize that there will be a cost differential that we need to review as part of the bid process. At that point in time, we could discuss with that particular municipality their participation in paying for that incremental difference.

If you have any questions regarding this, please contact me.

Sincerely,

James E. Pokrajac, Agent  
Land Management/Engineering

/sjm  
cc:

Eric Sampson, COE  
Khaliid Maali, COE  
Jim Flora, R. W. Armstrong

**Sandy Mordus**

---

**From:** "Sandy Mordus" <smordus@nirpc.org>  
**To:** <dostatnis@hmdin.com>  
**Cc:** "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>  
**Sent:** Friday, August 20, 2004 2:51 PM  
**Subject:** Kennedy Avenue-I-wall construction in Hammond

Stan:

At our preliminary pre-bid meeting on August 19, the Army Corps of Engineers introduced a small segment of construction in Hammond that they wanted to be included with our project from Kennedy Avenue to Liable, south of the river. At this point in time, we think the construction of a concrete I-wall will be entirely on the Kennedy Ave. right-of-way (we are currently having a survey done to confirm this). A right-of-entry has already been signed by the Commission for all of the property south of the river. Currently, we do not have any signed agreements with the city of Hammond north of the river. We are hoping to contact you Monday morning for a conference call with Dan Gardner, Imad Samara (Army Corps project manager), and myself. We would like to discuss with you the possibility of expediting an agreement for this parcel to allow us to include this portion as part of our contract. We would like to discuss with you the quickest way possible to allow us the right to construct on this right-of-way. We will call you around 10:00 a.m. Monday morning to discuss this with you and answer any questions you may have.

Jim Pokrajac, Agent  
Land Management/Engineering





# Little Calumet River Basin Development Commission

6100 Southport Road  
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson  
Mayor of Gary's  
Appointment

ROBERT MARSZALEK, Vice Chairman  
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Lake County Commissioners'  
Appointment

DAN GARDNER  
Executive Director

LOU CASALE  
Attorney

TO: Doyle Godbolt, Recreation Supervisor  
Hammond Parks and Recreation Department

FROM: Dan Gardner, Executive Director

SUBJECT: Proposed Construction in Riverside Park Area

DATE: August 18, 2004

As per our conversations on August 16<sup>th</sup> and 17<sup>th</sup> regarding the current proposal for construction in the Riverside Park area, I am enclosing the latest real estate drawing from the Army Corps of Engineers. It appears that there will be room to install your 50' by 50' concrete pad with a 30' x 30' concession building in the area directly behind the ball field. We have indicated on the enclosed map our current work limits and the locations of the levee, drainage ditch, and temporary work area.

This plan is preliminary and may be subject to changes based upon what structures are in this area at the time the final engineering is completed. The current schedule, pending availability of state money, is to advertise in 2009 and complete construction in 2011.

I hope this provides you the information you require. If you would like to have a meeting to discuss this proposal or need any clarification regarding the map, please contact me at your convenience.

/sjm  
encl.

cc: Tom McDermott Jr., Mayor of Hammond

CONTRACT NO.: DACW23-02-C-0011  
CONTRACTOR: Renewable Resources  
DESCRIPTION: Little Calumet River - Mitigation

TS-C-S  
Gervais  
Stebens

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	29-Sep-02	921,102.68
NTP DATE/CURRENT CONTRACT AMOUNT: Mods P00011	7-Nov-02	1,341,940.96
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	11-Jan-04	430
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	15-May-04	555
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	15-May-04	0

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	10	1,268,594.96
B. Estimated Earnings thru end of reporting period		0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		1,268,594.96

D. Work Paid for but not in Place (Materials in Storage)	0.00
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TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D)	1,268,594.96
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E. Potential Termination Costs (% of Remaining Costs) (If Applicable)	0.00
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FINANCIAL PROGRESS - (A+B+C+D-E)	1,268,594.96
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TOTAL ESTIMATED FINAL CONTRACT AMOUNT

F. Current Contract Amount thru Mod.	P00011	1,341,940.96
G. Current Value of Overruns/Underruns (+/-)		0.00
H. Directed, Pending Modifications		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)		1,341,940.96

FUNDS OBLIGATED FOR PAYMENT: thru Modification.	P00011	1,284,940.96
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ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H)	94.53%
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SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	98.00%
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PRESENT EARNINGS	1,268,594.96
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PROJECT STATUS/MAJOR ISSUES:

- Pre-final inspection conducted on 12 May 2004, of Chase Street and Black Oak Sites
- 15 May 2004 Contractor begins 24-month monitoring period.

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

MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. DACW27-01-C-0001  
Pump Stations Rehabilitation, Phase IA  
Hammond Sanitary Districts  
Little Calumet River, Indiana  
Modification No. P00019 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. P00019, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.

Enclosures

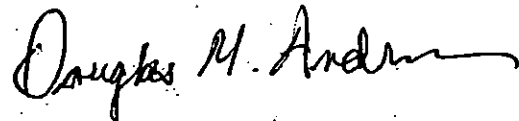
Distribution:

- 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) B. Waldrom
- CELRC-TS-C-S (Mod. Only) Project Binder
- CELRC-PM-PM (Mod. Only) I. Samara
- ✓ LCRBDC (Mod. Only) J. Pokrajac

- PUMP STATION 1A - MOD. #19
- CONTINUED CONTRACT FUNDING
- OBLIGATE AN ADDITIONAL \$250,000

16 AUG 2004

- CURRENT OBLIGATION INCREASED FROM  
\$4,092,427.59 TO \$4,342,427.59



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

NOTES FROM THE PUMP STATION 1A CONTRACT REVIEW MEETING  
HELD AT 1:00 P.M. THURSDAY, AUGUST 12, 2004  
AT THE GRIFFITH CORPS OFFICE

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Attendees: Imad Samara – Project Manager, USACE  
Doug Anderson – Project Manager, USACE  
Victor Gervais – Area Engineer, USACE  
Steve Davis – LCRBDC member  
Bill Biller – LCRBDC member  
Charlie Ray – LCRBDC member  
George Carlson – LCRBDC member  
Dan Gardner – Executive Director, LCRBDC  
Jim Pokrajac – Agent, Land Mgmt/Engr., LCRBDC  
Jim Flora – Consultant, R. W. Armstrong Company

Intent of Meeting: To afford the Commissioners an opportunity to voice their concerns and ask questions regarding the length of time of the contract, waived penalties, Corps process of issuing change orders, modification approval criteria, any other items of concern they may have.

Items of Discussion:

1. Imad Samara explained the history of the project to the Commissioners.
  - It was indicated that the original Corps estimate for this contract was approximately \$3.6 million.
  - (Vic Gervais indicated that the Corps had submitted a bad cost estimate)
  - It was explained how Overstreet won their lawsuit to get this particular contract.
  - Imad Samara said the Corps allows a low bid to be accepted as long as it does not exceed 15% more than the Corps estimate.
2. Vic Gervais distributed the most recent construction progress report, pump and motor status report, summarization table with all modifications and field changes for the project, and current assessment report, for review and discussion.
  - The cost overrun on this project was minimal but the project had overrun its date of completion by 737 days (original estimate was 700 days to complete; current date of completion was 1437 days to complete)
3. Dan Gardner explained and clarified the role the Development Commission has in this project as per our Local Cooperation Agreement.

4. Bill Biller asked why some of the issues that were unclear after the contract was awarded were not discussed at the pre-bid meeting and why some of the issues were not brought up before the final bids were submitted.

- Vic Gervais indicated that when the project was re-bid, the scope of work did not vary.
- Vic Gervais indicated that one of the major problems in defining the scope of the work was that all of the old pumps had to be rebuilt and that it was impossible to diagnose ahead of time what would be involved.
- New pumps could have been used in some stations but it was more economically feasible that the old pumps would be reused in order that they could fit into the existing wet well or dry well areas without having to modify the piping or the structural design of the wells.

5. Bill Biller asked why we could only replace one pump at a time

- Doug Anderson indicated that the contractor would include replacing one pump at a time in their bid because certain minimum pumping capacity needed to be maintained.

6. The testing of pumps was very slow.

- Much of the testing had to be done out of the area and the testing company did not prioritize testing these pumps and had to be done in sequence with their other projects.

7. Jim Pokrajac mentioned that approximately eight pump stations were left to be rebuilt in the west reach and what could be done to avoid having similar complications on future projects.

- Imad Samara indicated that they would combine no more than two pump stations on all future projects as one bid.
- The Pump Station 1A contract had four pump stations.
- Imad Samara also indicated that we would use all new pumps on future projects as long as no major refurbishing of these stations would have to be done to accommodate the new pumps which would make it uneconomically feasible.

8. Charlie Ray questioned the current engineering design process the Corps has used and are using for the overall project.

- Imad Samara indicated that much of the engineering has already been completed for the project because money was available at that point in time by the Federal government.
- It was also done anticipating that the local sponsor could pay for our share of this construction. (LCRBDC had limited funds from the State Budget Committee)



- Imad Samara indicated that currently all west reach projects have been engineered and that Stage VIII has been engineered to the 50% level.
- All future projects will have to be reviewed a minimum of six months prior to advertising to assure all information is current and accurate.
- Jim Pokrajac indicated that this is one of the major reasons for cost overruns on this project because engineering has to be done twice rather than once and that additional time will be required to gather all of this information and to coordinate this with the municipalities.
- Charlie Ray summed up that in addition to the engineering changing during the review, because of new construction within the original work limits, that real estate values will increase in most cases.

9. Charlie Ray questioned the current Corps modeling as to its accuracy.

- Imad Samara indicated that the original modeling was done in 1985.
- Charlie Ray indicated that almost all new sub-division, or commercial construction requires either retention or detention areas which will reduce the amount of water flowing through its tributaries to the Little Calumet River due to a slower runoff.
- Charlie Ray asked if the current top of levee design from the FDM5 still needs to be at the current design height.
- Jim Pokrajac mentioned that other items have occurred since the original Corps hydrology study, which include drainage to the new Thornton Quarry, a large retention area in Stage VI Phase 2 (Liable to Cline, south of the river), and also the new Hartsdale Pond detention area that will hold much of the water coming from the Schererville area that will flow to the Little Calumet River.

10. Doug Anderson reviewed the current construction progress report and explained to the Commissioners the line items on the report to familiarize them with how to read this report in the future.

- The Corps agreed to submit these monthly progress reports to the Commission in time that they would be available for the monthly Commission meeting which is the first Wednesday of every month.
- This afforded the Commissioners an opportunity to understand the cost figures and the progress of each individual construction project.
- Charlie Ray requested that on all future progress reports, that the amount of the original Corps estimate be included. (Imad Samara agreed that he will provide this information in the future).

11. Jim Pokrajac brought up the issue of retainage of the Pump Station 1A contract.

- The Corps indicated they are allowed to hold up to 10% of the contract if they feel it is necessary (but it is not required and can be done at their discretion).
- The Corps is holding retainage from Overstreet Construction until the project is completed.

Summary

- Upon completion of the previous discussion, the Commissioners indicated they felt they had a better perspective on this particular project.
- The complication with the Pump Station 1A contract was that pumps had to be rebuilt and there was no way to determine the scope of the work until the pumps could be physically taken apart.
- To avoid the length of time for pump station contracts in the future, the Corps will include no more than two pump stations in any one contract and use new pumps wherever possible.
- The total cost flood control/recreation project has increased from \$86 million authorized in 1986 to a current estimate of \$191 million. Following are some of the items that have attributed to this increase:

- (1) The project has taken a lot longer than originally estimated which will reflect cost of living increases for the cost of engineering, real estate, administration, and general cost of construction (first construction project started in 1990),
- (2) Re-engineering needs to be done on all segments to assure that when the project is released for bids, all information is current and accurate,
- (3) In many cases where outside construction has been completed within our proposed work limits, we now need to use concrete I-wall and sheet piling work instead of levees which is a much more expensive method of construction.
- (4) Real estate costs have been much higher than originally anticipated, partly due to higher property values incurred as the result of Lake County property re-assessments.
- (5) The longer the project takes, the higher the costs incurred.

/sjm

AS



Duane A. Alverson, P.E.  
Engineer



# Lake County Highway Department

1100 E. Monitor Street  
Crown Point, Indiana 46307  
Phones: 219-663-0525  
219-374-5608  
219-769-4247  
Fax: 219-662-0497

August 12, 2004

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

ATTN: Jim Pokrajac, Land Management Agent

RE: Lake County Bridge over the Little Calumet River

Dear Mr. Pokrajac:

The Lake County Highway Department has replaced the following bridges over the Little Calumet River:

1. Bridge #222, Clay Street over Burns Ditch in 1997
2. Bridge #218, Burr Street over the Little Calumet River in 1998
3. Bridge #219, Colfax Street over the Little Calumet River in 2000
4. Bridge #244, Hohman Avenue over the Little Calumet River in 2002

The following bridges over the Little Calumet River are in design and due to be rehabilitated:

1. Bridge #143, Kennedy Avenue over the Little Calumet River. Anticipated Construction 2005 or 2006
2. Bridge #245, Columbia Avenue over the Little Calumet River. Anticipated Construction 2005 or 2006
3. Bridge #247, Clark Road over the Little Calumet River. Anticipated Construction 2006 or 2007.

Lake County is considering rehabilitating Bridge #217, Calhoun Street over the Little Calumet River.

This information is being forwarded to you per your request for your use and information.

If you have any questions, do not hesitate to call.

Sincerely,

Duane A. Alverson  
Engineer

DAA/daa

c: Marcus Malczewski, Superintendent  
Jill Stochel, Assistant Superintendent

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