



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's
Appointment

DR. MARK RESHKIN, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor's of Hammond
Appointment

STEVE DAVIS
Dept. of Natural Resources
Appointment

SAM DIMOPOULOS
Lake County Commissioners'
Appointment

ROBERT MARSZALEK
Governor's Appointment

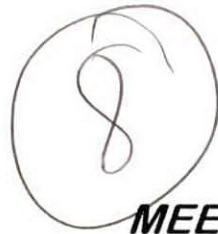
JOHN MRUCZKOWSKI
Governor's Appointment

CHARLIE RAY
Porter County Commissioners'
Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney



MEETING NOTICE

THERE WILL BE A MEETING OF THE
LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION
AT 6:00 P.M. WEDNESDAY, JANUARY 4, 2005
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
PORTAGE, IN

WORK STUDY SESSION – 5:00 P.M.

AGENDA

1. Call to order by Chairman Bill Biller
2. Pledge of Allegiance
3. Recognition of Visitors and Guests
4. Approval of Minutes of December 7, 2005 1-4
5. Chairman's Report – *RM^{ch}, GC, SD*
 - Election of officers for 2006
6. Executive Director's Report 5-9
 - Update on Burr Street-Gary & Burr Street-Little Cal levee construction schedule
 - Meeting with North Township Trustee on December 20, 2005
7. Outstanding Issues
 - Update on the Lawson-Fisher agreement to do a Phase I work scope on Griffith levee

*black slacks
blue & white lined jacket*

8. Standing Committees

A. Finance Committee – Report by Treasurer Arlene Colvin

- Financial status report 10
- Approval of budget transfer 11
- Approval of claims for December 2005 12-13
- Approval of O&M claims for December 2005 14
- Report of Finance Committee recommended action
 - * Transfer of monies into the Administrative Account
 - * Approval of NIRPC contract for administrative services
 - * Approval of Independent Contractors contracts
 - * Approval of legal services for 2006
 - * Adoption of 2006 operating Budget 15
- Issues for discussion

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

Land Acquisition

- Appraisals, offers, acquisitions, recommended actions
- Status of Wicker Park/Cabelas modified easements
- Easement offers are starting to go out on V-2
- Issues for discussion

Land Management

- Update on 35th & Chase Street property agreement
- Projected 2006 lease income
- Issues for discussion

C. Project Engineering Committee – Committee Chair Bob Huffman

- VI-1N and VI-2 status
- Kick-off meeting for V-2 to be scheduled for mid-January
- Issues for Discussion

D. Operation & Maintenance – Committee Chair Bob Huffman

- Update on Stage III Remediation pump station agreement
- Status of bidding out Gary pump stations
- O&M committee meeting to be scheduled
- Issues for Discussion

E. Environmental Committee – Committee Chair Mark Reshkin

- Issues for Discussion

F. Legislative Committee – Committee Chair George Carlson

- Year end report for area State legislators
- Issues for Discussion

G. Recreational Development Committee – Committee Chair Bob Huffman

- Meeting to be scheduled regarding recreational trail alignment
- Issues for Discussion

H. Marina Development Committee – Committee Chair Charlie Ray

- Portage marina property transfer to city of Portage approved by Attorney General ; agreement complete 16-21
- Issues for Discussion

I. Policy Committee – Committee Chair Bob Marszalek

- Issues for Discussion

9. Other Issues / New Business

10. Statements to the Board from the Floor

11. Set date for next meeting; adjournment

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, DECEMBER 7, 2005
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairman William Biller called the meeting to order at 6:10 p.m. Nine (9) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

Development Commissioners:

George Carlson
Charlie Ray
Robert Huffman
William Biller
Steve Davis
Mark Reshkin
Arlene Colvin
Robert Marszalek
R. Kent Gurley

Visitors:

Imad Samara – Corps of Engineers
Josh Reasoner – R. W. Armstrong Company

Staff:

Dan Gardner
Lou Casale
Jim Pokrajac
Judy Vamos
Sandy Mordus

A motion to approve the November 9, 2005 minutes was made by Bob Huffman; motion was seconded by Arlene Colvin; motion passed unanimously.

Chairman's Report – Chairman Biller introduced and welcomed a new Commissioner, R. Kent Gurley, who replaces Sam Dimopoulos on the Commission. Mr. Gurley is a Lake County Commissioners appointment and his term will run through December 2009.

- Mr. Biller proceeded to announce the Nominating Committee who will consist of George Carlson, Steve Davis, and Bob Marszalek, with Mr. Marszalek acting as Chairman. The committee will present a slate of officers for 2006 at the next meeting.
- Mr. Biller announced the re-appointment of Steve Davis to the Commission. Mr. Davis is an IDNR appointment and will serve a term through December 2008. Mr. Gardner added that Mr. Davis has served as a Board member for over 15 years.
- Mr. Biller referred to pages 13-18 in the agenda packet that was the Commission's response to the Governor's Indiana Government Efficiency Commission's request. The request was a questionnaire that would provide them with in-depth information about our Board. They are investigating over 300 government organizations of the State in order to recommend to the Governor whether such entities should be eliminated, reorganized, or combined. Mr. Marszalek commented that he felt the report was well written; it took a lot of work but feels that it portrays that the Commission does have an important ongoing function and needs to stay viable. Mr. Gardner added that we sent substantial supporting documentation.

Executive Director's Report – Mr. Gardner referred to a schedule of commitments for land acquisition with available dollars that meets the aggressive schedule. He commented that staff has done an excellent job of securing the title work, surveys, and engineering work needed before easement offers can be sent out. Currently, we can start sending out offers for Stage V-Phase 2 (Kennedy to Northcote). Several suggestions were made for clarification purposes. Staff will fine-tune it and it will be a discussion item at the Finance committee meeting.

- Burr Street II – Gary portion (Colfax to Burr Street) – Mr. Gardner reported that the Gary Board of Public Works is in the process of authorizing advertisement of bids that will lead to a January letting. It will be an open competitive bidding process. Chairman Biller asked whether we've entered into an agreement with Gary yet. Attorney Casale answered that we presented the city of Gary with a proposed agreement and, although it was acceptable to their attorney, the Public Works Board questioned what responsibilities the Gary Stormwater Management Group had. LCRBDC indicated that whatever modifications needed to be done would be done quickly, and then re-submitted. Mr. Casale stated that the agreement says no bid will be awarded if it is in excess of the amount of money LCRBDC has appropriated. We are hopeful they will receive bids within budget.

- Burr Street II – Little Cal portion – Mr. Gardner reported that we are working through the problem with NSRR. One prime item of discussion was that during a major flood event, who would authorize the closure (if it ever would have to be closed). Mr. Gardner stated that the current Army Corps flood warning/preparedness plan indicated that the Mayor of that municipality would be the one to formally request the closure; and that the railroad's engineer would be informed.

Outstanding Issues – Mr. Gardner informed the members that he and a few Commissioners met earlier to discuss the proposal received from Lawson-Fisher to complete a Phase I inspection and determine the current Griffith levee requirements to be certified, and accepted by FEMA, for a not-to-exceed cost of \$9,700. Staff will talk with Lawson-Fisher to see if we can get a lower cost. Mark Reshkin stated that we first need a negotiating session with them to define their proposal. After the scope of work has been determined, Imad indicated that he COE could review these items and provide a cost estimate. Mark Reshkin proceeded to make a motion to approve having staff discuss with Lawson-Fisher in a negotiating session before entering into a contract with them for an amount not to exceed \$9,700; motion seconded by Bob Marszalek; motion passed unanimously.

Finance Committee – Treasurer Arlene Colvin referred to the Financial Statement for November. She proceeded to make a motion to approve the transfer of \$1,000 from Administrative Budget Line Item 5821 to Administrative budget Line Item 5824, in order to cover telephone expenses; motion seconded by Bob Huffman; motion passed unanimously.

- Ms. Colvin made a motion to approve the claims for November in the amount of \$70,053.19, motion seconded by Bob Huffman; motion passed unanimously.

- Ms. Colvin then presented the O&M claims for approval in the amount of \$2,227.31 and made a motion for approval; motion seconded by Bob Huffman; motion passed unanimously.

- A Finance Committee meeting needs to be scheduled. Members will be contacted this week.

Land Acquisition/Land Management Committee – Committee Chairman Bob Marszalek gave the report. There is one condemnation. Mr. Marszalek made a motion authorizing the attorney to file condemnation proceedings on DC128; motion seconded by Bob Huffman; motion passed unanimously. We need a flowage easement on DC128 where the property owner is a dissolved Indiana corporation and we cannot find any representatives of the company.

- Bob Marszalek made a motion for authorization to enter into an agreement with the Gary Fire Department for the property formally known as Chase Street Farm Stand once an agreement is completed by our attorney and agreed to by the city's attorney; motion seconded by Arlene Colvin; motion passed unanimously.

- Chairman Biller asked whether the drainage ditch between Chase and Grant has regular maintenance. Jim Pokrajac replied that it has been an ongoing problem and requires annual cleaning at a minimum. Also that Gary has been contacted and they are reviewing this. He thinks it is on their right-of-way and we are hoping they will take care of any blockages from now on.

Project Engineering Committee – Committee Chairman Bob Huffman reported that the Corps has officially combined Stage V-2 (Kennedy to Northcote) and Stage V-3 (Cabelas' Retail) into one project and it will be advertised in one contract. A preliminary walk-thru for site familiarization will be held mid-January. Mr. Huffman also stated that the Corps will pursue an agreement with the Lake County Highway Department for the installation of the Little Cal flood control and recreation features as part of our project.

- Mr. Huffman stated that we sent the letter, as submitted by the residents, which requested some engineering modifications which are currently proposed for Stage V-2 along the west side of Hart Ditch, in order that the Corps would review and comment.

Operation & Maintenance Committee – Committee Chairman Bob Huffman made a motion authorizing approval to enter into an agreement with Gary for them to take over the O&M of the Stage III Remediation pump stations and allow the attorney to negotiate any items not acceptable; motion seconded by Steve Davis; motion passed unanimously. The LCRBDC attorney is working on a memo of understanding.

- Mr. Carlson inquired about the current flood control work going on adjacent to Kennedy Avenue. He thought the I-wall there was very plain and does not have a decorative facing like the I-wall at Liable Road. He felt visibility was much greater on Kennedy Avenue and that it should have a decorative facing. Imad explained that the reason the I-wall has a decorative facing on Liable is because it is behind residents' homes and they have to look at it all the time, whereas the traffic on Kennedy drives by quickly. The concern for aesthetics was more important for the residents. Imad was requested to work up an approximate cost comparison between using a "fin-type" finish and the new decorative formliner that could be discussed at a later date.
- The current list for the scope of work has been completed for the four pump stations (Grant, Broadway, Ironwood, and Burr) and will be forwarded to Gary by the end of the week for final review.
- The LCRBDC attorney is working on the agreement for the pump station O&M and on the two Stage III Remediation pump stations (Marshalltown and 32nd and Cleveland).
- Mr. Huffman reported that the sluice gates and flap gates will be released as a separate contract by the Commission. Also, fencing and rusting issues will be released as a separate contract by the Commission in order to save money.
- R. W. Armstrong Company is reviewing the O&M manual. We have the manual that we received from the Corps for Gary. Mr. Pokrajac added that it needs to be updated. Imad agreed. The manual addresses only completed segments. Burr Street Phase I is included but not Burr Street Phase II. An updating needs to be done quickly; R. W. Armstrong is summarizing outstanding issues, questions, additions, and clarifications. We hope to schedule an O&M Committee meeting before the end of the year.
- Mr. Gardner added that Steve Davis and Jomary Baller of IDNR are identifying a list of items that need to be done as part of the west reach permit; we need to make sure we are in compliance. There is a concern with renewing the permit for Hart Ditch since no work has started; only preliminary engineering has been completed and that may not be enough.

Environmental Committee – There was no report.

Legislative Committee – Committee Chairman George Carlson commented on the package we submitted to the Governor's committee. Mr. Gardner added that we received the request on November 14 and it had to be submitted no later than November 30. Out of the 300 boards and commissions, we are unique in the size and type of ongoing construction.

Recreation Committee – Imad asked if we could schedule a meeting to talk about the comprehensive plan for the recreational trails. Although recreational features will not be included in upcoming contracts, the trail alignment needs to be finalized and that land could be obtained later. Mr. Huffman asked that Charlie Ray be included in that meeting because his firm has recreational experience in layouts. Mr. Huffman also indicated that new committee members need to be added.

Marina Committee – Mr. Gardner reported that the inter-local agreement has been approved in form by the Attorney General's Office. The Mayor has already signed and we will sign it tonight and then Lou will mail it out to the A.G.'s office for their signature.

Policy Committee – There was no report.

Other Issues/New Business – Jim Pokrajac informed the members that we still have not gotten any approval from the State that we can sell the house on Gerry Street. Attorney Casale suggested that we list out what has been done up to date and submit it to the Attorney General's Office to see if they would work with us. We will be paying higher utility bills with the cold weather and we may want to consider demolition.

Statements from the Floor - There were none.

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

**MEMORANDUM OF AGREEMENT BETWEEN
THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION,
THE CITY OF GARY AND
THE GARY STORMWATER MANAGEMENT BOARD
FOR THE CONSTRUCTION OF
THE GARY SEGMENT OF THE BURR STREET LEVEE**

WHEREAS, the Little Calumet River Basin Development Commission, a public body corporate and politic, organized, existing and operating under the laws of the State of Indiana, hereinafter the "COMMISSION," is the local sponsor of the Little Calumet River Basin Development Commission Flood Control and Recreation Project for the United States Army Corps of Engineers, hereinafter the "CORPS," which is governed by the terms and conditions of a Local Cooperation Agreement between the Department of the Army and the COMMISSION which was entered into on the 16th day of August 1990, a copy of which is attached hereto and marked Exhibit A, hereinafter the "LCA;" and,

WHEREAS, the COMMISSION and the City of Gary, a municipal corporation organized and existing under the laws of the State of Indiana, hereinafter the "CITY," and the Gary Stormwater Management District, a political subdivision of the State of Indiana and the CITY, hereinafter the "DISTRICT," desire to enter into and carry out the terms and agreements outlined herein so as to provide for the implementation and construction of the Gary segment of the Burr Street Betterment Levee.

NOW THEREFORE, it is agreed as follows:

1. The CITY shall, pursuant to applicable public works bidding statutes, regulations and ordinances, publish and award bids for the construction of the portion of the Burr Street Betterment Levee described in Exhibit B, hereinafter referred to as "BURR-GARY" project. The CORPS will furnish supervision and oversight for the BURR-GARY project which shall be constructed pursuant to CORPS specifications.

2. The CITY shall fund construction of the BURR-GARY portion of the Burr Street Betterment Levee in an amount not to exceed \$1,400,000.00.

3. The COMMISSION shall fund any costs for the BURR-GARY portion of the Betterment Levee in excess of the \$1,400,000.00 to be furnished by the CITY in an amount not to exceed \$300,000.00.

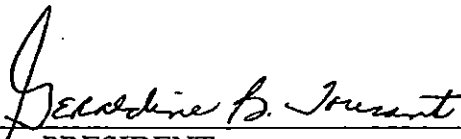
4. In the event that the lowest acceptable bid exceeds the BURR-GARY project budget of \$1,700,000.00, the Parties will make a good faith effort to obtain the additional funding required to complete the BURR-GARY project and/or cause it to be modified and/or re-bid. In any event, the Parties must agree to award any contract in excess of the BURR-GARY project budget and must furthermore agree as to any change orders or contract modification that will cause it to exceed the above stated budget.

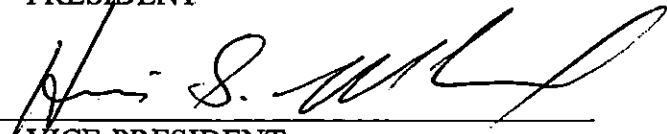
5. It is understood and agreed that the CORPS will be the design engineer and construction manager for the BURR-GARY project.

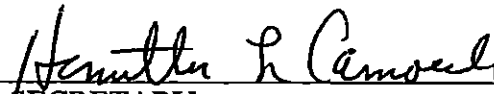
6. Maintenance and operation of the completed Burr Street Betterment Levee and the BURR-GARY portion thereof, shall be at the sole cost of the CITY and the DISTRICT.

The undersigned, on behalf of the Parties hereto, hereby agree to the terms and conditions outlined in this Memorandum of Agreement.

CITY OF GARY
BOARD OF PUBLIC WORKS


BY: 
PRESIDENT

BY: 
VICE-PRESIDENT


BY: 
SECRETARY

DATE: 12/21/05

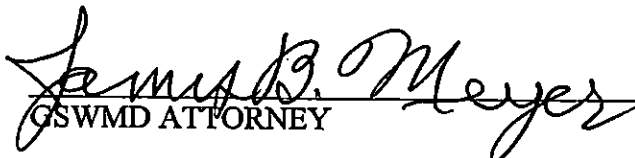
GARY STORMWATER MANAGEMENT
DISTRICT
BOARD OF DIRECTORS

BY: 
PRESIDENT

ATTEST:


SECRETARY


DIRECTOR


GSWMD ATTORNEY

DATE: 12/13/05

LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION:

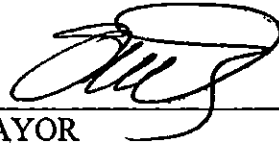
BY: _____

ATTEST:

DATE: _____

8

REVIEWED AND APPROVED



MAYOR

DATE: 12/20/05

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
FINANCIAL STATEMENT
JANUARY 1, 2005 - NOVEMBER 30, 2005

CASH POSITION - JANUARY 1, 2005

CHECKING ACCOUNT	
LAND ACQUISITION	120,883.59
GENERAL FUND	34,095.43
TAX FUND	0.00
INVESTMENTS	885,000.00
SAVINGS	224,287.94
ESCROW ACCOUNT INTEREST	1,951.86
	<hr/>
	1,266,218.82

RECEIPTS - JANUARY 1, 2005 - NOVEMBER 30, 2005

LEASE RENTS	46,784.73
LEL MONIES (SAVINGS)	
INTEREST INCOME(FROM CHECKING & FIRST NATL)	19,125.58
LAND ACQUISITION	1,896,943.60
ESCROW ACCOUNT INTEREST	8,835.55
MISC. RECEIPTS	20,469.97
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE	1,555.92
TRANSFERRED FROM SAVINGS	277,632.72
PROCEEDS FROM VOIDED CHECKS	
TOTAL RECEIPTS	<hr/>
	2,271,348.07

DISBURSEMENTS - JANUARY 1, 2005 - NOVEMBER 30, 2005

ADMINISTRATIVE	
2004 EXPENSES PAID IN 2005	92,289.74
PER DIEM	6,150.00
LEGAL SERVICES	3,173.63
NIRPC	124,061.33
TRAVEL & MILEAGE	1,096.60
PRINTING & ADVERTISING	687.72
BONDS & INSURANCE	6,406.25
TELEPHONE EXPENSE	6,752.75
MEETING EXPENSE	401.74
LAND ACQUISITION	
LEGAL SERVICES	88,136.47
APPRAISAL SERVICES	95,800.00
ENGINEERING SERVICES	51,345.78
LAND PURCHASE CONTRACTUAL	41,515.00
FACILITIES/PROJECT MAINTENANCE SERVICES	
OPERATIONS SERVICES	
LAND MANGEMENT SERVICES	193,519.11
SURVEYING SERVICES	60,173.89
MISCELLANEOUS EXPENSES	
ECONOMIC/MARKETING SOURCES	9,655.00
PROPERTY & STRUCTURE COSTS	1,375,991.31
MOVING ALLOCATION	
TAXES	
PROPERTY & STRUCTURES INSURANCE	
UTILITY RELOCATION SERVICES	4,701.80
LAND CAPITAL IMPROVEMENT	
STRUCTURAL CAPITAL IMPROVEMENTS	
BANK CHARGES MERCANTILE	86.50
PASS THROUGH FOR SAVINGS	80,700.69
PAYBACK TO SAVINGS	104,200.00
TOTAL DISBURSEMENTS	<hr/>
	2,254,555.57

CASH POSITION - NOVEMBER 30, 2005

CHECKING ACCOUNT	
LAND ACQUISITION	110,237.47
GENERAL FUND	13,651.33
TAX FUND	0.00
TOTAL FUNDS IN CHECKING ACCOUNT	<hr/>
	123,888.80

BANK ONE SAVINGS ACCOUNT BALANCE	620,279.03
(LAND ACQ IN HOUSE PROJECT FUNDS)	337,978.70
(O & M MONIES)	**263,665.98

*Note: Original \$700,000 note

**Note: O & M Fund comprised of remaining LEL Money, \$185,000 Interest Money, and \$133,721.49 Marina Sand Money

SAVINGS INTEREST	18,634.35
TOTAL SAVINGS	620,279.03
ESCROW ACCOUNT INTEREST AVAILABLE	<hr/>
	10,787.47
TOTAL OF ALL ACCOUNTS	<hr/>
	754,955.30

BUDGET TRANSFER

JANUARY 4, 2006

**Request to move \$ \$5,701.98 from Administrative Budget Line Item
5821 (Travel/Mileage)**

To

Administrative Budget Line Item 5812 (NIRPC Services)

**Request to move \$43,529.82 from Land Acquisition/Project
Development Budget Line Item 5882 (Utility Relocation Expenses)**

To

**Land Acquisition/Project Development Budget Line Item 5840
(professional Services)**

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

MONTHLY BUDGET REPORT, DECEMBER 2005

UNALLOCATED

	2005							ALLOCATED	BUDGETED
	BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL	BALANCE
5801 PER DIEM EXPENSES	10,000.00	0.00	0.00	0.00	0.00	0.00	2,850.00	2,850.00	7,150.00
5811 LEGAL EXPENSES	8,500.00	311.83	283.33	283.33	283.33	283.33	283.33	1,728.48	6,771.52
5812 NIRPC SERVICES	130,000.00	10,952.61	11,576.93	11,185.14	11,278.74	11,311.69	11,357.19	67,662.30	62,337.70
5821 TRAVEL/MILEAGE	9,000.00	25.84	6.12	66.43	23.12	48.47	353.60	523.58	8,476.42
5822 PRINTING/ADVERTISING	2,500.00	50.00	36.15	637.72	0.00	0.00	0.00	723.87	1,776.13
5823 BONDS/INSURANCE	8,000.00	0.00	0.00	0.00	6,406.25	0.00	0.00	6,406.25	1,593.75
5824 TELEPHONE EXPENSES	6,000.00	0.00	389.73	804.73	422.05	413.39	620.30	2,650.20	3,349.80
5825 MEETING EXPENSES	6,000.00	0.00	0.00	88.90	0.00	0.00	0.00	88.90	5,911.10
5840 PROFESSIONAL SERVICES	600,000.00	60,961.53	44,209.31	67,649.81	47,949.27	29,976.59	41,790.84	292,537.35	307,462.65
5860 PROJECT LAND PURCHASE EXP.	2,337,073.00	0.00	1,200,841.00	127,462.00	346.00	459.31	0.00	1,329,108.31	1,007,964.69
5882 UTILITY RELOCATION EXP.	100,000.00	194.46	129.64	1,955.00	0.00	153.02	0.00	2,432.12	97,567.88
5883 PROJECT LAND CAP. IMPROV.	5,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,000.00
5884 STRUCTURES CAP. IMPROV.	5,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,000.00
5892 PROJECT COSTSHARE/ESC ACCT	472,500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	472,500.00
	3,227,073.00	72,496.27	1,257,472.21	210,133.06	66,708.76	42,645.80	57,255.26	1,706,711.36	1,520,361.64

UNALLOCATED

	2005							ALLOCATED	BUDGETED
	BUDGET	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL	BALANCE
5801 PER DIEM EXPENSES	10,000.00	0.00	0.00	0.00	0.00	0.00	2,850.00	5,700.00	4,300.00
5811 LEGAL EXPENSES	8,500.00	283.33	283.33	283.33	283.33	283.33	283.33	3,428.46	5,071.54
5812 NIRPC SERVICES	130,000.00	11,412.61	11,435.66	11,164.23	11,305.56	11,408.92	11,312.70	135,701.98	-5,701.98
5821 TRAVEL/MILEAGE	9,000.00	9.62	36.04	31.82	70.20	51.05	462.40	1,184.71	7,815.29
5822 PRINTING/ADVERTISING	2,500.00	0.00	0.00	0.00	0.00	0.00	0.00	723.87	1,776.13
5823 BONDS/INSURANCE	8,000.00	0.00	0.00	0.00	0.00	0.00	0.00	6,406.25	1,593.75
5824 TELEPHONE EXPENSES	6,000.00	491.64	780.66	515.92	431.37	455.84	418.14	5,743.77	256.23
5825 MEETING EXPENSES	6,000.00	0.00	90.20	0.00	222.64	288.90	117.26	807.90	5,192.10
5840 PROFESSIONAL SERVICES	600,000.00	34,424.89	37,548.84	92,719.30	75,458.16	57,565.15	53,276.13	643,529.82	-43,529.82
5860 PROJECT LAND PURCHASE EXP.	2,337,073.00	31,000.00	0.00	13.00	5,650.00	0.00	0.00	1,365,771.31	971,301.69
5882 UTILITY RELOCATION EXP.	100,000.00	270.00	0.00	0.00	0.00	0.00	0.00	2,702.12	97,297.88
5883 PROJECT LAND CAP. IMPROV.	5,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,000.00
5884 STRUCTURES CAP. IMPROV.	5,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5,000.00
5892 PROJECTCOSTSHARE/ESC ACCT	472,500.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	472,500.00
	3,227,073.00	77,892.09	50,174.73	104,727.60	93,421.26	70,053.19	68,719.96	2,171,700.19	1,055,372.81

CLAIMS PAYABLE FOR DECEMBER 2005

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5801	R. KENT GURLEY	50.00	PER DIEM FOR PERIOD JULY 1-DECEMBER 31,2005
5801	WILLIAM BILLER	450.00	PER DIEM FOR PERIOD JULY 1-DECEMBER 31,2005
5801	ROBERT HUFFMAN	550.00	PER DIEM FOR PERIOD JULY 1-DECEMBER 31,2005
5801	ARLENE COLVIN	300.00	PER DIEM FOR PERIOD JULY 1-DECEMBER 31,2005
5801	MARK RESHKIN	250.00	PER DIEM FOR PERIOD JULY 1-DECEMBER 31,2005
5801	GEORGE CARLSON	450.00	PER DIEM FOR PERIOD JULY 1-DECEMBER 31,2005
5801	SAM DIMOPOULOS	150.00	PER DIEM FOR PERIOD JULY 1-DECEMBER 31,2005
5801	ROBERT MARSZALEK	250.00	PER DIEM FOR PERIOD JULY 1-DECEMBER 31,2005
5801	JOHN MROCZKOWSKI	100.00	PER DIEM FOR PERIOD JULY 1-DECEMBER 31,2005
5801	CHARLIE RAY	300.00	PER DIEM FOR PERIOD JULY 1-DECEMBER 31,2005
5811	CASALE ,WOODWARD & BULS LLP	283.33	MONTHLY RETAINER THROUGH DEC
5812	NIRPC	11,296.95	SERVICES PERFORMED NOVEMBER 2005
5812	UPS	15.75	OVERNIGHT MAIL
5821	SANDY MORDUS	16.00	MILEAGE FOR DECEMBER
5821	CHARLIE RAY	65.60	MILEAGE 8/3/05-12/14/05
5821	JOHN MROCZKOWSKI	27.20	MILEAGE 7/6/05-8/3/05
5821	ROBERT MARSZALEK	32.00	MILEAGE 7/6/05-12/7/05
5821	SAM DIMOPOULOS	45.60	MILEAGE 7/6/05-9/7/05
5821	MARK RESHKIN	71.20	MILEAGE 8/3/05-12/7/05
5821	ARLENE COLVIN	45.60	MILEAGE 7/28/05-12/14/05
5821	ROBERT HUFFMAN	116.80	MILEAGE 7/6/05-12/7/05
5821	WILLIAM BILLER	27.20	MILEAGE 12/7/05-12/14/05
5821	R. KENT GURLEY	15.20	MILEAGE 12/7/05
5824	AT & T	289.34	BILLING PERIOD 11/14/05-12/13/05(TOTAL BILL 300.10 KRBC 10.76)
5824	VERIZON NORTH	128.80	BILLING PERIOD 12/16/05-1/16/05(TOTAL BILL 240.94 KRBC 112.14)
5825	SAND RIDGE BANK	117.26	FINANCE COMMITTEE MTG EXPENSE 12/14/05
5841	INTEGRA	2,500.00	APPRAISAL FOR DC-1177
5841	INTEGRA	17,500.00	APPRAISAL FOR DC-1171,1172,1174,1185A,1115A,1116,1117,1112 &1113
5841	INTEGRA	5,000.00	APPRAISAL FOR DC-1173 & DC-1175
5842	R. W. ARMSTRONG	2,207.50	PROFESSIONAL SERVICES RE: PUMP STATION ANALYSIS
5842	R. W. ARMSTRONG	4,373.00	PROFESSIONAL SERVICES FOR PERIOD ENDED 12/9/05
5842	NIES ENGINEERING INC	84.94	PROFESSIONAL SERVICES FOR SV-II
5843	STEWART TITLE SERVICES OF NORTHWEST	100.00	TITLE WORK FOR DC-1185A
5843	STEWART TITLE SERVICES OF NORTHWEST	505.00	TITLE WORK FOR DC-1115
5843	STEWART TITLE SERVICES OF NORTHWEST	100.00	TITLE WORK FOR DC-1169
5843	STEWART TITLE SERVICES OF NORTHWEST	785.00	TITLE WORK FOR DC-1209
5843	STEWART TITLE SERVICES OF NORTHWEST	665.00	TITLE WORK FOR DC-1216
5843	STEWART TITLE SERVICES OF NORTHWEST	785.00	TITLE WORK FOR DC-1219
5844	JAMES E POKRAJAC	4,850.30	ENGINEERING SERVICES 12/1/05-12/15/05
5844	JUDITH VAMOS	3,393.98	LAND ACQUISITION AGENT SERVICES 12/1/05-12/15/05
5844	SANDY MORDUS	87.50	CREDITING TECHNICIAN SERVICES 12/1/05-15/14/05
5847	DLZ	843.75	PROFESSIONAL SERVICES FOR SV-II
5847	DLZ	4,382.50	PROFESSIONAL SERVICES FOR SV
5847	DLZ	75.00	PROFESSIONAL SERVICES FOR SVI-II
5849	CASALE.WOODWARD & BULS LLP	5,037.66	LAND ACQUISITION/LEGAL SERVICES FOR PERIOD ENDED 12/22/05

TOTAL 68,719.96

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

-
- **\$177.89 to NIPSCO for costs incurred for elec. & gas at 3120 Gerry Street in Gary**
 - **\$3,974.98 to R. W. Armstrong Company for services incurred on O&M issues and manual**
 - **\$1,250.00 to South Shore Marina for removal and storage of handrails on breakwater**

TOTAL \$ 5,402.87

Balance in O&M account after paying this invoice will be \$290,253.25

2006 PROPOSED OPERATING BUDGET

Budget Code	Category	2005 (12 month) Budget	2006 (12 month) Budget
<u>ADMINISTRATIVE BUDGET</u>			
5801	Per diem expenses	\$10,000.00	\$10,000.00
5811	Legal Services	\$8,500.00	\$8,500.00
5812	NIRPC Services	\$130,000.00	\$130,000.00
	a) Basic staff support		
	b) Mileage/expenses		
	c) Room rental		
	d) Postage		
	e) Copying machine		
	f) Printing/graphics labor		
	g) Office supplies		
	h) Other		
5821	Travel and Mileage	\$10,000.00	\$10,000.00
5822	Printing and Advertising	\$2,500.00	\$2,500.00
5823	Bonds and Insurance	\$8,000.00	\$8,000.00
5824	Telephone Costs	\$5,000.00	\$5,000.00
5825	Meeting Expenses	\$6,000.00	\$6,000.00
SUB TOTAL		\$180,000.00	\$180,000.00

LAND ACQUISITION/PROJECT DEVELOPMENT BUDGET

5840	Professional/Consultant Services	\$600,000.00	\$600,000.00
5841	Appraisal Services		
5842	Engineering/design services		
5843	Land Purchase contractual services		
5844	Land management services		
5845	Facilities/project maintenance services		
5846	Operational services		
5847	Surveying services		
5848	Economic/marketing sources		
5849	Legal Services		
5860	Project Land Purchase Contracts	\$2,337,073.00	\$836,498.00
5861	Property & Structures costs		
5862	Moving/relocation costs		
5863	Real Estate Taxes owed account (pass through account)		
5881	Property/Structure Insurance	-	-
5882	Utility Relocation Costs	\$100,000.00	\$100,000.00
5883	Land Capital Improvements	\$5,000.00	\$2,500.00
5884	Structures Capital Improvements	\$5,000.00	\$2,500.00
5892	Project Cost Share Payments/Escrow Account	(\$472,500.00)	\$866,635.00
SUB TOTAL		\$3,047,073.00	\$2,408,133.00

O&M BUDGET

Monies available as of December 1, 2005

SUB TOTAL		\$264,773.00
TOTAL BUDGET		\$3,227,073.00
		\$2,852,906.00

Note:

- Budget includes \$1 million allocated on October 28th, 2005 from the '05/'07 budget; budget also includes \$1 million appropriated but yet to be allocated.

15

RECEIVED DEC 27 2005

ATTORNEYS AT LAW

CASALE, WOODWARD & BULS, LLP

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

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

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

December 19, 2005

Gregory A. Sobkowski
HODGES & DAVIS PC
8700 Broadway
Merrillville, IN 46410

RE: Interlocal Agreement between the Little Calumet River Basin Development
Commission and the City of Portage for the Transfer, Development and Operation
of the Portage Marina

Dear Greg:

Enclosed please find a fully executed Interlocal Agreement between the Little Calumet River Basin Development Commission and the City of Portage for the Transfer, Development and Operation of the Portage Marina. Please note that this agreement has been fully signed by all parties including the Attorney General of the State of Indiana. Please contact me at your earliest convenience so we can discuss executing formal transfer documents pertaining to this agreement. Thank you for this and past courtesies.

Sincerely,

CASALE, WOODWARD & BULS, LLP


Louis M. Casale

LMC/amo

Enclosure

cc: Dan Gardner
Elizabeth Johnson (w/o encl.)

INTERLOCAL AGREEMENT BETWEEN
THE LITTLE CALUMET RIVER BASIN DEVELOPMENT
COMMISSION AND THE CITY OF PORTAGE FOR
THE TRANSFER, DEVELOPMENT AND OPERATION
OF THE PORTAGE MARINA

WHEREAS, the Little Calumet River Basin Development Commission, a public body corporate and politic, organized, existing and operating under the laws of the State of Indiana, hereinafter the "COMMISSION" and the City of Portage, a municipal corporation organized existing and operating under the laws of the State of Indiana, hereinafter the "CITY" entered into an Interlocal Cooperation Agreement dated the 3rd day of October, 1991 for the construction and operation of a public access marina, boat launch ramps and ancillary facilities in the City of Portage, State of Indiana, a copy of which is attached hereto and marked Exhibit "A," hereinafter the "INTERLOCAL AGREEMENT;" and,

WHEREAS, the COMMISSION and the CITY have, pursuant to the attached INTERLOCAL AGREEMENT operated, maintained and developed a public access marina, boat launch ramp and ancillary facilities hereinafter to be referred to as the "PORTAGE MARINA;" and,

WHEREAS, the COMMISSION owns fee simple title to the underlying real estate upon which the CITY operates the PORTAGE MARINA; and,

WHEREAS, the CITY desires to complete the development of the PORTAGE MARINA and to operate it solely at its expense and pursuant to the Local Cooperation Agreement between the COMMISSION and the U.S. Army Corps of Engineers a copy of which is attached hereto and marked Exhibit "B," hereinafter the "LCA," upon the transfer of ownership of the underlying fee simple title to the real estate upon which the PORTAGE MARINA lies from the COMMISSION to the CITY; and,

WHEREAS, the COMMISSION and CITY desire that this AGREEMENT replace the INTERLOCAL AGREEMENT attached hereto.

NOW THEREFORE, in consideration of the mutual promises and covenants set out herein, the undersigned parties promise and agree as follows:

A. DURATION, PURPOSE AND FINANCING.

1. The term of this Agreement shall be from the date it is signed by both parties hereto and shall thereafter run concurrently with the "LCA" and shall terminate either upon termination of the LCA or upon substitution of the CITY for the COMMISSION as Local Sponsor in the LCA and termination of the COMMISSION'S obligations regarding the Midwest Steel Jetty as outlined in paragraph 3a herein.
2. The purpose of this Agreement is to effectuate the transfer of ownership of the real property upon which the PORTAGE MARINA lies from the COMMISSION to the CITY, and thereafter for the CITY to complete the development, maintenance and operation of the PORTAGE MARINA in conformance with the LCA, the funding for which shall be furnished solely by the CITY. The Portage Port Authority will budget for the construction, operation and maintenance of the Marina and will be responsible for the administration thereof.

B. TRANSFER OF REAL ESTATE AND MARINA DEVELOPMENT

1. Upon the execution of this Agreement by the COMMISSION and CITY, and approval by the Attorney General of the State of Indiana, the COMMISSION shall execute a quit claim deed in the form as attached in Exhibit "C" conveying fee simple title to the CITY of the real estate underlying the PORTAGE MARINA to the CITY.
2. After transfer of the said real property from the COMMISSION to the CITY pursuant to this Agreement, the CITY shall commence, at its sole cost and expense, to complete the development of the PORTAGE MARINA in conformance with the LCA.
3. Operation and maintenance of the PORTAGE MARINA shall continue at the sole cost and expense of the CITY.

28

C. ASSUMPTION OF OBLIGATIONS

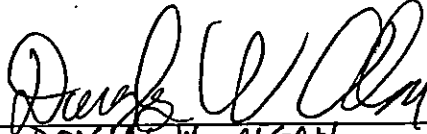
1. The CITY agrees to assume the obligation to any and all financial institutions and or owners of the revenue bonds sold to finance development of the PORTAGE MARINA pursuant to the INTERLOCAL AGREEMENT attached hereto, and shall execute any and all documents as is necessary to assume said obligation and to relieve the COMMISSION therefrom or, in the alternative, to indemnify and hold the COMMISSION harmless from said obligations.
2. The CITY and COMMISSION entered into a lease with NIPSCO, a copy of which is attached hereto and marked Exhibit "D," hereinafter the "NIPSCO LEASE," so as to allow the operation and development of access and parking for the PORTAGE MARINA. The CITY hereby agrees to provide lease payments and all other payments thereunder and to hold harmless and indemnify the COMMISSION from any liability, lawsuit, claim or damage arising by reason of the NIPSCO LEASE and will endeavor to assume all obligations thereunder subject to NIPSCO'S acquiescence thereto.
3. The CITY hereby agrees to assume at its sole cost, the ongoing maintenance obligations of the COMMISSION under the LCA with the U.S. Army Corps of Engineers, except as provided in Paragraph C3a below, and shall legally substitute itself as local sponsor in said LCA, subject to U.S. Army Corps of Engineers concurrence.
 - a. The COMMISSION shall retain maintenance responsibility for the Midwest Steel Jetty as provided in Paragraph 1J of the LCA for a period of five (5) years from the date of this Agreement or until the Midwest Steel Jetty is federalized, whichever comes first. In the event the Midwest Steel Jetty is not federalized within five (5) years

the CITY will be responsible thereafter for its maintenance as provided in the LCA.

4. The CITY agrees to indemnify and hold the COMMISSION harmless from any and all damages, claims, liability or action that may have arisen or that might arise during, or as a result of, the ownership, development, operation and maintenance of the facilities by the CITY or pursuant to the operation and development of the PORTAGE MARINA pursuant to the INTERLOCAL AGREEMENT unless caused by the negligence of the COMMISSION or its contractors or employees.
5. If any term, covenant or condition of this Agreement or the application thereof shall be invalid or unenforceable, the remainder of this Agreement, or the application of such term, covenant or condition other than those as to which are held invalid or unenforceable, shall not be affected thereby and each term, covenant and condition of this Agreement shall be valid and may be enforced to the fullest extent permitted by law or in equity.
6. The administration and oversight of the terms and conditions of this agreement shall be governed by the JOINT BOARD which shall be composed of the Mayor of the CITY and the Chairperson of the COMMISSION who will meet at least quarterly to oversee the terms and conditions and operation, construction and maintenance of the Marina, and of this agreement and insure compliance with the LCA.
7. This Agreement shall bind the successors and assigns of the Parties hereto, and shall not be assignable without the written consent of the Parties hereto.
8. This Agreement is subject to U.S. Army Corps of Engineers and the State of Indiana Attorney General's approval.

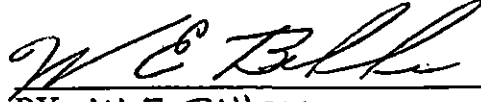
The Parties sign, seal and deliver this document this 7th day of December, 2005.

THE CITY OF PORTAGE



BY: DOUGLAS W. OLSON
TITLE: MAYOR

THE LITTLE CALUMET RIVER
BASIN DEVELOPMENT COMMISSION



BY: W.E. Biller
TITLE: Chairman

ATTEST: _____



BY: DONNA M. PAPPAS
TITLE: CLERK - TREASURER

ATTEST: _____



BY: MARK RESKIN
TITLE: SECRETARY

REVIEWED AND APPROVED:



STEVE CARTER, ATTORNEY GENERAL
FOR THE STATE OF INDIANA

12-12-05

This instrument prepared by:
LOUIS M. CASALE, Casale, Woodward & Buls, LLP,
9223 Broadway, Suite A, Merrillville, IN 46410, Telephone: 219/736-9990



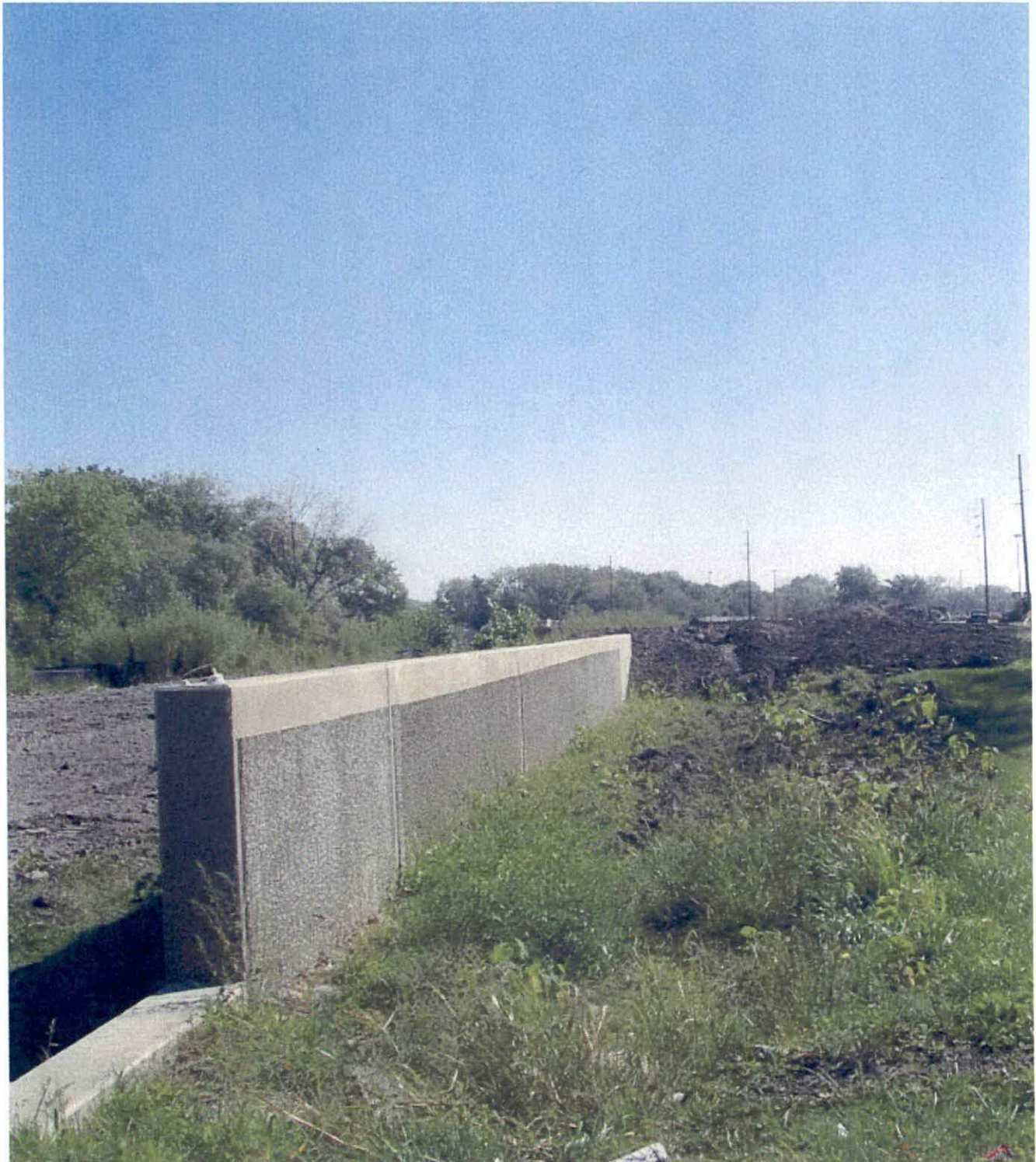
Photobucket Home | Join Now!

Album: huffmun > Little_Cal_Highland - 15 pics

« PREVIOUS 1 of 15 NEXT »

VI-1 SOUTH
(SEPT. 21 E-MAIL)
2005

New Features



"FIN-TYPE" I-WALL CONST.
(EAST OF KENNEDY)

09EastFromKennedy.jpg (992x744 - 524 K) Exif Dat

OLD LEVEE DEGRADED, NEW LEVEE UP
TO HEIGHT OF OLD LEVEE - APPROX.
75% OF HEIGHT.





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[New Features](#)

Album: [huffmun](#) > [Little_Cal_Highland](#) - 15 pics

[« PREVIOUS](#) 14 of 15 [NEXT »](#)



APPROX. 900 LIN. FT. OF LEVES
COMPLETED WITH PLANTING ZONE.

[24DuluthSt.jpg](#) (992x744 - 117 K) [Exif Data](#)

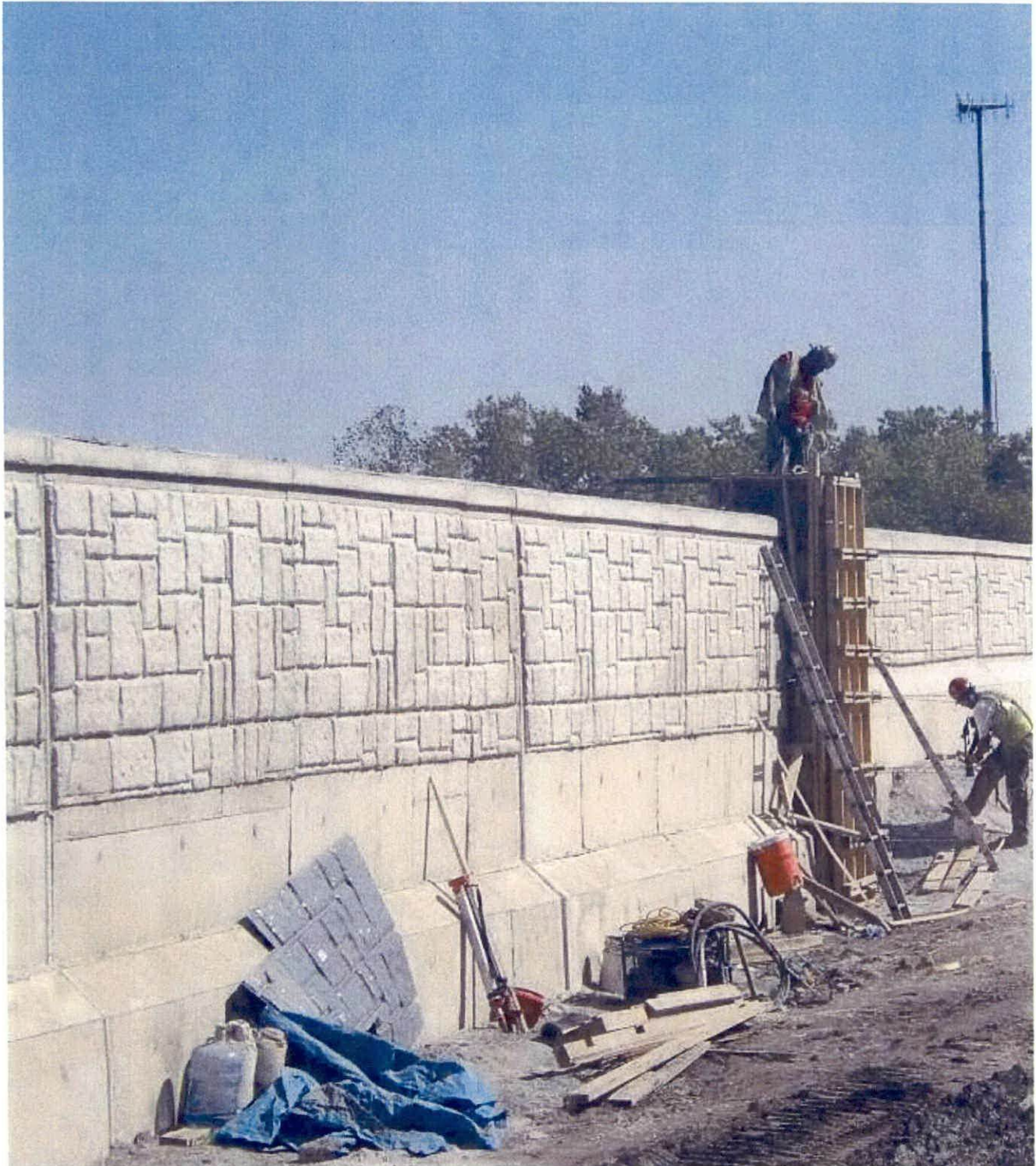


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New Features

Album: huffmun > Little_Cal_Highland - 15 pics

« PREVIOUS 11 of 15 NEXT »



NEW CONCRETE FORMLINER & CONCRETE
BASE (POURED OVER SHEETPIILING) - BACKFILL
WILL BE TO BOTTOM OF FORMLINER.

21NorthDr.jpg (992x744 - 90 K) Exif Data

OLD LEVEE
BEING DEGRADED

NEW LEVEE
CONSTRUCTION





PREPARING FOR CONCRETE POUR FOR
FOUNDATION SLAB FOR NORTH DRIVE
PUMP STATION (PUMP STATION IS
OVER \$2 MILLION IN CONSTRUCTION.

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

***LIST OF CONTRIBUTIONS FROM LOCAL LANDOWNERS
(as of 1/3/06)***

Lake County Parks:

- \$ 104,000 temporary easement on Deep River Borrow Site for clay**
- \$ 200,000 permanent/flowage easements on individual tracts**

Indiana Department of Transportation (INDOT):

- \$ 18,000 permanent/temporary easements along levee line**

Northern Indiana Public Service Company:

- \$ 92,600 permanent/temporary/roadway easements on individual tracts**

Lake County Commissioners:

- \$ 353,000 permanent/flowage easements (from tracts on tax sales)**

City of Gary:

- \$ 1,400,000 local funds committed to construct Burr Street Levee/Gary**

City of Hammond:

- \$ 46,000 permanent/temporary/flowage easements**

Hammond Sanitary District:

- \$ 359,000 permanent/flowage easements at pump station**

Hammond Park Department:

- \$ 32,500 flowage easements**
- \$ 300,000 to complete recreation features of Carlson/Oxbow Park.**

Town of Highland:

- \$ 81,200 permanent/temporary/flowage easements**

Highland Park Department:

- \$ 49,000 permanent/temporary/flowage easements**

Private Landowners:

- \$ 25,000 various easements on Wicker Park Manor**

Corporate:

- \$ 400,000 permanent easement for sheet-piling instead of earthen levee as a negotiated settlement.**

Section 104:

- \$ 1,667,200 City of Hammond reconstructed State Line to Hohman Ave. levee (to Corps specifications) & constructed Hohman Ave. Pump Station.**

TOTAL = \$ 5,127,500

WORK STUDY SESSION
OPERATION AND MAINTENANCE
January 4, 2006
BOB HUFFMAN, Committee Chairman

1. Stage III Remediation Pump Station Agreement – STATUS
 - The "Agreement for Operation and Maintenance of Stormwater Pumping Stations" in the city of Gary, has been completed and will be forwarded to the city of Gary for review and comments.
 - This is for the Marshalltown Pump Station and the 32nd & Cleveland station, which were inspected and found satisfactory by the COE, LCRBDC, and Greeley & Hansen on June 23, 2005.
2. Gary pump station rebuilding for the (4) stations already completed – Broadway, Grant, North Burr Street, and Ironwood - STATUS
 - A scope of work was comprised for all (4) stations on December 16 and was broken down into items which needed field clarification to define each problem. It includes those items which will be in the scope of work, and those items needing clarification, or help, from the COE (See pages 2-5 in the attachments to the O&M report)
 - Austgen has been given authorization to provide minor repairs during their final field analysis. This will begin January 3, 2006.
 - Letter will be sent to the COE by January 10, 2006.
 - After Austgen reports, review request will be sent to city of Gary.
3. An O&M Committee meeting needs to be scheduled to discuss updating the current O&M Manual, how LCRBDC will participate with ongoing O&M, and the turnover process with the city of Gary.

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
RESOLUTION NO. 06-01

**A RESOLUTION AUTHORIZING THE ENTRY INTO AN AGREEMENT FOR
OPERATION AND MAINTENANCE FOR THE MARSHALLTOWN
STORMWATER PUMPING STATION**

WHEREAS, the Sanitary District of the City of Gary and the Little Calumet River Basin Development Commission are political subdivisions or governmental entities in the State of Indiana authorized to contract on behalf of each other on a basis of mutual advantage so as to better provide public services and facilities; and,

WHEREAS, the Little Calumet River Basin Development Commission is a public body corporate and politic of the State of Indiana capable of entering into and fulfilling the requirements of a non-federal interest (as defined by 42 U.S.C. 1962d-5b); and,

WHEREAS, the Little Calumet River Basin Development Commission now desires to enter into an agreement with the Sanitary District of the City of Gary to provide for the operation and continuing maintenance of the Marshalltown Stormwater Pumping Station (located at the southwest corner of Marshalltown Subdivision, south of Marshalltown Drive along the extension of Wisconsin Street).

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Little Calumet River Basin Development Commission:

Section 1. That an Agreement for the Operation and Maintenance of the Marshalltown Stormwater Pumping Station between the Little Calumet River Basin Development Commission and City of Gary in a form substantially in compliance with Exhibit "A", attached hereto is hereby approved, authorized, and adopted;

Section 2. That the Chairperson of the Little Calumet River Basin Development Commission is hereby authorized and permitted to sign said Agreement on behalf of the Commission; and further, the Secretary is hereby authorized to attest the execution of said Agreement by the Chairperson;

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
RESOLUTION NO. 06-02

**A RESOLUTION AUTHORIZING THE ENTRY INTO AN AGREEMENT FOR
OPERATION AND MAINTENANCE FOR THE 32ND AND CLEVELAND
STORMWATER
PUMPING STATION**

WHEREAS, the Sanitary District of the City of Gary and the Little Calumet River Basin Development Commission are political subdivisions or governmental entities in the State of Indiana authorized to contract on behalf of each other on a basis of mutual advantage so as to better provide public services and facilities; and,

WHEREAS, the Little Calumet River Basin Development Commission is a public body corporate and politic of the State of Indiana capable of entering into and fulfilling the requirements of a non-federal interest (as defined by 42 U.S.C. 1962d-5b); and,

WHEREAS, the Little Calumet River Basin Development Commission now desires to enter into an agreement with the Sanitary District of the City of Gary to provide for the operation and continuing maintenance of the 32nd & Cleveland Stormwater Pumping Station (located approximately ¼ mile west of Grant Street along the extended 32nd Street right-of-way).

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Little Calumet River Basin Development Commission:

Section 1. That an Agreement for the Operation and Maintenance of the 32nd and Cleveland Stormwater Pumping Station between the Little Calumet River Basin Development Commission and the City of Gary, in a form substantially in compliance with Exhibit "A", attached hereto is hereby approved, authorized, and adopted;

Section 2. That the Chairperson of the Little Calumet River Basin Development Commission is hereby authorized and permitted to sign said Agreement on behalf of the Commission; and further, the Secretary is hereby authorized to attest the execution of said Agreement by the Chairperson;

PROJECT ENGINEERING MONTHLY STATUS REPORT

For meeting on Wednesday, January 4, 2006

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

Report period is from December 1 - December 28, 2005

COMPLETED CONSTRUCTION

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

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

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

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

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

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

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

1. Project completed in September, 1998.
Rausch Construction – Contract price: \$3,288,102

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

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

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

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

STATUS (Stage III) Chase to Grant Street:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

STATUS (Stage V Phase 1) Wicker Park Manor:

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

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

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

The lift station at the Southwest corner of the existing levee that will handle interior drainage has been completed as part of the Stage III remediation project. (See Stage III remediation in this report for details.) Pump station final inspection was held on June 23, 2005, and was found to be satisfactory.

2. This pump station is in the process of being turned over to the city of Gary for O&M responsibility. (Awaiting agreement as of November 10, 2005)

West Reach Pump Stations – Phase 1B:

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

ONGOING CONSTRUCTION

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

1. Contract award date – June 30, 2004
2. Notice to proceed – July 29, 2004 (430 days to complete)
3. Bids were opened on June 30 and the low bidder was ECO SYSTEMS, INC.
 - 104 acres included in bid – 100 to be herbicided, remaining 4 acres are ditches.
4. A walk-thru inspection was held with the COE and the contractor on October 25, 2005.
 - Scope of work – Approximately ½ of East Reach to plant trees, do herbiciding starting spring of 2006, clean up growth in collector ditches, plant new native grasses on levees.
5. A modification to the contract for continued contract funding was received from the COE on December 23, 2005 for an additional \$45,000. Current funding available \$65,000. **1-3**
6. Monthly Construction Status Report from COE (Refer to Handout)

STAGE III Drainage Remediation:

1. Project completed on June 23, 2005.
 - A. Dyer Construction – Contractor
 - B. Final Inspection – June 23, 2005
 - Received partial O&M manuals and spare parts from the COE on July 13, 2005; received remainder of manuals & spare parts on August 23.
 - Received as-built drawings from the COE on December 23, 2005. (This is the last item that was needed to turn over the (2) pump stations to Gary for O&M responsibility) **4-6**
 - C. Project money status:
 - Original contract estimate - \$1,695,822
 - Original contract amount - \$1,231,845
 - Current contract amount - \$1,625,057
 - Amount overrun - \$70,765 (4%)

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

1. This portion of construction will be advertised, partially paid for, and coordinated by the City of Gary. The Army Corps will oversee the design and construction to assure compliance with federal specifications.
 - The Memorandum of Agreement was signed by Gary on December 21, 2005 (Board of public Works), and Gary Stormwater Management Group on December 13, 2005.
 - A letter was sent to the pipelines, utilities, and the town of Griffith on December 8, 2005 providing an update on scheduling and a description of the scope of work. **7**
 - The project was advertised on December 7, 2005.

- The pre-bid meeting was held on December 19, 2005 at 10 a.m. at the Gary City Hall (only attending contractors are eligible to bid).
 - Bid due date is January 18, 2006.
2. The issue of water quality in the drainage ditch, south of the NIPSCO R/W, between Colfax and Burr St., as part of the Burr St. (betterment) levee – Stage II – Gary. **This is included as part of the bid package and the design has been provided to the Corps by J. F. New.**

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

1. This portion of construction will be advertised, coordinated, and facilitated by the Corps and LCRBDC as a betterment levee.
2. The revised schedule has a goal to submit plans for final review on **January 3, 2006**; and to advertise by February 20, 2006.
3. NSRR design issues appear to be agreed upon, but need to be finalized.
 - Conference call with NSRR, LCRBDC, and the COE held on December 15, 2005.

STATUS (Stage V Phase 2) Kennedy Avenue to Northcote

1. An initial kickoff meeting is being scheduled for the week of January 16, 2006. **(This includes a field walk-thru to preliminarily review construction and discuss ongoing design issues, alignment, and type of construction).**
2. Buckeye Partners:
 - Received comments from Buckeye Partners regarding pipeline impacts due to our construction on November 4, 2005, and submitted them to the Corps on November 9, 2005.
3. NIPSCO pipeline corridor east of the Norfolk Southern Railway Company, west of Kennedy Avenue. (LCRBDC received conceptual drawings from the Corps on May 11, 2005)
 - A. Letters have been sent to all of the pipeline companies requesting their comments, engineering review, easement agreement with NIPSCO, and cost information.
 - Follow-up letters were sent to all of the owners of the pipelines on October 18-Oct. 19 requesting comments on design and to provide cost estimates.
 - B. With the engineering for plans and specs to re-start in **April, 2006**, it is the intent to gather all information from the pipeline companies and forward it to the COE as they come in, in order to incorporate this data and their design concerns, into the plans.
 - **Marathon Pipeline Company had questions and concerns they sent on December 14. These were forwarded to the COE on December 22.**
4. INDOT drainage issues at Indianapolis Blvd. and the Little Calumet River.
 - A. LCRBDC received an e-mail from United Engineering (INDOT consultant) on May 19, 2005 questioning our current schedule and requesting cost and design information
 - An e-mail was received from United Engineering on September 19, 2005 indicating review is completed and this phase of INDOT construction (Ridge Road to Little Calumet River) has been suspended due to lack of Little Cal matching funds. INDOT is unable to assist in any funding for the levee project.
5. LCRBDC discussed the possibility of modifying design west of the NSRR by using the “sheet pile & bridging” technique to eliminate the \$450,000 directional bores for (2) 8” pipelines.
 - A letter & design were sent to Phillips Pipeline on June 2, 2005.
 - A follow-up letter was sent on September 1st, 2005.

- A second follow-up letter was sent on October 19 enclosing COE drawings for design on the east side of the NSRR and explaining the intent of design for the "bridging" technique. (Ongoing)
- 6. A meeting was held with representatives from The Committee to Preserve Wicker Woods (CPWW) on October 25 to review their concerns and suggestions.
 - His letter, dated October 25, 2005, was forwarded to the COE for review, comments, and consideration on November 22, 2005.
- 7. A meeting was held with North Township on December 20 (Frank Mrvan) to discuss, and familiarize him with our project and to present current design and options being considered.

STATUS (Stage V Phase 3) Cabelas' Retail, Inc.

1. Refer to Land Acquisition report for status of appraisal.
 - (Stage V-3 will now be advertised with Stage V-2 as one contract)
2. An e-mail was sent to the COE on November 1, 2005 indicating legals are being modified to move the line of protection from the north part of Wicker Park to the south part of Cabelas' Retail, Inc. to do an economic analysis.
 - LCRBDC received modified legals from GLE on November 22 and will submit these to the Corps for review and comments prior to having the modified appraisals done.
 - A letter was sent to the COE on December 7 enclosing modified legals for Cabelas as well as North Township requesting review and comments.

11

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

1. Illinois Constructors Corporation was awarded the contract on September 30, 2004.
 - COE estimate (without profit) - \$6,141,815.00
 - Low bid (awarded amount) - \$6,503,093.70 (Awarded September 30, 2004)(6% over estimate)
 - Current contract amount \$6,733,494 (10% over estimate)
 - 700 days to complete from contractor receiving his "Notice to Proceed" (November 4, 2004)
2. Monthly Construction Status Report from the COE (Refer to Handout).
3. A modification to the contract for continued contract funding was received from the COE on December 23, 2005 for an additional \$300,000. Current funding available \$3,574,999.
4. A weekly progress meeting was held on December 13, 2005 with the COE and Illinois Constructors.

12-14

15-16

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

1. The bid results for this project were posted on August 24, 2005 and the low bidder is the Illinois Constructors Corporation.
 - The bid amount is \$5,566,871, and the Army Corps estimate (without profit) is \$6,525,253. (Official award was September 30, 2005)
 - The bid is \$958,382 (or 14.7%) under the Federal estimate
2. A modification to the contract for continued contract funding was received from the COE on December 23, 2005 for an additional \$200,000. Current funding available \$220,000.
3. Coordination with the Lake County Highway Dept., LCRBDC, and the Army Corps will be required for the upcoming construction by the county for their bridge and our construction on and adjacent to Kennedy Ave.
 - The county is only re-building the existing bridge deck.

17-19

- COE agreed we could accept the cost for the incremental difference for a 10' cantilevered recreational 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. (Needs to be facilitated.)
 - A letter was sent to the COE on October 3, 2005 indicating County engineering is 90% complete, and if the walkway or concrete closure structures are to be included in their contract coordination should begin immediately.
 - **A conference call was held with Lake County Highway, COE, and LCRBDC on December 6, 2005. The COE is currently working with Lake County Highway to get their design information included as part of the Lake County bid package.**
4. A request for the COE to review & approve a NIPSCO utility re-locate in the amount of \$13,712 was sent out on September 23rd, 2005.
 - Submitted executed agreements to NIPSCO on November 14 in the amount of \$13,712 for downguy re-locations and a new pole installation at 179th Street and New Jersey Avenue.
 - **The fully executed agreement was sent to NIPSCO on December 8, 2005.**
 5. **Monthly Construction Status Report from the COE (Refer to Handout)**
 6. **Contractor currently in the process of providing submittals to the COE prior to starting construction. Anticipate first work to start in mid to late January 2006.**

20

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

1. Dyer Construction was awarded the contract on July 29, 2005.
 - Corps estimate (without profit) - \$5,720,757
 - Low bid (awarded amount) - \$4,205,645 (approx. 26% under Corps estimate)
 - 540 days to complete from contractor receiving his "Notice to Proceed" (August 11, 2005)
 - Current construction completion date – February 2, 2007
2. Project Description
 - Construct a levee protection system consisting of 8,250 lineal feet of earthen levee, 1,600 lineal feet of steel sheet pile floodwall, (3) gatewell structures, culverts & sewer appurtenances, and miscellaneous tree planting and seeding.
3. **A modification to the contract for continued contract funding was received from the COE on December 22, 2005 for an additional \$125,000. Current funding available \$225,000.**
4. NIPSCO utility coordination
 - A. An executed agreement was submitted to NIPSCO on November 10, 2005 in the amount of \$25,907.
 - Scope of work includes utility re-locations west of Cline Avenue and new pole installations on Liable and Kleinman.
 - B. A letter was sent to NIPSCO on September 12th, 2005, providing authorization to do pipe reinforcements adjacent to out sheet piling installation West of Cline.
 - A letter was received from NIPSCO on November 18 indicating final cost in the amount of \$59,598 – original estimate if (3) pipes needed (2) reinforcements each was \$102,451 (Work has been completed).
 - **Final costs with breakdown sent to COE on November 23 to review NIPSCO for crediting purposes.**
5. **Monthly Construction Status Report from the COE (Refer to Handout)**

21-23

6. **Contractor currently in the process of providing submittals to the COE prior to starting construction. Anticipate first work to start in mid to late January 2006.**

STATUS (Stage VII) Northcote to Columbia:

1. The final contract with Earth Tech to do the A/E work for this stage/phase of construction was signed and submitted by the COE on December 21st, 1999.
2. The schedule shows a June, 2008 construction start and a July, 2009 Completion.
3. **All survey work north of the river has been completed.**
4. **Survey work south of the river is 90% completed (27 residential properties)**
 - All field work and legals have been done. Drawings are completed and are currently under review by the LCRBDC.
 - Some discrepancies have been found in the field using GPS and the modified project coordinates will be sent to the COE by the LCRBDC surveyor.

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

1. The COE indicated at the October 20 Real Estate meeting that they will be focusing engineering on Stage VIII until April, 2006 in order to assure real estate acquisitions are current and accurate.
 - The COE has set a goal to provide final real estate plans by January 6, 2006.

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

1. Bids were opened on September 17, 2002, and Renewable Resources, Inc. (from Barnesville, Georgia) is the successful bidder.
 - The current contract amount is \$1,341,940.96
 - Amount overrun - \$420,838 (above their bid). This is approx. a 46% overrun.
2. A final inspection was held on both sites on May 12, 2004, with the Corps, LCRBDC, project A/E, and Renewable Resources and was found to be satisfactory for this portion of the overall project.
3. The 24 month monitoring period began on May 15, 2004 (Cost - \$3,000/month)
4. **A modification to the contract for an administrative change was received on December 23, 2005 (dated September 28, 2005) to modify the database to coincide with the contractor database.**

24-25

West Reach Pump Stations – Phase 1A:

1. The four (4) pump stations that are included in this initial West Reach pump station project are Baring, Walnut, S. Kennedy, and Hohman/Munster.
2. Low bidder was Overstreet Construction. Notice to proceed was given on November 7th, 2000 – 700 work days to complete (Anticipated completion date is August 26, 2004)
 - Current contract amount - \$4,974,280.67
 - Original contract amount - \$4,638,400
 - Amount overrun – \$335,880 (7.2%)
3. **Monthly Construction Status Report from the COE (Refer to Handout).**
 - Refer to this Report for status on all four (4) stations and the status of the “termination of contract”.
 - Most recent action was October 21, 2005 whereby a revised termination of default memo was sent out for verification and signatures.

North Fifth Avenue Pump Station:

1. The low bidder was Overstreet Construction
 - Current contract amount - \$2,501,776
 - Original contract amount- \$2,387,500
 - Amount overrun - \$114,276 (4.8%)
 - Project is currently 99% completed
2. LCRBDC received a copy of the pre-inspection punch list from Highland on February 2, 2004. (Dated January 29, 2004.)
3. Minor items remain to be completed.

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

1. LCRBDC was directed by the COE to obtain a flowage easement on the entire property in a letter dated October 7, 2005.
 - An e-mail was sent to the COE on November 1, 2005 informing them that the appraisal process has begun using Ted Oetsel and that he has all the information needed to complete this appraisal. (Refer to Land Acq. Report)

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

1. An email was sent to Lawson-Fisher on December 27 informing them to proceed with their scope of work at a cost not to exceed \$9,700.
 - Scope includes determining what is required by FEMA to certify this line of protection.
 - A meeting (or conference call) will be scheduled with the COE, FEMA, IDNR, LCRBDC, and Lawson-Fisher to discuss the scope of work.

26

General

1. INDOT coordination for Grant St. & Broadway interchanges with I-80/94.
 - A. INDOT sent a letter to the COE on April 15th, 2004, indicating they worked out an agreement with the COE whereby flood control features will be included in their contract at no cost to the Corps, which could be credited to the LCRBDC for that portion constructed for the flood control of the Little Calumet River.
 - LCRBDC had a call with INDOT on March 17, 2005 whereby INDOT projected a potential cost of approx. \$650,000 at the interchanges for flood protection related features. (This would be creditable).
 - A follow-up e-mail was sent to INDOT on October 27, 2005 requesting the construction status of these interchanges and to provide us a detailed cost breakdown that we could use for crediting.(Ongoing)

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

MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. W912P6-04-C-0003
Little Calumet River Landscaping Contract 2
Little Calumet River, Indiana
Modification No. P00001 - Executed

• LANDSCAPING-PHASE II - MOD.#1
• CONTINUING CONTRACT FUNDING IN
THE ADDL. AMT. of \$45,000.

20 DEC 2005

• PREVIOUS FUNDING AVAILABLE - \$20,000
• CURRENT FUNDING AVAILABLE - \$65,000

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. P00001, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.

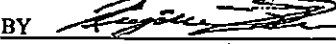


David E. Druzbecki
Project Engineer
Calumet Area Office

Enclosures

Distribution:

CELRC-TS-C-S (Complete Mod. File)
CELRC-TS-C-C (Complete Mod. File)
CELRC-CT (Complete Mod. File)
CELRC-TS-C-S (Complete Mod. File) D. Druzbecki
CELRC-TS-C-S (Mod. Only) A. Rundzaitis
CELRC-TS-C-S (Mod. Only) Project Binder
CELRC-PM-PM (Mod. Only) I. Samara
✓ LCRBDC - (Jim Pokerjac)

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J		PAGE OF PAGES 1 2	
2. AMENDMENT/MODIFICATION NO. P00001		3. EFFECTIVE DATE 14-Dec-2005		4. REQUISITION/PURCHASE REQ. NO. W81G66-4097-2343		5. PROJECT NO. (If applicable)	
6. ISSUED BY U. S. ARMY ENGINEER DISTRICT, CHICAGO 111 CANAL STREET CHICAGO IL 60608		CODE W912P6		7. ADMINISTERED BY (If other than item 6) CALUMET AREA OFFICE 908 N. GRIFFITH BOULEVARD GRIFFITH IN 46319		CODE H6L1CSO	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) EUBANKS & ASSOCIATES, INC DAVID EUBANKS 10350 DEARLOVE ROAD SUITE D GLENVIEW IL 60025				9A. AMENDMENT OF SOLICITATION NO.			
				9B. DATED (SEE ITEM 11)			
				X 10A. MOD. OF CONTRACT/ORDER NO. W912P6-04-C-0003			
				X 10B. DATED (SEE ITEM 13) 30-Jun-2004			
CODE 3V5X7		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required) See Schedule							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
X D. OTHER (Specify type of modification and authority) EFARS Clause 52.232-5001, "Continuing Contracts"							
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Contract for Little Calumet River - Landscaping II at Little Calumet River, Indiana. Reference No. R00001 SS001 Continuing Contracts Funding, \$45,000.00 See Page 2.							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) REGINA G BLAIR / ADDED BY SUMI TEL: 312.846.5371 EMAIL: regina.g.blair@usace.army.mil			
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)		16C. DATE SIGNED 14-Dec-2005	

EXCEPTION TO SF 30
APPROVED BY OIRM 11-84

30-105-04

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

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

The following have been added by full text:

MODIFICATION NO. P00001**A. SCOPE OF WORK****SS001 Continuing Contract Funding – \$45,000.00**

Pursuant to the "Continuing Contracts" clause, this modification hereby increases the total Contract funded amount by \$45,000.00.

B. CHANGE IN CONTRACT PRICE

Total contract price is unchanged.

C. CHANGE IN CONTRACT TIME

The contract completion date shall remain unchanged by this modification.

D. CLOSING STATEMENT

Pursuant to the "Continuing Contracts" clause, this modification hereby obligates and amount of \$45,000.00 for this contract; thus, increasing the total Contract funded amount to \$65,000.00.

SECTION G - CONTRACT ADMINISTRATION DATA**Accounting and Appropriation****Summary for the Payment Office**

As a result of this modification, the total funded amount for this document was increased by \$45,000.00 from \$20,000.00 to \$65,000.00.

Contract Level Funding:

AD: 96 NA X 8862.0000 H6 X 08 2426 075325 96112 3230 KF4KF0 NA 2C750G

was increased by \$2,250.00 from \$0.00 to \$2,250.00

The contract ACRN AD has been added.

AC: 96 NA X 3122.0000 H6 X 08 2426 075325 96112 3230 1C94LF NA CHK3KF

was increased by \$42,750.00 from \$0.00 to \$42,750.00

The contract ACRN AC has been added.

(End of Summary of Changes)



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

December 23, 2005

REPLY TO
ATTENTION OF
Technical Services Division
Calumet Area Office

SUBJECT: Contract No. DACW23-02-C-0010
Local Flood Protection
Stage III Drainage Remediation
Little Calumet River, Indiana
As-Built Drawings and Checklist for Turnover

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

Dear Mr. Pokrajac:

Enclosed are copies of the final As-Built drawings for the subject contract as follows:

- One (1) set of half-scale reproducible drawings
- One (1) set of full-scale reproducible drawings
- Five (5) sets of half-scale paper drawings
- Five (5) sets of full-scale paper drawings

If you have any questions, please contact Bob Craib at (219) 923-1763.

Sincerely,

Douglas M. Anderson, P.E.
Area Engineer
Calumet Area Office

Enclosures

August 23, 2005

RC

December 23, 2005

Stage 3 Drainage Remediation
 Gary Sanitary District, Lake County, Indiana
 DACW23-02-C-0010

CHECK LIST FOR TURNOVER

	DATE Completed and/or received.	COE SIGN-OFF	SPONSOR SIGN-OFF
• COE Preliminary Inspection for Compliance with Contract Documents	5-17-05	RAC	
• Punch list items completed.	7-15-05	RAC	JEP 7/20/05
• Operational Pump, Controller, Motor Tests/Training/Inspections			
• Drain Tile Pump Station (32nd. & Cleveland):			
• Sump Pump	7-20-04	RAC	JEP 6/20/05
• SWP-1	7-20-04	RAC	JEP 6/20/05
• SWP-2	7-20-04	RAC	JEP 6/20/05
• Pump Controller and Motor Controller	7-20-04	RAC	JEP 6/20/05
• Marshalltown Pump Station:			
• Sump Pump	10-22-04	RAC	JEP 6/20/05
• SWP-1	10-22-04	RAC	JEP 6/20/05
• SWP-2	10-22-04	RAC	JEP 6/20/05
• Pump Controller and Motor Controller	10-22-04	RAC	JEP 6/20/05
• Turnover 6 Sets of Complete Manufacturer's O&M Manuals For All Items To LCRBDC	7-20-05	RAC	JEP 7/20/05
• NOTE: Individual equipment O&Ms have been provided to station personnel during equipment turnover.			
• Turnover of Guarantees and Warranties to LCRBDC	7-20-05	RAC	JEP
• Turnover All Spare Parts and Tools for All Items to LCRBDC			
• Spec section 02821 (Locks)	Deleted	RAC	OK JEP 8/23/05
• Spec section 11310 (Pumps). See attached contract requirements.	8-26-04	RAC	JEP 8/23/05
• Spec section 15050 (Gates). See attached contract requirements.	8-26-04	RAC	JEP 8/23/05
• Spec section 16415 (Electrical). See attached contract requirements.	6-2-05	RAC	JEP 8/23/05

Stage 3 Drainage Remediation
Gary Sanitary District, Lake County, Indiana
DACW23-02-C-0010

August 23, 2005 *RC*
December 23, 2005

CHECK LIST FOR TURNOVER

• Turnover 1 Set of Manufactures O&M Manuals for All Items to CELRC-PM-M	7-13-05	RAC	
• USACE Received Contractors Set Of "Red Line" As Built Drawings	6-7-05	RAC	
• COE and Sponsor Final Inspection	✓ 6-23-05	RAC	JEP
• USACE Received Contractors Final As-Built Drawing Submittal w/CD-ROM and Reproducible Drawings	11-25-05	RAC	
• Turnover 5 Full Size and 5 1/2 size Hard Copy Sets, 1 Full Size and 1 1/2 Size Reproducible Sets of As-Built Drawings to LCRBDC.	12/23/05	RAC	JEP

Additional "Non-Contract" Items Requested by Local Community

•

Punch list Items to be completed

•

ROBERT CRAIB
Construction Representative
U.S. Army Corps of Engineers



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's
Appointment

DR. MARK RESHKIN, Secretary
Governor's Appointment

December 8, 2005

Mr. Fred Hipshire
Wolverine Pipeline Company
8105 Valleywood
Portage, Michigan 49024

Mr. Dave Woodsmall
Marathon Pipeline Company
277 Streamwood Drive
Valparaiso, Indiana 46383

Mr. James Reyome
Director, Public Works Dept.
Town of Griffith
111 N. Broad Street
Griffith, Indiana 46319

Mr. Mark Pasyk
NIPSCO
801 E. 86th avenue
Merrillville, Indiana 46410

Dear Fred:

This letter is to inform you of the upcoming construction between Colfax and Burr Street adjacent to the NIPSCO right-of-way in Gary, Indiana. We refer to this project as the Burr Street Betterment Levee Phase II - Gary. The current schedule is to advertise this project for bids during the week of December 12. Currently, a pre-bid meeting is scheduled for Monday, December 19 at the Gary Council Chambers on the second floor of the Gary City Hall, 401 Broadway, at 10:00 a.m. The current schedule also projects a bid due date of January 18, 2006. If any of these dates change, I will inform you accordingly.

The general scope of work includes earthen levee construction parallel and adjacent to the north line of the NIPSCO right-of-way and an open drainage ditch parallel and south of the NIPSCO right-of-way, draining eastward to a culvert underneath Burr Street which will be directed into an existing pump station that will direct the drainage to the Little Calumet River. It also includes minor ditch work and clean-up for the existing drainage ditch south of the NIPSCO right-of-way between Arbogast and Colfax.

Upon my receipt of the contract bid set, I will forward these to you for your information. If you need any additional information or have any questions regarding this project, please contact me at 219/763-0696 or my email address jpokrajac@nirpc.org.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

cc: Imad Samara, Doug Anderson, ACOE
Spike Peller, Gary Sanitary District
Lou Casale, LCRBDC attorney

CITY OF GARY BOARD OF PUBLIC WORKS
GARY, INDIANA

Local Flood Protection
Little Calumet River, Indiana
Burr Street Betterment Levee
Phase 2 - Gary

*Pre-Bid Meeting
Agenda*

United States Army Corps of Engineers
December 19, 2005

DATE: December 19, 2005
TIME: 10:00 AM
LOCATION: City Hall
Cleo Wesson Lounge, 2nd Floor
401 Broadway
Gary, Indiana 46402

I. INTRODUCTION OF REPRESENTATIVES

- A. OWNER – City of Gary
 - 1. Department of Public Works
401 Broadway, Suite 300
Gary, Indiana 46402
Phone: 219-881-1310
Fax: 219-882-7371
 - 2. Director – Gwen Malone
- B. ENGINEER/CONSTRUCTION MANAGER/CONTRACTING OFFICER – US Army Corps of Engineers
 - 1. Calumet Area Office
906 N. Griffith Boulevard
Griffith, Indiana 46319
Phone: 219-923-1763
Fax: 219-923-2957
 - 2. Douglas M. Anderson, P.E., Area Engineer (Douglas.M.Anderson@usace.army.mil)

II. PRELIMINARY ITEMS

- A. Contractor shall complete all Work as specified or indicated in the Contract Documents
- B. Bidders Procedure Checklist
- C. Local Participation
- D. Legal Procedures and Protocols
- E. Wage Rate Requirements
- F. Bid Opening
January 18, 2006, 10:00 AM
- G. Addenda

III. SUBMITTALS

- A. Section 01330 – Submittal Procedures; SD-01 – Pre-Construction Submittals

IV. CONSTRUCTION

- A. Summary of Work
- B. Operation Coordination
- C. Utilities
- D. Working Hours
- E. Safety
- F. Discrepancies / Clarifications
- G. Change Order Procedures
- H. Acceptance Tests

V. GENERAL DISCUSSION

VI. SITE VISIT

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: <imad.samara@usace.army.mil>; "Sampson, Eric LRC" <Eric.Sampson@lrc02.usace.army.mil>
Cc: <rbandy@f-w.com>
Sent: Thursday, December 22, 2005 4:15 PM
Subject: Fw: Little Calumet River Basin - Flood Protection Construction

Imad and Eric:

Following is an email I received from the Marathon Pipeline Company regarding some concerns and questions for the installation of our sheetpiling and "bridging" technique in the vicinity of their pipelines as part of our Stage V Phase 2 construction. I realize engineering will not be resuming in this stage until mid January of 2006. Will you please address these engineering concerns at your convenience and incorporate any changes that may be incurred due to this request in your upcoming design for the pipeline corridor. Thanks.

Jim Pokrajac, Agent
Engineering/Land Management

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

From: Jim Pokrajac
To: Sandy Mordus
Sent: Thursday, December 22, 2005 3:44 PM
Subject: Fw: Little Calumet River Basin - Flood Protection Construction

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

From: Ryan Bandy
To: jpokrajac@nirpc.org
Cc: Matt Schneider
Sent: Wednesday, December 14, 2005 9:33 AM
Subject: Little Calumet River Basin - Flood Protection Construction

James,

I am working with Marathon Pipe Line and recently received a set of plans regarding flood protection construction west of Kennedy Avenue and south of I80/94 along the Little Calumet River. I was wondering if you could answer a couple questions, or put me in contact with someone who would be able to help out?

I see the proposed levees consist of concrete walls over sheet piling, with gaps in the sheet piling where the pipelines cross underneath. I also noticed the bottom of the wall would be approximately 2' above the top of Marathon's pipelines and was looking into how this load would be distributed. Are these walls supported by the sheet piling, or would their weight be carried by the soil over the pipelines? I appreciate any information you can give me regarding the weight distribution of these walls, feel free to contact me with any questions!

Thanks in advance,

Ryan Bandy
Engineering Intern
Farnsworth Group, Inc.
St. Louis, MO
voice.314.962.7901 x225
fax.314.962.1253



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ERLENE COLVIN, Treasurer
Mayor of Gary's Appointment

R. MARK RESHKIN, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor of Hammond's Appointment

STEVE DAVIS
Dept. of Natural Resources Appointment

AM DIMOPOULOS
Lake County Commissioners' Appointment

ROBERT MARSZALEK
Governor's Appointment

JOHN MROCZKOWSKI
Governor's Appointment

HARLIE RAY
Porter County Commissioners' Appointment

AGENCY
Governor's Appointment

AN GARDNER
Executive Director

LOU CASALE
Attorney

December 7, 2005

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

Dear Imad:

Enclosed is a full-size copy and three half-size copies of the modified easements for the Wicker Park (North Township) and Woodmar (Cabela's Retail Inc.) for the upcoming Stage V-2 construction. As we discussed at the November 29 Real Estate meeting in Chicago, these drawings and legals represent our proposal for relocating the concrete sheet pile wall (line of protection) from North Township property entirely on to the southern portion of the Cabela's property.

At this point in time, the LCRBDC has not coordinated with Hammond or Cabela's due to the ongoing negotiations. However, as I indicated on the Cabela's legal, we are suggesting a 70' permanent easement and a 10' temporary easement on their property. Would you let me know if this easement will accommodate the standard levee construction or if this easement needs to be expanded or reduced? On the North Township property, we have entirely removed the permanent easement but have left a 10' temporary work area easement and extended the flowage easement up to the southern line of this temporary easement. In addition, could you let me know if by removing the levee further north, it would create any hydrology or design complications?

Upon receipt of your comments, we will pursue a supplemental appraisal for both of these properties as part of what you could evaluate as part of the economic analysis. If you have any questions regarding these easements or if I may provide you with any additional information, please let me know.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

/encl.

cc: Vic Kotwicki, Steve Petrucci
Lou Casale, Judy Vamos

• STAGE VI - PHASE 1 (SOUTH) - MOD. #7

• CONTINUING CONTRACT FUNDING

IN THE ADDL. AMT. of \$300,000

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

21 DEC 2005

MEMORANDUM FOR: See Distribution

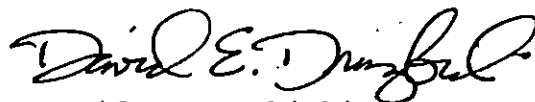
• PREVIOUS FUNDING AVAILABLE - \$3,274,999

• CURRENT FUNDING AVAILABLE - \$3,574,999

SUBJECT: Contract No. W912P6-04-C-0007
Local Flood Protection
Little Calumet River, Indiana
Stage VI-1 South Levee
Modification No. P00007 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. P00007, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.

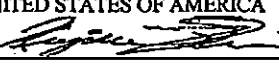
Enclosures



David E. Druzbecki
Project Engineer
Calumet Area Office

Distribution:

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

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J		PAGE OF PAGES 1 2	
2. AMENDMENT/MODIFICATION NO. P00007		3. EFFECTIVE DATE 14-Dec-2005		4. REQUISITION/PURCHASE REQ. NO. W81G66-4180-3069		5. PROJECT NO.(If applicable)	
6. ISSUED BY U. S. ARMY ENGINEER DISTRICT, CHICAGO 111 CANAL STREET CHICAGO IL 60606		CODE W912P6		7. ADMINISTERED BY (If other than item 6) CALUMET AREA OFFICE 906 N. GRIFFITH BOULEVARD GRIFFITH IN 46319		CODE H6L1CSO	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) ILLINOIS CONSTRUCTORS CORPORATION JOHN MACKANIN PO BOX 745 ST CHARLES IL 60174				9A. AMENDMENT OF SOLICITATION NO.			
				9B. DATED (SEE ITEM 11)			
				X 10A. MOD. OF CONTRACT/ORDER NO. W912P6-04-C-0007			
				X 10B. DATED (SEE ITEM 13) 30-Sep-2004			
CODE 0F1T6		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required) See Schedule							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
X D. OTHER (Specify type of modification and authority) EFARS Clause 52.232-5001, "Continuing Contracts"							
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Contract for Local Flood Prot., Stage VI-1 South at Calumet River, Indiana. Reference No. R00008 SS011 Continuing Contract Funding, \$300,000.00 See Page 2. NOTE: The REQUISITION/PURCHASE REQ. NO. shown in Block 4. of this Modification should read as W81G66-5026-5276 in lieu of W81G66-4180-3069.							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) REGINA G BLAIR / ADDED BY SUMI TEL: 312.848.6371 EMAIL: regina.g.blair@usace.army.mil			
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)		16C. DATE SIGNED 14-Dec-2005	

EXCEPTION TO SF 30
APPROVED BY OIRM 11-84

30-105-04

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

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

SECTION SF 30 - BLOCK 14 CONTINUATION PAGE

The following have been added by full text:

MODIFICATION NO. P00007

A. SCOPE OF WORK

SS011 Continuing Contract Funding

Pursuant to the "Continuing Contracts" clause, this modification hereby increases the total Contract funded amount by \$300,000.00.

B. CHANGE IN CONTRACT PRICE

Total contract price is unchanged.

C. CHANGE IN CONTRACT TIME

The contract completion date shall remain unchanged by this modification.

D. CLOSING STATEMENT

Pursuant to the "Continuing Contracts" clause, this modification hereby obligates and amount of \$300,000.00 for this contract; thus, increasing the total Contract funded amount to \$3,574,999.00.

SECTION 00800 - SPECIAL CONTRACT REQUIREMENTS

Accounting and Appropriation

Summary for the Payment Office

As a result of this modification, the total funded amount for this document was increased by \$300,000.00 from \$3,274,999.00 to \$3,574,999.00.

Contract Level Funding:

AD: 96 NA X 8862.0000 H6 X 08 2426 075325 96112 3230 KF4KF0 NA 72JB27
was increased by \$15,000.00 from \$158,750.00 to \$173,750.00

AC: 96 NA X 3122.000 H6 X 08 2426 075325 96112 3230 1C94LF NA B1GB82
was increased by \$285,000.00 from \$3,111,249.00 to \$3,396,249.00

(End of Summary of Changes)

STAGE VI-1 (South)
WEEKLY PROGRESS MEETING

MEETING MINUTES #018
LITTLE CALUMET RIVER, HIGHLAND

Weekly Construction Progress: 12/13/05

Next Mtg. 1/10/06 @ 9:00am

Last 11/08/05

Attended By:

Illinois Constructors Corporation -- Brian Schallhorn
Illinois Constructors Corporation -- Phil Ross
USACE - Brad Waldron
USACE -- Dave Druzicki
USACE -- Bob Craib

Non-Attendees:

LCRBDC -- Jim Pokrjac

1. OLD BUSINESS

1. House keeping - pump station is only current area w/ work activities
2. Pump dimensional concerns - Arthur Jarvis Hydroline working on submittal/drawing
3. Earth fill cold weather placement plan from Grimmer
4. Hydro Aire and Sweeney Electric submittals
5. NIPSCO - check for work @ pump station. When will they move pole?
6. Blow out settlement gauge - Frozen for last few days

2. SCHEDULE

A. LAST TWO WEEKS

1. Form walls at North Drive pump station - South half pour tomorrow.
2. Earth fill, Parrish to North Drive pump station, Grimmer

B. THIS & NEXT WEEK

1. FPS walls North Drive pump station
 2. Earth-fill and rip-rap, Grimmer -
Will shut job down from noon on 12/23. Start up around 1/3/06.
- CRITICAL ACTIVITY: Pump House

C. CONTRACT STATUS

Original contract completion date: 12/12/06 Current contract completion date: 3/04/07
Original contract amount: \$6,503,093.70 Current contract amount: \$7,378,033.30

D. ESTIMATE JOB COMPLETION PERCENTAGE TO DATE: 58% work complete

E. CONTRACT FUNDS

1. See attached S-Curve

3. WEATHER DAYS

Weather Days in April 2005 = 1
Weather Days in May 2005 = 0
Weather Days in June 2005 = 1
Weather Days in July 2005 = 2
Weather Days in August 2005 = 1
Weather Days in September 2005 = 1

Weather Days in October 2005 = 3

Weather Days in November 2005 = 2

Weather Days over specification schedule effecting Critical Path to date = 0

4. **PUNCHLIST OR CORRECTIVE ITEM ISSUES**

1. ICC to repair area at E.P.S. w/ new foliage
2. Correct 1st pilaster top
3. See attached

5. **STORED MATERIALS**

None

6. **SUBMITTALS**

1. See attached submittal register
2. Critical submittals in review
3. Outstanding critical submittals
 - a. Hydro-Aire

7. **CHANGED CONDITIONS**

1. Storm sewer system at 81st - ICC reviewing Summers' Response to RFP.
2. Utility Pole at North Drive wall. NIPSCO to move. Dave D. will get date. (Jim Hayward)

8. **PAY ESTIMATES**

A. PAID TO DATE: \$2,945,773.00

B. ESTIMATES PENDING: \$273,800.00 - Need funding - Imad \$264,000 pay #10 will follow immediately

9. **SAFETY and SECURITY**

1. Housekeeping policed daily
2. Maintaining safety fence at pump station site

10. **CQC and TESTING**

A. SOIL - 2 surface tests due

B. CONCRETE - ok to date

C. ASPHALT -

11. **RFI'S / RFC'S**

1. See attached RFI log dated 11/28/05, RFI's 1 thru 19.

12. **RFP'S**

1. 81st Street and North Drive pump station storm sewers

13. **COORDINATION WITH OTHERS**

• STAGE III - PHASE I (NORTH) - MOD. #1
• CONTINUING CONTRACT FUNDING
IN THE ADDL. AMT. OF \$200,000

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

21 DEC 2005

MEMORANDUM FOR: See Distribution

• PREVIOUS FUNDING AVAILABLE - \$20,000
• CURRENT FUNDING AVAILABLE - \$220,000

SUBJECT: Contract No. W912P6-05-C-0010
Local Flood Protection
Little Calumet River, Indiana
Stage VI-1 North
Modification No. P00001 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. P00001, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.

Enclosures



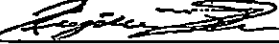
David E. Druzbecki
Project Engineer
Calumet Area Office

Distribution:

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

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J		PAGE OF PAGES 1 2	
2. AMENDMENT/MODIFICATION NO. P00001		3. EFFECTIVE DATE 14-Dec-2005		4. REQUISITION/PURCHASE REQ. NO. W81G66-5131-6716		5. PROJECT NO.(If applicable)	
6. ISSUED BY U. S. ARMY ENGINEER DISTRICT, CHICAGO 111 CANAL STREET CHICAGO IL 60606		CODE W912P6		7. ADMINISTERED BY (If other than item 6) CALUMET AREA OFFICE 906 N. GRIFFITH BOULEVARD GRIFFITH IN 46319		CODE H6L1CSO	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) ILLINOIS CONSTRUCTORS CORPORATION JOHN MACKANIN PO BOX 745 ST CHARLES IL 60174				9A. AMENDMENT OF SOLICITATION NO.			
				9B. DATED (SEE ITEM 11)			
				X 10A. MOD. OF CONTRACT/ORDER NO. W912P6-05-C-0010			
				X 10B. DATED (SEE ITEM 13) 30-Sep-2005			
CODE OF1T6		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required) See Schedule							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
X D. OTHER (Specify type of modification and authority) EFARS Clause 52.232-5001, "Continuing Contracts"							
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Contract for Local Flood Prot., Stage VI-1 North at Little Calumet River, Indiana. Reference No. R00001 SS001 Continuing Contract Funding, \$200,000.00 See Page 2.							

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

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) REGINA G BLAIR / ADDED BY SUMI TEL: 312.846.5371 EMAIL: regina.g.blair@usaoe.army.mil	
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)	16C. DATE SIGNED 14-Dec-2005

EXCEPTION TO SF 30
APPROVED BY OIRM 11-84

30-105-04

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

18

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

SECTION SF 30 - BLOCK 14 CONTINUATION PAGE

The following have been added by full text:

MODIFICATION NO. P00001

A. SCOPE OF WORK

SS001 Continuing Contract Funding

Pursuant to the "Continuing Contracts" clause, this modification hereby increases the total Contract funded amount by \$200,000.00.

B. CHANGE IN CONTRACT PRICE

Total contract price is unchanged.

C. CHANGE IN CONTRACT TIME

The contract completion date shall remain unchanged by this modification.

D. CLOSING STATEMENT

Pursuant to the "Continuing Contracts" clause, this modification hereby obligates and amount of \$200,000.00 for this contract; thus, increasing the total Contract funded amount to \$220,000.00.

SECTION 00800 - SPECIAL CONTRACT REQUIREMENTS

Accounting and Appropriation

Summary for the Payment Office

As a result of this modification, the total funded amount for this document was increased by \$200,000.00 from \$20,000.00 to \$220,000.00.

Contract Level Funding:

AB: 96 NA X 8862.0000 H6 X 08 2426 075325 96112 3230 KF4KF0 NA GB7250
was increased by \$20,000.00 from \$0.00 to \$20,000.00
The contract ACRN AB has been added.

AA: 96 NA X 3122.0000 H6 X 08 2426 075325 96112 3230 1C94LF NA GB7250
was increased by \$180,000.00 from \$20,000.00 to \$200,000.00

(End of Summary of Changes)



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

DR. MARK RESHKIN, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor's of Hammond Appointment

STEVE DAVIS
Dept. of Natural Resources Appointment

SAM DIMOPOULOS
Lake County Commissioners' Appointment

ROBERT MARSZALEK
Governor's Appointment

JOHN MROCZKOWSKI
Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

December 8, 2005

Mr. Mark Pasyk
Utility Highway Affairs
NIPSCO
801 E. 86th Avenue
Merrillville, Indiana 46410

Re: Sites 3.2 and 3.3 New Jersey Avenue

Dear Mark:

Enclosed please find one (1) copy of the fully executed agreement between NIPSCO and the Development Commission for relocation of utilities in the area known as Stage VI-1 North (Cline to Kennedy, north of the river). This agreement covers Sites 3.2 and 3.3 at a preliminary estimated cost to complete of \$13,712.

Upon receiving this signed copy, please consider this as your notice to proceed. If you need access to any of these areas and they are secure, please contact me a week prior to start of work. If you have any questions, please call me at the above number.

Sincerely,

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.

cc: Lou Casale, LCRBDC attorney

RECEIVED DEC 22 2005

• STAGE VI - PHASE II - MOD. #1

• CONTINUING CONTRACT FUNDING

IN THE AMT. of \$125,000.

ADD.

21 DEC 2005

• PREVIOUS FUNDING AVAILABLE - \$100,000

• CURRENT FUNDING AVAILABLE - \$225,000

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

MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. W912P6-05-C-0006
Little Calumet River, Indiana
Local Flood Protection
Stage VI-2 Levee
Modification No. P00001 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. P00001, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.

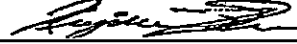
Enclosures

David E. Druzbecki

David E. Druzbecki
Project Engineer
Calumet Area Office

Distribution:

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

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J	PAGE OF PAGES 1 2
2. AMENDMENT/MODIFICATION NO. P00001		3. EFFECTIVE DATE 14-Dec-2005		4. REQUISITION/PURCHASE REQ. NO. W81G68-5046-5561	
6. ISSUED BY U. S. ARMY ENGINEER DISTRICT, CHICAGO 111 CANAL STREET CHICAGO IL 60606		7. ADMINISTERED BY (If other than item 6) CALUMET AREA OFFICE 906 N. GRIFFITH BOULEVARD GRIFFITH IN 46319		5. PROJECT NO. (If applicable) H6L1CSO	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) DYER CONSTRUCTION CO INC JANET FURMAN 1716 SHEFFIELD AVENUE DYER IN 46311-1598				9A. AMENDMENT OF SOLICITATION NO.	
				9B. DATED (SEE ITEM 11)	
				X 10A. MOD. OF CONTRACT/ORDER NO. W912P6-05-C-0006	
				X 10B. DATED (SEE ITEM 13) 29-Jul-2005	
CODE 0PFS0		FACILITY CODE			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS					
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.					
12. ACCOUNTING AND APPROPRIATION DATA (If required) See Schedule					
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.					
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.					
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).					
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:					
X D. OTHER (Specify type of modification and authority) EFARS Clause 52.232-5001, "Continuing Contracts"					
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.					
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Contract for Little Calumet River, Stage VI-2 at Little Calumet River, Indiana. Reference No. R00001 SS001 Continuing Contract Funding, \$125,000.00 See Page 2.					
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.					
15A. NAME AND TITLE OF SIGNER (Type or print)			16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) REGINA G BLAIR / ADDED BY SUMI TEL: 312.846.5371 EMAIL: regina.g.blair@usace.army.mil		
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)	
				16C. DATE SIGNED 14-Dec-2005	

EXCEPTION TO SF 30
APPROVED BY OIRM 11-84

30-105-04

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

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SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

SECTION SF 30 - BLOCK 14 CONTINUATION PAGE

The following have been added by full text:
MODIFICATION NO. P00001

A. SCOPE OF WORK

SS001 Continuing Contract Funding

Pursuant to the "Continuing Contracts" clause, this modification hereby increases the total Contract funded amount by \$125,000.00.

B. CHANGE IN CONTRACT PRICE

Total contract price is unchanged.

C. CHANGE IN CONTRACT TIME

The contract completion date shall remain unchanged by this modification

D. CLOSING STATEMENT

Pursuant to the "Continuing Contracts" clause, this modification hereby obligates an amount of \$125,000.00 for this contract; thus, increasing the total Contract funded amount to \$225,000.00.

SECTION 00800 - SPECIAL CONTRACT REQUIREMENTS

Accounting and Appropriation

Summary for the Payment Office

As a result of this modification, the total funded amount for this document was increased by \$125,000.00 from \$100,000.00 to \$225,000.00.

Contract Level Funding:

AB: 96 NA X 8862.0000 H6 X 08 2426 075325 96112 3230 KF4KF0
was increased by \$15,750.00 from \$0.00 to \$15,750.00
The contract ACRN AB has been added.

AA: 96 NA X 3122.0000 H6 X 08 2426 075325 96112 3230 1C94LF
was increased by \$109,250.00 from \$100,000.00 to \$209,250.00

(End of Summary of Changes)

RECEIVED DEC 23 2005

• MITIGATION IMPLEMENTATION - MOD.#13

• ADMINISTRATIVE CHANGE

• MODIFICATION NUMBERING IN THE

28 SEP 2005

COE CONTRACTING DATABASE NEEDED

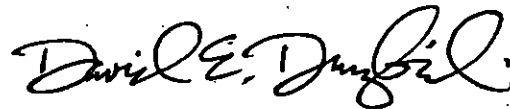
TO COINCIDE @ CONTRACTOR DATABASE

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

MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. DACW23-02-C-0011
Local Flood Protection And Recreation
Mitigation Implementation
Little Calumet River, Indiana
Modification No. P00013 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. P00013, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1764.




David E. Druzicki
Project Engineer
Calumet Area Office

Enclosures

Distribution:

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

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J		PAGE OF PAGES 1 1	
2. AMENDMENT/MODIFICATION NO. P00013		3. EFFECTIVE DATE 23-Sep-2005		4. REQUISITION/PURCHASE REQ. NO. W81G66-1325-0858		5. PROJECT NO.(If applicable)	
6. ISSUED BY U. S. ARMY ENGINEER DISTRICT, CHICAGO 111 CANAL STREET CHICAGO IL 60606		CODE W912P6		7. ADMINISTERED BY (If other than item 6) CALUMET AREA OFFICE 806 N. GRIFFITH BOULEVARD GRIFFITH IN 46319		CODE H6L1CSO	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) RENEWABLE RESOURCES, EXTENSION OF DAVID ELLIS RENEWABLE FORESTRY SERVICE INC 265 DEAN ROAD BAINESVILLE GA 30204				9A. AMENDMENT OF SOLICITATION NO.			
				9B. DATED (SEE ITEM 11)			
				X 10A. MOD. OF CONTRACT/ORDER NO. DACW23-02-C-0011			
				X 10B. DATED (SEE ITEM 13) 29-Sep-2002			
CODE 09Q20		FACILITY CODE					
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS							
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. ACCOUNTING AND APPROPRIATION DATA (If required)							
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.							
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.							
X B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).							
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:							
D. OTHER (Specify type of modification and authority)							
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.							
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) THIS MODIFICATION IS ADMINISTRATIVE IN NATURE. 1. This administrative Modification is issued to correct the Modification numbering in the USACE's internal contracting database to coincide with the numbering sequence in its CEFMS database. Thus, the Contractor is receiving this Modification with no action required on its part. 2. All terms and conditions of the Contract remain unchanged. 3. The Point of Contact for this Modification is Regina G. Blair at (312) 846-5371.							
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.							
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) REGINA G BLAIR / ADDED BY SUM TEL: 312.846.5371 EMAIL: regina.g.blair@usace.army.mil			
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)		16C. DATE SIGNED 23-Sep-2005	

EXCEPTION TO SF 30
APPROVED BY OIRM 11-84

30-105-04

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

25

Sandy Mordus

From: "Dan Gardner" <dgardner@nirpc.org>
To: <lfa@lawson-fisher.com>
Cc: <billerw@hmdin.com>; "Bob Huffman" <huffmun@sbcglobal.net>; "Arlene Colvin" <acolvin@ci.gary.in.us>; <imad.samara@usace.army.mil>
Sent: Tuesday, December 27, 2005 3:52 PM
Subject: River Road levee - Griffith

To Dennis Zebell:

This is to confirm the Development Commission's approval for Lawson-Fisher Associates to proceed with Phase 1 as described in your letter proposal of October 10, 2005. Subsequent to our telephone conversation, the Commission has authorized me to allow work to proceed at a cost not to exceed \$9,700. As per our conversation, I hope that every effort will be made to contain the cost as much as possible. We will work with you to set up an initial coordinating meeting with the agencies involved at the earliest date feasible. Please call if you have questions.

Dan Gardner
Executive Director

WORK STUDY SESSION ENGINEERING COMMITTEE

January 4, 2006

Bob Huffman, Committee Chairman

1. Stage VI - Phase 1 South (Kennedy to Liabe, south of the river) – STATUS
 - Concrete work is continuing on the new North Drive pump station. Illinois Constructors Corporation plans on working on the pump station through the winter (weather permitting). Levee work is shut down until spring. Installation of the new sheet pile wall through the old landfill in Homestead Park should begin in March. Work is approximately 60% complete.
2. Stage VI - Phase 1 North (Cline to Kennedy, north of the river) – STATUS
 - Illinois Constructors Corporation is working on pre-construction submittals. Preliminary schedule calls for clearing and grubbing (Homer Tree) to begin in late February/early March. If ground is frozen, this might start earlier (would not have to work in the mud). Wick drains for preload scheduled to be installed in February.
3. Stage VI – Phase 2 (Liabe to Cline, south of the river) – STATUS
 - Dyer Construction has key pre-construction submittals approved. Sheet pile for project has been delivered and is stored in their yard. Clearing and grubbing (Homer Tree), sheet pile installation and preloads could begin in February. Similar to Stage VI-1 North, if ground is frozen, work could begin earlier.
4. Stage V – Phase 2 (Kennedy to Northcote) – Kick-Off Meeting
 - To be a field walk-thru from Kennedy Avenue to Northcote to review and discuss current design, and options, alignment, and type of construction.
 - Tentative date would be during the week of January 16 – January 20.
5. Meeting with North Township Trustee (Frank Mrvan Jr.) on December 20 to familiarize him with our project, answer questions, and discuss impacts to their properties as part of Stage V Phase 2 construction. (Part of Executive Director's report).
6. Griffith Levee Certification (Cline to EJ&E RR) using Lawson-Fisher to do Phase I analysis.
 - Gave authorization to proceed with the understanding they would keep costs to a minimum (cost not to exceed \$9,700)
 - A meeting will be scheduled with the COE, Lawson-Fisher, FEMA, and the LCRBDC to discuss FEMA criteria prior to Lawson-Fisher beginning certification requirements. (Part of Outstanding Issues)

*Summa
RR*

**WORK STUDY SESSION
LAND MANAGEMENT
January 4, 2006
Bob Marszalek, Committee Chairman**

*get agreements
to Bob Hoffman*

1. 35th and Chase Street Property turnover to Gary Fire Department
 - Interlocal Agreement for their occupancy was submitted to Gary for legal review on December 21, 2005.
 - If there are no questions or problems with the wording of the agreement, it will be submitted for approval at the January 4, 2006 Gary Board of public Works Board meeting.
 - Gary Fire Department turned on electric and lit furnaces (propane) in mid-December.
2. Projected 2006 lease income has been completed
 - Refer to attachment to the Land management Report.
3. The 2006 farm lease agreements will be sent out no later than January 11, 2006. The 2005 leases will be renewed for 2006, with the same terms and conditions. All farmers have been notified verbally in order to disc fields and order seed.

WORK STUDY SESSION

4 January 2006

LAND ACQUISITION COMMITTEE

Robert Marszalek, Chairman

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

6 out
30 to 80

- 2.) FYI - Wicker Park / Cabela's Modified Easements:

We asked the Corps in a letter dated 12/7/05 to consider moving the north easement of Wicker Park to the south boundary of Cabela's. The appraiser can complete the Wicker Park appraisal then add a comparison analysis once he receives the modified drawings (if the Corps agrees). We're waiting on a response.

- 3.) FYI - Update on Land Acquisition Schedule:

V-2 Kennedy Avenue to Northcote – we are on time.

Offers to residential landowners are going out. We need a meeting with Hammond to see if there is, in fact, a developer interested in the Interstate Plaza area (K-Mart and Builder's Square). We are hoping to make offers to the potential developer who in turn might donate the easements; however, if there is no potential developer we must make offers to present owners who may not donate easements. Compensation to current landowners total approximately \$200,000.

55 again

VII Northcote to Columbia – we are still about three weeks behind schedule.
Title work is mostly in and surveys are being finalized. We've spoken with an appraiser who will use a short form for the appraisals to speed up the process (as long as easement values are under \$10,000).

LAND MANAGEMENT REPORT

For meeting on Wednesday, January 4, 2006

(Information in this report is based upon latest data provided at the time the report is put together. Dates and costs may vary depending upon ongoing design and/or coordination with the Army Corps. Report period is from December 1 – December 28, 2005)

A. CHICAGO TOWER LEASING CORPORATION:

1. Received a proposal with the rental increase, based upon the consumer price index for the last (5) years from Chicago Tower on July 12, 2005
 - Current monthly rental is \$1568/month
2. LCRBDC received a letter from Chicago Tower on July 22, 2005 proposing additional lease space for Verizon Wireless
 - They would require an 11' x 15' space for a diesel generator site to provide emergency backup power in the event of a power outage.
 - LCRBDC will coordinate and negotiate, after receipt of information from Chicago Tower.

B. Chase Street Farm Stand

1. Received a "hand written" notice from Bert Witvoet on October 27, 2005 that the final day of business was October 15 and that premises will be vacated on October 31, 2005.
 - Premises was vacated on October 31, 2005.
 - Final field visit was held with lessee on November 10. Received all keys and inspected premises and they were found to be satisfactory.
2. Building is being occupied – Staff recommended leasing this facility, and property, over to the city of Gary Fire Department for supplemental use for their training facilities at the November 9 Board meeting and the Commissioners made a motion to approve.
 - A. The Fire Department expressed interest in occupying this facility and said they could do so immediately, which would help LCRBDC to avoid vandalism, get heat in the building, and have insurance for an occupied building.
 - B. **The LCRBDC currently is working on an Inter-local Agreement with the Gary Fire Department for them to occupy our currently vacant Chase Street Farm Stand for one year for \$1.00.**
 - **This was submitted to Gary for review on December 21, 2005. If no questions or problems with the wording of the agreement, it will be submitted for approval at the January 4, 2006 Board meeting.**

C. LCRBDC received a request from INDOT in early September for a permanent easement. This would be approximately a 10' strip south of their right-of-way between Harrison and Broadway.

- Staff needs engineering detail of what will be put in place to see if it impacts our current levee.
- INDOT contacted LCRBDC on November 30 indicating that their engineering firm will contact us for a review to assure their request will have no impact to our project. **(No response as of December 28, 2005).**

D. VIEW OUTDOOR ADVERTISING

1. A letter was sent to View Outdoor Advertising on October 18 as an approval to extend the length of the License Agreement to the end of 2005 as approved at the October 15 Board meeting.

- **Construction of all three signs has been completed on December 22 and billboard space is currently being advertised.**

E. Received approval from LCRBDC attorney, Chairman, and head of Land Management Committee to extend farm leases for (1) year.

- Will probably be the last year for LCRBDC to farm because these lands are all part of the lands we will be turning over to Gary as part of their accepting O&M responsibility.
- **Agreements with the same terms and rates as the 2005 season will be going out for signatures approximately mid January, 2006.**

F. **Attached is a list of the current leases for the upcoming 2006 fiscal year with projected revenues.**

CURRENT LEASES – 2006

<u>Lessee</u>	<u>Lease Agreement</u>	<u>Yearly Income</u>	<u>Comments</u>
Chicago Towers (Includes Ameritech)	\$1,568 per month	\$18,816	<ul style="list-style-type: none"> • Current lease since July 5, 2000 – July 5, 2005 (Increase every 5 years based on Metro Chicago Consumer Price Index)
3 LAMAR signs			
Sign #1050	\$735 per year	\$ 735	West side of Grant – ½ mile south of I-80/94
Sign #3475	\$3,635 per year	\$ 3,635	West of Grant – South of I-80/94
Sign #3480	\$3,635 per year	<u>\$ 3,635</u>	West of Grant – South of I-80/94
		\$ 8,005	
Ed & Tim Bult		\$12,131(approx)	<ul style="list-style-type: none"> • Chase to Grant (Both sides of 35th Avenue) Approx. 100 acres • Chase to Grant (Between the levees) Approx. 130 acres
Gary Dunlap		\$ 5,267	<ul style="list-style-type: none"> • West of Clay Street, North of Burns Ditch • Based on farming 110 acres of the 175 acres
Jerry Ewen		\$ 3,432	<ul style="list-style-type: none"> • North of I-80/94, West of I-65 • Based upon 50 acres of tillable land
View Outdoor Advertising	\$27,000 per year (approx)	\$27,000 (approx)	<ul style="list-style-type: none"> • 3 billboards in the area of I-80/94 & west of I-65
TOTAL INCOME		\$74,651 (approx)	

Sandy Mordus

From: "Dan Gardner" <dgardner@nirpc.org>
To: <lfa@lawson-fisher.com>
Cc: <billerw@hmdin.com>; "Bob Huffman" <huffmun@sbcglobal.net>; "Arlene Colvin" <acolvin@ci.gary.in.us>; <imad.samara@usace.army.mil>
Sent: Tuesday, December 27, 2005 3:52 PM
Subject: River Road levee - Griffith

To Dennis Zebell:

This is to confirm the Development Commission's approval for Lawson-Fisher Associates to proceed with Phase 1 as described in your letter proposal of October 10, 2005. Subsequent to our telephone conversation, the Commission has authorized me to allow work to proceed at a cost not to exceed \$9,700. As per our conversation, I hope that every effort will be made to contain the cost as much as possible. We will work with you to set up an initial coordinating meeting with the agencies involved at the earliest date feasible. Please call if you have questions.

Dan Gardner
Executive Director



LAWSON-FISHER ASSOCIATES P.C.
CONSULTING ENGINEERS

525 WEST WASHINGTON AVENUE • SOUTH BEND, INDIANA 46601
SITE: <http://www.lawson-fisher.com> • E-MAIL: lfa@lawson-fisher.com
PHONE: (574) 234-3167 • FAX: (574) 236-1330

RECEIVED OCT 12 2005

October 10, 2005

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

RE: River Road Levee – Town of Griffith, Indiana
Revised Proposal

Dear Mr. Gardner:

In accordance with our recent discussions, this is our revised proposal for the work to be performed by Lawson-Fisher Associates (LFA) associated with the levee certification process for the River Road Levee in Griffith, Indiana. The River Road Levee runs from the EJ & E Railroad west to Cline Avenue and then ties back to the south along the east side of Cline Avenue.

We would suggest that the engineering services be performed in three phases as follows:

Phase I

LFA will perform a field inspection of the entire River Road levee system to determine deficiencies that will need to be corrected in order for LFA to certify the levee. A memorandum will be prepared and distributed summarizing the inspection results and recommended corrective actions. Upon reviewing the recent topographic survey sent to us by the Chicago District Corps of Engineers and previous site visits to this area, we are aware that portions of the levee will need to be raised to the design elevation of 602.20 and several trees may need to be removed on the tie-back levee. LFA will use the survey received from the Chicago District Corps of Engineers, dated September 14, 2005 for all work on this project. We will also use the levee design elevation of 602.20 as instructed by the Chicago District Corps of Engineers.

After performing the inspection and preparing the memorandum summarizing the items of deficiency known at this time, LFA will attend a meeting with the Little Calumet River Basin Development Commission (LCRBDC), the Federal Emergency Management Agency (FEMA), the Army Corps of Engineers (ACOE) and any other parties deemed pertinent to the certification process.

LFA will perform the above Phase I services at our current hourly rates in place at the time the services are performed in accordance with Attachment "A", with a not-to-exceed cost of \$9,700.00. As requested, attached is a copy of our current fee schedule.

DANIEL R. LAWSON, P.E.
JOHN E. FISHER, P.E.

GREGORY L. HOLDEN, P.E.
PAUL A. HUMMEL, P.E.

9012.37

JOHN A. MIDDLETON, P.E.
PIPER C. TITTLE, P.E.
THOMAS S. SHARP, P.E.
THERESA E. HARRISON, P.E.
JON E. RIEMKE, P.E.
JEFFREY L. MCKEAN, P.E.
RANDOLPH J. LINDLEY, P.E.
SKY K. MEDORS, P.E.
CHRISTOPHER J. JETER, P.E.
DENNIS A. ZEBELL, P.E.
BENJAMIN P. HOLDEN, P.E.
DAN G. DELGADO, P.E.
MARK H. FOSTER, P.E.
CHARLES F. FARRELL, P.E.
MICHAEL J. GUZIK, P.E.
MICHAEL E. JOHNSTON, P.E.



Mr. Dan Gardner
October 10, 2005
Page 2

Phase II

Phase II consists of performing engineering tasks required by FEMA to obtain levee certification including: freeboard analysis, review of closure devices, analyze embankment protection/erosion potential, embankment and foundation stability analyses, settlement analyses, interior drainage issues and operation and maintenance plans. The Phase II services will be performed at our hourly rates in place at the time the services are performed in accordance with Attachment "A" or by another fee arrangement as agreed to by both parties.

Phase III

Phase III services will include the design of remedial work to the levee system required as a result of the field inspection and engineering analyses performed. Permitting services will also be provided as needed. The Phase III services will be performed at our hourly rates in place at the time the services are performed in accordance with Attachment "A" or by another fee arrangement as agreed to by both parties.

If this proposal is acceptable to the LCRBDC, please indicate your acceptance by signing in the space provided below and return one copy to our office. Receipt of a signed copy will be considered our Notice to Proceed.

Thank you for considering LFA to provide engineering services for this project. We look forward to working with you.

If you have any questions or need any further information, please do not hesitate to give us a call.

Very truly yours,

LAWSON-FISHER ASSOCIATES P.C.

John E. Fisher, P.E., FASCE
Chairman

Dennis A. Zebell, P.E.
Senior Civil Engineer

JEF:DAZ/bsa
Encl.
c: Jim Pokrajac w/Encl.
P. Corbitt Kerr w/Encl.



Mr. Dan Gardner
October 10, 2005
Page 3

ACCEPTED AND APPROVED this _____ day of _____, 2005.

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION



ATTACHMENT A LAWSON-FISHER ASSOCIATES P.C.

PAYMENTS TO ENGINEER

1. **Methods of Payment for Services and Expenses of ENGINEER.** OWNER shall pay ENGINEER for professional Services and Expenses as follows:

1.1 **Basic Services:**

1.1.1 **General.** For Services rendered an amount equal to ENGINEER's Salary Costs times a factor of 2.37 for all time for Basic Services rendered by principals and employees engaged directly on the Project.

1.1.2 **Resident Project Services.** For services of ENGINEER's Resident Project Representative (and assistants) furnished for the project on the basis of Salary Costs times a factor of 2.37 for services rendered by principals and employees assigned to resident Project representation.

1.1.3 **Professional Associates and Consultants.** For services and Reimbursable Expenses of independent professional associates and consultants employed by ENGINEER to render Basic Services, the amount billed to ENGINEER therefor times a factor of 1.05.

1.1.4 **Operational Phase Services.** For Operational Phase services furnished, an amount equal to ENGINEER's Salary Costs times a factor of 2.37 for services rendered by principals and employees engaged directly on the Project.

1.2 **Additional Services:**

1.2.1 **General.** For Additional Services of Engineer's principals and employees engaged directly on the Project and rendered (except services as witness), on the basis of ENGINEER's Salary Costs times a factor of 2.37.

1.2.2 **Professional Associates and Consultants.** For services and Reimbursable Expenses of independent professional associates and consultants employed by ENGINEER to render Additional Services, the amount billed to ENGINEER therefor times a factor of 1.05.

1.2.3 **Serving as a Witness.** For services rendered by ENGINEER's principals and employees as consultants or witnesses in any litigation, arbitration or other legal or administrative proceeding at the rate of 1.35 times the rates in Paragraph 1.2.1. Compensation for ENGINEER's independent professional associates and consultants will be on the basis provided in paragraph 1.2.2.

- 1.3 **Reimbursable Expenses.** In addition to payments provided for in paragraphs 1.1 and 1.2, OWNER shall pay ENGINEER the actual costs (except where specifically provided otherwise) of all Reimbursable expenses incurred in connection with all Basic and Additional Services.

- 1.4 **Computer Aided Design and Drafting (CADD) and Other Specialized Equipment.** In addition to payments set out above, a charge will be made for computer useage and other specialized equipment useage on the above services equal to the hourly billing rates times the time employed on the project.

2. **Times of Payments.**

- 2.1 Engineer shall submit invoices covering each calendar month for Basic and Additional Services rendered and for Reimbursable Expenses incurred. OWNER shall pay ENGINEER promptly within thirty (30) calendar days following the ENGINEER's rendering of these invoices to the OWNER.



**ESTIMATED SCHEDULE OF RATES
LAWSON-FISHER ASSOCIATES P.C.
THRU DECEMBER 31, 2005**

<u>CLASSIFICATION</u>	<u>APPROXIMATE MAXIMUM RATE/HOUR</u>
Partner	\$224.00
Senior Structural Engineer	\$174.00
Structural Engineer	\$121.00
Senior Civil Engineer	\$166.00
Civil Engineer	\$127.00
Senior Construction Inspector	\$106.00
Senior Civil Draftsperson	\$106.00
Junior Civil Draftsperson	\$ 76.00
Clerical	\$ 90.00
Project Inspector	\$ 90.00
Survey Party Chief	\$ 70.00
Survey Crewman	\$ 64.00

"DRAFT"

July 5, 2005

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

RE: River Road Levee Certification
Summary of Work Tasks

Dear Mr. Gardner:

In accordance with your request at our meeting last Thursday, June 30, 2005, attached is a summary of the major work tasks to be performed by Lawson-Fisher Associates (LFA), associated with the levee certification process for the River Road Levee in Griffith, Indiana. The River Road Levee runs from the EJ & E Railroad west to Cline Avenue and then ties back to the south along the east side of Cline Avenue.

A brief but not all inclusive list of some of the major issues and engineering tasks required to obtain levee certification through the Federal Emergency Management Agency (FEMA), is as follows:

1. **Freeboard:** need a minimum of three feet above the base flood elevation of 599.00 (elevation 602.00). An additional one-half foot above the minimum at the upstream end of the levee, tapering to not less than the minimum at the downstream end of the levee, is also required. Note: the Army Corps of Engineers, Chicago District office has offered to coordinate and complete a detailed topographic survey of the entire levee system to determine if it meets the above criteria.
2. **Closures:** all openings must be provided with closure devices that are structural parts of the system during operation. As far as we know, all openings through the River Road levee have closure devices that have been submitted to and received approval from the Indiana Department of Natural Resources. These devices, however, do not meet Army Corps criteria and it is not clear at this point that they will be acceptable to FEMA.
3. **Embankment Protection:** Perform required engineering studies to demonstrate that no appreciable erosion of the levee embankment can be expected during the base flood and that anticipated erosion will not result in failure of the levee embankment or foundation directly or indirectly through reduction of the seepage path and subsequent instability. Note: we will need information from Army Corps such as expected flow velocities, duration of flooding at various stages and velocities, etc.

5

4. **Embankment and Foundation Stability:** perform engineering analyses (slope stability/seepage) to determine that the embankment stability exceeds published guidelines for various loading conditions. The analyses shall evaluate expected seepage during loading conditions associated with the base flood and shall demonstrate that seepage into or through the levee foundation and embankment will not jeopardize embankment or foundation stability. Seepage analysis will require information from the Army Corps including depth of flooding, duration of flooding, etc.
5. **Settlement:** engineering analyses will be performed to assess the potential and magnitude of future losses of freeboard as a result of levee settlement and demonstrate that freeboard will be maintained within the minimum standards. The analysis will address embankment loads, compressibility of embankment soils, compressibility of foundation soils, age of the levee system, and construction compaction methods.
6. **Interior Drainage:** LFA will work closely with the Chicago District of the Army Corps of Engineers to analyze the source of flooding, the extent of the flooded area and the water surface elevation of the base flood as appropriate. The analysis shall include the joint probability of interior and exterior flooding and the capacity of facilities for evacuating interior floodwaters.
7. **Operation & Maintenance Plans:** An operation manual, including flood warning systems, and a maintenance plan will need to be prepared and provided to FEMA. LFA shall work with the Chicago District of the Army Corps of Engineers and the LCRBDC to prepare the required documents. At a minimum the maintenance plan shall specify the activities to be performed, the frequency of their performance, and the person by name or title responsible for their performance.
8. **Certified As-Built Plans:** As-Built plans, certified by a P.E. must be submitted or the levee may be certified by a Federal agency with responsibility for levee design.
9. **Construction:** previous survey data indicated that a portion of the tie-back levee was below the design elevation required. This section as well as any other portion of the levee below the required design elevation (as determined by survey) will need to be raised, seeded and mulched. In addition, there are several trees on the tie-back levee that will need to be removed. A detailed inspection of the levee system shall be performed to determine if there are any other obvious deficiencies that should be corrected.

As requested, we have reviewed the costs associated with the above work items: attending coordination meetings with the Little Calumet River Basin Development Commission (LCRBDC) and the Army Corps of Engineers, performing engineering analyses and other engineering tasks, performing a detailed field inspection of the entire levee system and preparing required FEMA forms. Based on the information known at this time, we are proposing to proceed with the above work items in accordance with our current hourly rates (see Attachment "A"). We have enclosed a copy of our current hourly rate schedule as requested. We recommend a budget of \$_____ be allocated for this work. An exact figure would be very difficult to determine due to the unknowns associated with the FEMA certification process. This figure will not be exceeded without written authorization from the LCRBDC. This does not include any

costs associated with remedial construction work. LFA intends to use the services of our geotechnical subconsultant, Earth Exploration Inc. on an as needed basis.

If you have any questions or need any further information, please do not hesitate to give us a call.

Very truly yours,

LAWSON-FISHER ASSOCIATES P.C.

Dennis A. Zebell, P.E.
Senior Civil Engineer

C: Jim Pokrajac
Mike Gulley
Wayne Govert
George Jerome
Patrick Janke
Jim Reyome
Bob Schwerd
Imad Samara
John Fisher
Chris Jeter
Corbitt Kerr

NOV. REPORT

STAGE VI - PHASE I (South)
(KENNEDY TO LIABE - South of RIVER) - HIGHLAND

CONTRACT NO.:
CONTRACTOR:
DESCRIPTION:

W912P6-04-C-0007
Illinois Constructors Corporation
Local Flood Protection Little Calumet River, Indiana Stage VI-I South Levee

IS-C-S
D. Anderson
Druzicki
Waldrom

ORIGINAL CONTRACT AWARD DATE/AMOUNT:

NTP DATE/CURRENT CONTRACT AMOUNT: Mods

P00005& A00001

ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:

REVISED CONTRACT COMPLETION DATE/REVISED DURATION:

PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:

30-Sep-04

4-Nov-04

4-Dec-06

4-Dec-06

4-Dec-06

6,503,093.70

6,733,493.70

760

760

0

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.

8

B. Estimated Earnings thru end of reporting period

C. Value of work Performed on Directed Mods (Earnings not paid for)

3,040,773.17

300,000.00

0.00

TOTAL ESTIMATED PROGRESS (A+B+C)

3,340,773.17

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

0.00

TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C+D)

3,340,773.17

E. Potential Termination Costs (% of Remaining Costs) (If Applicable)

0.00

FINANCIAL PROGRESS - (A+B+C+D-E)

3,340,773.17

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

F. Current Contract Amount thru Mod

P00005& A00001

G. Current Value of Overruns/Underruns (+/-)

H. Directed, Pending Modifications

6,733,493.70

0.00

535,000.00

TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)

7,268,493.70

FUNDS OBLIGATED FOR PAYMENT: thru Modification

P00005& A00001

3,274,999.00

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

45.96%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)

42.00%

TOTAL EARNINGS AT THE END OF FY05

3,040,773.17

PROJECT STATUS/MAJOR ISSUES:

- Modification in process for sheet pile wall through dump. Clay cap in place. Rec'd ICC's proposal for hauling off debris.
- Excavation started on new pump station (temporarily stopped until engrs. report on safety of excavation was rec'd). - Poured base of new pump station.
- preparing proposal for mod to sewer work along 81st/Duluth. - Grimmer
- Grimmer has completed demucking, currently placing clay. Preparing for winter shutdown of clay placement.
- ICC will use river muck behind new SSP in dump area. Muck has been approved for reuse on site by IDEM with a few conditions (fencing, must be under 6" of material, not used for crop growth).

NOV. REPORT

STAGE VI - PHASE 1 (NORTH)
(KENNEDY TO CLINE, NORTH OF RIVER) - HAMMOND

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

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

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	0.00
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) 0.00

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

TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D) 0.00

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

FINANCIAL PROGRESS - (A+B+C+D-E) 0.00

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

F. Current Contract Amount thru Mod.	None Issued	5,566,871.00
G. Current Value of Overruns/Underruns (+/-)		0.00
H. Directed, Pending Modifications		0.00

TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) 5,566,871.00

FUNDS OBLIGATED FOR PAYMENT: thru Modification	None Issued	20,000.00
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ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H) 0.00%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	0.00%
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TOTAL EARNINGS AT THE END OF FY05	0.00
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PROJECT STATUS/MAJOR ISSUES:

- NTP acknowledged 10/19/2005. Contractor working on submittals.
- Preconstruction meeting held on 11/1/2005.

Nov. Report

STAGE VI - PHASE 2
(LIABLE TO CUNE - SOUTH OF RIVER) - HIGHLAND

CONTRACT NO.:
CONTRACTOR:
DESCRIPTION:

W912P6-05-C-0006
Dyer Construction Company
Little Calumet River, Stage VI-Phase II

TS-C-S
D. Anderson
Drizhicki
Waldrom

ORIGINAL CONTRACT AWARD DATE/AMOUNT:

NTP DATE/CURRENT CONTRACT AMOUNT: Mods

ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:

REVISED CONTRACT COMPLETION DATE/REVISED DURATION:

PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:

29-Jul-05

11-Aug-05

2-Feb-07

2-Feb-07

2-Feb-07

4,205,644.17

4,205,644.17

540

540

0

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.

B. Estimated Earnings thru end of reporting period

C. Value of work Performed on Directed Mods (Earnings not paid for)

TOTAL ESTIMATED PROGRESS (A+B+C)

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

TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D)

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

FINANCIAL PROGRESS - (A+B+C+D-E)

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

F. Current Contract Amount thru Mod.

G. Current Value of Overruns/Underruns (+/-)

H. Directed, Pending Modifications

TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)

FUNDS OBLIGATED FOR PAYMENT: thru Modification

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

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)

TOTAL EARNINGS AT THE END OF FY05

P00001

P00001

60,027.00

39,973.00

0.00

100,000.00

0.00

100,000.00

0.00

100,000.00

4,205,644.17

0.00

0.00

4,205,644.17

100,000.00

2.38%

2.00%

0.00

PROJECT STATUS/MAJOR ISSUES:

- Site work limits layed out
- 401 Certification received from IDEM.
- NIPSCO completed exploratory work and reinforced pipelines at new I-wall location.
- Contractor working on schedule, expenditures shown are estimate prior to receiving schedule.

OPERATION AND MAINTENANCE REPORT

For meeting on Wednesday, January 4, 2006

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

Report period is from December 1 – December 28, 2005)

O&M Committee (Ongoing issues):

A. Funding to complete O&M obligations.

1. A letter was received from the COE on April 14th, 2004, 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.(Ongoing)
 - 2. The issue of water quality in the drainage ditch south of the NIPSCO R/W between Colfax and Burr St., as part of the **Burr Street (betterment levee) – Stage II Gary is included as part of the bid package (Refer to Engineering Report).**
- B. A meeting was held with the city of Gary on June 28, 2004, to discuss land transfers, Corps upgrades on lift stations, and Gary Stormwater Management District O&M.
 1. Land transfers (approximately 359 acres) were discussed. LCRBDC passed a resolution at the July 7, 2004 Commission meeting to begin process.
 2. The LCRBDC currently is working on an Inter-local Agreement with the Gary Fire Department for them to occupy our currently vacant Chase Street Farm Stand for one year for \$1.00 (Refer to Land Management Report)
 - **This was submitted to Gary for review on December 21, 2005. If no questions or problems with the wording of the agreement, it will be submitted for approval at the January 4, 2006 Board meeting.**
 3. Inspections were held with the COE, LCRBDC, and representatives from Gary as follows:
 - A. All four pump stations in Gary were inspected on September 13, 2004 (these included Burr St. North, Grant, Broadway, and Ironwood). Representatives from the Corps, Greeley & Hansen, United Water, and the LCRBDC attended.
 - LCRBDC is currently working on getting a bid package put together for review by Gary. Several comments were received by LCRBDC from Gary that are being reviewed before incorporating into the final plans and specs.
 - A preliminary list of all items to be included as the scope of work (including supplemental comments with more detail from Austgen Electric and the Griffith COE) has been completed and will serve as the basis to assemble a bid package. (This will be submitted to Gary for comment).
 - **Currently waiting for Austgen Electric to do final field analysis to either complete minor items or, if during the diagnostic inspection, could repair minor items, before submitting list to Gary for comments.**

1-5

4. Sluice gates were inspected on September 14 and Sept. 22, 2004 with representatives from the COE, Greeley & Hansen, United Water (provided the compressor), and LCRBDC.
 - A. Final sluice gate inspections were held on April 14, 2005 and April 21, 2005.
 - Minor inspections are needed to complete final punch list for sluice gate/flap gate installations.
 - It is the intent to advertise these separately from the pump stations and will include lubrication, clean-up, and punch list items.
5. Gary indicated they would take over O&M responsibilities for the (2) recently completed lift stations (32nd & Cleveland and Marshalltown) as soon as all criteria are met by LCRBDC & the COE.
 - Two (2) resolutions were approved at the November 9, 2005 Board meeting. We are proceeding with the agreements with Gary to accept O&M for both stations.
 - Agreements are being finalized by LCRBDC (**Ongoing**)
 - **Received "as-built" drawings from the COE on December 23, 2005, and had final sign-offs for the check list for turnover completed.**
- C. A meeting was held on June 30, 2005 at the Griffith Town Hall regarding the process of Griffith being removed from the flood plain.
 1. LCRBDC will need to contract out services for Griffith to gather information for levee certification as requested by FEMA.
 - At the October 15th Board meeting, action was tabled by the Commissioners to use Lawson fisher at a cost not to exceed \$9,700.
 - At the November 9 Board meeting, no action was taken. The Commissioners felt a sit-down meeting needs to be coordinated with Griffith and the COE to discuss local monetary responsibilities (similar to cooperation received by Hammond and Highland for property donations, and by Gary in their cost participation with the Burr Street II – Gary contract costs).
 2. **An email was sent to Lawson-Fisher on December 27 informing them to proceed with their scope of work at a cost not to exceed \$9,700.**
 - **Scope includes determining what is required by FEMA to certify this line of protection.**
 - **A meeting (or conference call) will be scheduled with the COE, FEMA, IDNR, LCRBDC, and Lawson-Fisher to ask questions and review Lawson-Fisher scope of work.**
- D. An e-mail was sent to INDOT on October 27, 2005 to re-construct several ramps to our levees in areas where the bridges over I-80/94 were raised and the percent grade of the slopes were not maintained. Also, to clean out a control structure west of Georgia & south of I-80/94. **(No response as of December 28)**
- E. LCRBDC currently working on final O&M package to Gary.
 - Gary to review, comment, and familiarize themselves with current Army COE O&M manual.
 - COE to add to, update, and modify to include most recent construction.
 - LCRBDC is putting together draft memo with summary of outstanding issues & actions. (**Ongoing**)

6-8

9

Sandy Mordus

From: "Little Calumet" <littlecal@nirpc.org>
To: "Phil Gralik" <PGralik@rwa.com>; "Mike Austgen" <mike@austgen.com>
Cc: "Bob Huffman" <huffmun@sbcglobal.net>
Sent: Tuesday, December 27, 2005 5:06 PM
Subject: Re: station info

Mike:

In the attachment is a final list of those items that need to be addressed to complete the scope of work to repair the existing four (4) pump stations in Gary to "as-built" condition. The items that are highlighted are to be addressed by your company and we need to complete these items prior to advertisement if it is economically feasible. During your upcoming field visit to these stations, if there are minor items that can be repaired, I would prefer that you repair them at the time you're doing the diagnostics rather than including these items as part of the scope of work to be bid out. You will need to contact me on a per station/per item basis to let me know what needs to be done and give me a cost estimate to either repair or replace that item. I'll then make the determination of whether to authorize you to proceed with the repair or replacement.

We would like to finalize the scope of work as soon as possible in order that R. W. Armstrong can put together a bid package to be reviewed by Gary before we submit it for quotes. If you have any questions regarding this request, please let me know.

Jim Pokrajac, Agent

Engineering/Land Management

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

From: "Phil Gralik" <PGralik@rwa.com>
To: "Mike Austgen" <mike@austgen.com>
Cc: "Jim Pokrajac" <littlecal@nirpc.org>
Sent: Friday, December 16, 2005 1:21 PM
Subject: Re: station info

Mike,

Sorry for the delay in responding to this email. Attached is an updated checklist based on a meeting with Jim Pokrajac last week. A number of items require action by you and/or us and are highlighted in yellow. Please coordinate with Jim as to exactly what he wants your field guys to do and when. I'm going to suggest to Jim that we meet after they get out there to finalize this list.

Thanks,

Phil

>>> "Mike Austgen" <mike@austgen.com> 12/12/05 3:54 PM >>>
 Phil, was all station info satisfactory for you?

Do you need anything else?

NOTE: Item numbers have changed since the previous draft.

North Burr Street SW Pumping Station

1. The sump pump does not discharge to the river. This may be a problem with the pump and/or the discharge line. (Austgen to diagnose problem with this sump pump.)
2. Replace the phase motor relay and the control and status module for pump #2. (RWA and/or Austgen to add more detail here)
3. Replace the phase motor relay for the sump pump. (RWA and/or Austgen to add more detail here)
4. (Austgen to check the exhaust fan in the roof to see whether or not it works. If it does not function properly, Austgen to diagnose problem.)
5. Replace the DMS (Allen Bradley Digital Metering System Style #22996-006-01 used with three phase power supply module Style #9966D75G01)
6. (Austgen to replace light bulbs in exit sign while on site.)
7. The contractor shall pull the float cables into the wet well, install 1- 8"X8"X4" stainless steel junction box and terminate all floats into this box. The contractor will install 1 – 9 conductor 18 gauge 600 volt shielded cable from the junction box to the plc cabinet and terminate cable. This will create enough space for future pump cable removals. The contractor will have new cords installed on the pumps these cord shall be long enough to reach inside to the existing point of termination.
8. The contractor will replace the existing high level float ball and verify it operates correctly.
9. GSWMD has requested that electronic indication of wet well level and basin level be added. (RWA and/or Austgen to determine what it will take to add this equipment to allow LCRBDC to determine whether or not it will be added to this project.)
10. GSWMD has stated that a problem with the main pump power and associated breaker resets needs to be investigated further. (LCRBDC to inquire in letter to GSWMD about this one.)

NOTE: Item numbers have changed since the previous draft.

Grant Street

1. (Austgen to pull Pump #2 and diagnose problem. Possibly repair while removed.)
2. (Austgen to replace light bulbs in the in the indicator lamps while on site)
3. Install the surge suppressor. It was found in the station and had apparently never been installed. Never called for on the original drawings. Check specs. (RWA and/or Austgen to recommend to LCRBDC whether or not this is needed and, if it is, why the ACOE did not install.)
4. Install new box heater at control panel. Never called for on the original drawings. Check specs (RWA and/or Austgen to recommend to LCRBDC whether or not this is needed and, if it is, why the ACOE did not install.)
5. Install new exterior alarm lights. Never called for on the original drawings. Check specs (RWA and/or Austgen to recommend to LCRBDC whether or not this is needed and, if it is, why the ACOE did not install.)
6. Phase monitor should be installed Never called for on the original drawings. Check specs (RWA and/or Austgen to recommend to LCRBDC whether or not this is needed and, if it is, why the ACOE did not install.)

DRAFT

NOTE: Item numbers have changed since the previous draft.

Broadway

1. (Austgen to remove and examine Pump Number 2. Possibly repair.)
2. GSWMD wanted a phase monitor installed. (RWA to look for electrical drawings. RWA/Austgen to recommend whether or not this is needed and, if it is, why the ACOE did not install it.)

DRAFT

NOTE: Item numbers have changed since the previous draft.

Ironwood

1. GSWMD has requested that alarms be added to this station. (RWA and/or Austgen to recommend whether or not these are needed and, if they are, why the ACOE did not install.)
2. (Austgen Electric verified the floats and controls operate as per specifications.)
3. (Austgen to replace handle on generator safety switch.)
4. Toe plates need to be installed. (RWA to verify that they are needed.)
5. Control panel design does not allow access to pump controls. The cabinet strut blocks access to controls. (Austgen to verify in the field and check all four pump stations for a similar problem)
6. GSWMD requests that a phase monitor be installed. (RWA and/or Austgen to recommend whether or not these are needed and, if they are, why the ACOE did not install.)

DRAFT



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

December 23, 2005

REPLY TO
ATTENTION OF
Technical Services Division
Calumet Area Office

SUBJECT: Contract No. DACW23-02-C-0010
Local Flood Protection
Stage III Drainage Remediation
Little Calumet River, Indiana
As-Built Drawings and Checklist for Turnover

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

Dear Mr. Pokrajac:

Enclosed are copies of the final As-Built drawings for the subject contract as follows:

- One (1) set of half-scale reproducible drawings
- One (1) set of full-scale reproducible drawings
- Five (5) sets of half-scale paper drawings
- Five (5) sets of full-scale paper drawings

If you have any questions, please contact Bob Craib at (219) 923-1763.

Sincerely,

Douglas M. Anderson, P.E.
Area Engineer
Calumet Area Office

Enclosures

Stage 3 Drainage Remediation
Gary Sanitary District, Lake County, Indiana
DACW23-02-C-0010

August 23, 2005

RC

December 23, 2005

CHECK LIST FOR TURNOVER

	DATE Completed and/or received.	COE SIGN-OFF	SPONSOR SIGN-OFF	
• COE Preliminary Inspection for Compliance with Contract Documents	5-17-05	RAC		
• Punch list items completed.	7-15-05	RAC	JEP	7/20/05
• Operational Pump, Controller, Motor Tests/Training/Inspections				
• Drain Tile Pump Station (32nd. & Cleveland):				
• Sump Pump	7-20-04	RAC	JEP	6/20/05
• SWP-1	7-20-04	RAC	JEP	6/20/05
• SWP-2	7-20-04	RAC	JEP	6/20/05
• Pump Controller and Motor Controller	7-20-04	RAC	JEP	6/20/05
• Marshalltown Pump Station:				
• Sump Pump	10-22-04	RAC	JEP	6/20/05
• SWP-1	10-22-04	RAC	JEP	6/20/05
• SWP-2	10-22-04	RAC	JEP	6/20/05
• Pump Controller and Motor Controller	10-22-04	RAC	JEP	6/20/05
• Turnover 6 Sets of Complete Manufacturer's O&M Manuals For All Items To LCRBDC	7-20-05	RAC	JEP	7/20/05
• NOTE: Individual equipment O&Ms have been provided to station personnel during equipment turnover.				
• Turnover of Guarantees and Warrantees to LCRBDC	7-20-05	RAC	JEP	
• Turnover All Spare Parts and Tools for All Items to LCRBDC			OK	
• Spec section 02821 (Locks)	Deleted	RAC	JEP	8/23/05
• Spec section 11310 (Pumps). See attached contract requirements.	8-26-04	RAC	JEP	8/23/05
• Spec section 15050 (Gates). See attached contract requirements.	8-26-04	RAC	JEP	8/23/05
• Spec section 16415 (Electrical). See attached contract requirements.	6-2-05	RAC	JEP	8/23/05

Stage 3 Drainage Remediation
 Gary Sanitary District, Lake County, Indiana
 DACW23-02-C-0010

~~August 23, 2005~~ RC
 December 23, 2005

CHECK LIST FOR TURNOVER

• Turnover 1 Set of Manufactures O&M Manuals for All Items to CELRC-PM-M	7-13-05	RAC	
• USACE Received Contractors Set Of "Red Line" As Built Drawings	6-7-05	RAC	
• COE and Sponsor Final Inspection	✓ 6-23-05	RAC	JEP
• USACE Received Contractors Final As-Built Drawing Submittal w/CD-ROM and Reproducible Drawings	11-25-05	RAC	
• Turnover 5 Full Size and 5 1/2 size Hard Copy Sets, 1 Full Size and 1 1/2 Size Reproducible Sets of As-Built Drawings to LCRBDC.	12/23/05	RAC	JEP

Additional "Non-Contract" Items Requested by Local Community

•

Punch list Items to be completed

•

ROBERT CRAIB
 Construction Representative
 U.S. Army Corps of Engineers

Sandy Mordus

From: "Dan Gardner" <dgardner@nirpc.org>
To: <lfa@lawson-fisher.com>
Cc: <billerw@hmdin.com>; "Bob Huffman" <huffmun@sbcglobal.net>; "Arlene Colvin" <acolvin@ci.gary.in.us>; <imad.samara@usace.army.mil>
Sent: Tuesday, December 27, 2005 3:52 PM
Subject: River Road levee - Griffith

To Dennis Zebell:

This is to confirm the Development Commission's approval for Lawson-Fisher Associates to proceed with Phase 1 as described in your letter proposal of October 10, 2005. Subsequent to our telephone conversation, the Commission has authorized me to allow work to proceed at a cost not to exceed \$9,700. As per our conversation, I hope that every effort will be made to contain the cost as much as possible. We will work with you to set up an initial coordinating meeting with the agencies involved at the earliest date feasible. Please call if you have questions.

Dan Gardner
Executive Director

**AGREEMENT BETWEEN THE LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION AND THE NORTHWESTERN INDIANA
REGIONAL PLANNING COMMISSION FOR THE PROVISION OF GENERAL
SERVICES**

BY AGREEMENT MADE AND ENTERED INTO, on the date hereinafter written, by and between the NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION, hereinafter referred to as "NIRPC", and the Little Calumet River Basin Development Commission, hereinafter called the "LCRBDC", under the terms and conditions hereafter set forth, the following is hereby agreed:

- A. NIRPC shall provide the LCRBDC services and assistance as is required by the LCRBDC to carry out its purposes under its enabling statutes, ICS14-6-29.5-1 through 10, inclusive.
 - 1. (1) NIRPC shall assign Daniel Gardner to serve part time in the capacity of Executive Director of the Little Calumet River Basin Development Commission. NIRPC shall assign Sandra Mordus to serve full time in the capacity of Little Calumet River Basin Development Commission Operations Coordinator. For these services the LCRBDC shall compensate NIRPC eight thousand three hundred twenty (\$8,320) dollars per month. This fee is intended to cover direct salaries and fringe benefits.
 - (2) NIRPC shall provide the LCRBDC with the provision of space, basic utilities such as gas, electric and water, use of conference and meeting rooms, use of other common facilities, and the provision of reception services including the answering of telephones and greeting of visitors. For these services, the LCRBDC shall compensate NIRPC one thousand ninety (\$1,090) dollars per month.
 - (3) Should the need arise to replace either of these staff members during the course of the Agreement; it will be done with the mutual consent of both parties to this Agreement. Should either staff member receive a salary increase during the course of this agreement, the amount charged will be increased on a basis equivalent to the percentage salary increase.
- B. In conjunction with the above designated staff, NIRPC shall provide adequate office space and furnishing for their use and make available use of all common facilities within the overall NIRPC offices such as conference and meeting rooms, hallways, restrooms, etc; the provision of basic utilities such as gas, electric and water; and the provision of reception services including the answering of telephones and greeting of visitors.

- C. In addition to the above designated staff and space, NIRPC shall provide the LCRBDC with three additional 10' by 10' offices and one partitioned space for use by its employees, contractors or agents. For these staff spaces, the LCRBDC shall compensate NIRPC at the rate of one thousand sixty five (\$1,065) dollars per month. Should the LCRBDC desire additional space, NIRPC will make it available at a mutually agreed to cost.
- D. NIRPC shall set the salaries for those employees working primarily for the LCRBDC at levels mutually agreed to by the LCRBDC and the NIRPC Executive Director.
- E. The Executive Director of the LCRBDC will continue to function as Chief Staff Officer for the LCRBDC and be responsible for the operational and administrative functioning thereof including, but not limited to, the following:
- Attendance at all regular and special meetings of the LCRBDC.
 - The conduct and coordination of negotiations for the Local Cooperation Agreement with the Army Corps of Engineers and all necessary State, County and local sub-Agreements to cause the construction and ensure funding of the flood control/recreation project and breakwater project.
 - The negotiation, coordination and/or preparation of all Federal, State and local legislative contracts, hearings and presentations relative to the LCRBDC business.
 - The presentation and negotiation with local municipalities, park boards, highway departments and sanitary boards relating to needed items of cooperation for the flood control, recreation and marina projects along the Little Calumet River.
- F. NIRPC shall provide the following financial management assistance to the LCRBDC and shall be compensated for such service by the LCRBDC at the rate of seven hundred twenty eight (\$728) dollars per month.
1. Aid the LCRBDC in preparation of its budget and provide accounting services for the receipt, investment and disbursement of its funds, all in accordance with applicable State Board of Accounts guidelines, statute, and guidelines set out by the Commission herein or otherwise.
 2. Deposit LCRBDC funds in the name of the LCRBDC and in depositories designated the LCRBDC.

3. Disburse LCRBDC funds only upon authorization to do so by the LCRBDC and presentation of a State Board of Accounts standard claim form signed by at least two Commission members and approved by the LCRBDC at a regular or special meeting. Checks shall be drawn from an account in the LCRBDC's name and shall be signed by the Treasurer and one other officer.
 4. Provide monthly financial reports and line item financial accounting of budgeted expenditures.
 5. An increased amount will be negotiated should the LCRBDC establish a payroll and request NIRPC to administer it.
- G. The LCRBDC and NIRPC shall work out arrangements for telephone service and equipment in a manner that is mutually agreeable and cost effective to both parties.
 - H. NIRPC shall make available use of its postage machine. Actual postage costs shall be billed to the LCRBDC.
 - I. NIRPC shall make available to the LCRBDC the use of its copy machines. Use of this equipment will be billed at the rate of \$5.00 per month plus \$.06 per copy black & white copies and \$.20 per copy for color copies.
 - J. NIRPC shall make available use of its facsimile machine. Use of this equipment shall be billed at the rate of \$5.00 per month.
 - K. LCRBDC agrees not to install within the NIRPC offices telephone, copier, or facsimile equipment. Any furniture or other equipment installed shall be located within the spaces designated for the exclusive use of the LCRBDC.
 - L. NIRPC shall make available the use of its graphics and printing equipment and personnel. Graphics, printing, and clerical time charges will be billed at twenty-nine dollars (\$29.00) per hour. No per copy charge will be made. No charge will be made for bond paper or miscellaneous printing supplies. However, special order items will be billed as material costs. Such items include, but are not limited to, metal plates, envelopes, binders, labels and other specialty items for printing and graphic work.

- M. NIRPC may make available additional space or other services to the LCRBDC on a direct request basis. NIRPC shall bill the LCRBDC for such services on a basis that is mutually agreed to by the parties.
- N. NIRPC shall provide itemized monthly billings for services performed. Payment shall be due within thirty (30) days after billing.
- O. This agreement shall be effective January 1, 2006 and shall terminate December 31, 2006. However, either party may terminate the agreement at an earlier date by providing written notice of intent at least sixty (60) days prior to an effective termination date, which shall coincide with the last day of a calendar month.

**NORTHWESTERN INDIANA REGIONAL
PLANNING COMMISSION**

**LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION**

By:

By:

**John Swanson
Executive Director**

Chairperson

ATTEST:

ATTEST:

**Hugh Rhein
Director of Administrative Services**

Secretary

**AGREEMENT BETWEEN THE LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION AND THE NORTHWESTERN INDIANA
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\$8,320
4%

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(\$1090)

(4%)

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(#1,065)
4%

- D. NIRPC shall set the salaries for those employees working primarily for the LCRBDC at levels mutually agreed to by the LCRBDC and the NIRPC Executive Director.

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(#728)
4%

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420

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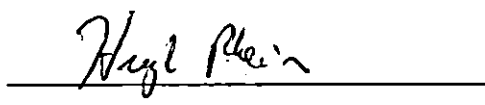
**NORTHWESTERN INDIANA REGIONAL
PLANNING COMMISSION**

By:



John Swanson
Executive Director

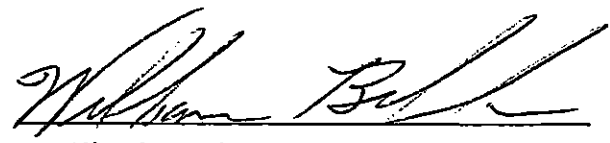
ATTEST:



Hugh Rhein
Director of Administrative Services

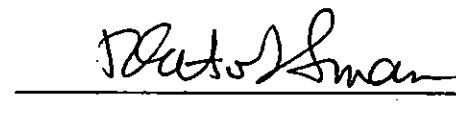
**LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION**

By:



William Biller
Chairperson

ATTEST:



Robert Huffman
Secretary

LAND ACQUISITION REPORT

For meeting on Wednesday, January 4, 2005

(Information in this report is based upon latest data provided at the time the report is put together. Dates and costs may vary depending upon ongoing design and/or coordination with the Army Corps. Report period is from December 1 – December 28, 2005)

EAST REACH – REMAINING ACQUISITIONS

1. In compliance with the Congressman's request to complete the project by December, 2009, we are reviewing remaining East Reach acquisitions for acquisition either on tax sale or from landowner. **(Ongoing)**
2. We will be appraising the "WLTH" Radio property, DC813, on Martin Luther King Drive. The owner has requested we finish this acquisition to determine how the flood control project is affecting the radio tower.
 - Survey and title work are complete. We are waiting for the Corps-recommended appraiser to complete the Griffith Golf Center prior to starting this appraisal. **(Ongoing)**

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

1. Construction on the WIND Radio station property has been completed using a right-to-construct. We need an easement on the WIND property for maintenance purposes. A "fixture appraiser" has been contacted to appraise both WLTH and WIND and will be assigned both appraisals at the beginning of 2006.
 - The Corps-recommended appraiser will complete the WIND appraisal with the WLTH appraisal. **(Ongoing)**

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

1. **V-2 appraisals are complete (only tri-State and Wicker Park appraisals are outstanding). Six offers have been sent as of 1/4/06.**
2. **The North Township trustee has sent the information required for the appraisal completion.**
 - LCRBDC received modified legals from GLE on November 22 and **submitted** these to the COE for review and comments prior to having the modified appraisal done.
3. A meeting was held with representatives from the CPWW on October 25 to review their concerns and suggestions. (Refer to Engineering Report)
4. The COE has scheduled a kick-off meeting to review design during the week of January 16, 2006. **(This will be a field walk-thru to review current plans for real estate and construction and to discuss potential changes, design for flood protection, and address local concerns)**
5. A meeting was held with North Township on December 20 (Frank Mrvan Jr) to discuss, and familiarize him with our project and to present current design and options being considered. The Trustee has asked for a list of other municipalities, organizations, corporate, private landowners who have donated to LCRBDC to present to his Board.

STATUS (Stage V – Phase 3) – Northcote to Indianapolis – (Cabelas' Retail, Inc.):

NOTE: STAGE V-3 WILL NOW BE INCLUDED AS PART OF STAGE V-2 AND WILL BE ADVERTISED AS PART OF THAT CONTRACT.

1. Woodmar and Cabelas' signed final sale papers on October 31, 2005. At the Hammond meeting on October 14, discussion centered on Cabelas' and the old K-Mart area (Interstate Plaza) being a potential economic development site. Changes in the Cabelas' entrance, Cabelas' levee construction, etc. was also discussed. **We may need to acquire additional easements depending on the location of Cabala's entrance. Appraisals are complete on the Interstate Plaza area.**
 - A letter was sent to the COE on December 7 enclosing modified legals for Cabelas as well as North Township requesting review and comments.

2

STATUS (Stage VI-Phase 1 South) – Kennedy to Liable - South of the river:

Land Acquisition deadline July, 2004

1. Construction is continuing on this segment.

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

Land Acquisition deadline April 30, 2005

1. Bids were opened on August 24, 2005. Illinois Constructors Corporation is the low bidder, submitting a bid approximately 15% under the COE estimate (without profit).
2. Submittals are being completed by the Contractor (See Engineering Report).

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

Land Acquisition deadline April 15, 2005

1. Dyer Construction was awarded the contract on July 29, 2005 (See Engineering Report)
2. Submittals are being completed by the Contractor (See Engineering Report).

STATUS (Stage VII) – Northcote to Columbia:

1. In compliance with the Congressman's request to complete the project by December, 2009, title work is received and surveys are being completed.
 - Survey work south of the river is 90% complete (27 residential properties) and is being reviewed by staff.
 - Survey work north of the river and on North River Drive, Columbia, and Northcote have been completed and submitted for approval.
 - Some discrepancies have been found in the field using GPS and the modified project coordinates will be sent to the COE by the LCRBDC surveyor.
 - Appraisals and review will start in January. We are back on schedule.

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

1. The COE indicated at the November 29 Real Estate meeting that they will be focusing engineering on Stage VIII.
 - The COE has set a goal to provide real estate drawings by January 6, 2006.

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.

2. LCRBDC attorney has presented an agreement for review for the city of Gary.
 - **The memo of agreement was signed by the Gary Board of Public Works on December 21, 2005, and by the Gary Stormwater Management Group on December 13, 2005.**
3. Project was advertised on December 7, 2005.
 - **Pre-bid meeting was held on December 19, 2005.**
 - **Bid due date is January 18, 2006.**

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

Land Acquisition deadline is September, 2005

1. A uniform offer of \$20,700 for an easement acquisition was sent to the NSRR on June 6, 2005. The railroad has requested changes to the COE design based on safety factors. COE has completed the re-design. This re-design has also been rejected by the NSRC and the LCRBDC attorney filed for condemnation on September 6th, 2005.
 - **We received a call from NSRR Real Estate. They have agreed to sign the easements (with a slight modification in the square footage) while engineering discussions continue.**
 - **NSRR design issues appear to be agreed upon, but need to be finalized.**
 - **Conference call with NSRR, LCRBDC, and the COE was held on December 15, 2005.**
2. **The COE will have the 100% plans and specs available for review by January 3, 2005 and to advertise by February 20, 2006.**

3-5

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

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

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

1. LCRBDC was directed by the COE to obtain a flowage easement on the entire property in a letter dated October 7, 2005.
2. **The firm of Qetzel & Hartman is completing the appraisal.**

6

CREDITING:

1. LCRBDC had a conference call with John Weaver of INDOT on March 16, 2005 requesting incremental cost data at Cline Avenue that would substantiate crediting. Best estimate still is in the range of \$600,000 **(Ongoing)**
2. Detroit Real Estate has asked to make some changes in crediting procedure. We are working on it. **(Ongoing)**

GENERAL INFORMATION:

1. We continue to supply information to the Congressman's Office as requested.
2. We have identified the recipients of unclaimed monies held in court from our condemnation cases. **We have received a check from the Lake Superior Court for \$12,659 in unclaimed monies. We will search for landowners entitled to this money.**

3. We received a request from INDOT to acquire their easements on our easements.
 - A. LCRBDC received a request from INDOT in early September for a permanent easement. This would be approximately a 10' strip south of their right-of-way between Harrison and Broadway.
 - Staff needs engineering detail of what will be put in place to see if it impacts our current levee.
 - LCRBDC received a call from INDOT on November 30 indicating that their engineering consultant would contact us to review their design in this area and to assure their construction would not affect our construction. **(Ongoing)**



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment 28 December 05

ARLENE COLVIN, Treasurer
Mayor of Gary's Appointment

DR. MARK RESHKIN, Secretary
Governor's Appointment

GEORGE CARLSON
Mayor's of Hammond Appointment

STEVE DAVIS
Dept. of Natural Resources Appointment

SAM DIMOPOULOS
Lake County Commissioners' Appointment

ROBERT MARSZALEK
Governor's Appointment

JOHN MROCZKOWSKI
Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

Mr. Pluria Marshall, Owner
WLTH Radio Station
4201 Wilshire Boulevard
Suite 600
Los Angeles, CA 90010

RE: An appraisal on WLTH Radio
FAX Delivered: 323-556-5710

Dear Mr. Marshall,

As we discussed on 12/22/05 my letter today commits the Little Calumet River Basin Development Commission to assigning an appraisal in mid-January on the WLTH Radio Property at 2505-2579 Martin Luther King Drive. The appraisal will be for a flowage easement on Lots 1 through 8 Block 19 in the Liberty Farmettes Subdivision as determined by the U.S. Army Corps of Engineers and be in compliance with Federal Land Acquisition Rules and the *Uniform Standards for Professional Appraisal Practices* (USPAP) manual.

We will contact you once the appraisal has been completed. If you have any questions please call me at 219-763-0696. Thank you.

Sincerely,

Dan Gardner, Executive Director
Little Calumet River Basin Development Commission

Owner is concerned the increased water on the tower area is rotting the AM grid wires. The "future appraiser" will consider this in the appraisal.
gm.
12/28/05



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

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Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE COLVIN, Treasurer
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CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

December 7, 2005

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

Dear Imad:

Enclosed is a full-size copy and three half-size copies of the modified easements for the Wicker Park (North Township) and Woodmar (Cabela's Retail Inc.) for the upcoming Stage V-2 construction. As we discussed at the November 29 Real Estate meeting in Chicago, these drawings and legals represent our proposal for relocating the concrete sheet pile wall (line of protection) from North Township property entirely on to the southern portion of the Cabela's property.

At this point in time, the LCRBDC has not coordinated with Hammond or Cabela's due to the ongoing negotiations. However, as I indicated on the Cabela's legal, we are suggesting a 70' permanent easement and a 10' temporary easement on their property. Would you let me know if this easement will accommodate the standard levee construction or if this easement needs to be expanded or reduced? On the North Township property, we have entirely removed the permanent easement but have left a 10' temporary work area easement and extended the flowage easement up to the southern line of this temporary easement. In addition, could you let me know if by removing the levee further north, it would create any hydrology or design complications?

Upon receipt of your comments, we will pursue a supplemental appraisal for both of these properties as part of what you could evaluate as part of the economic analysis. If you have any questions regarding these easements or if I may provide you with any additional information, please let me know.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

/encl.

cc: Vic Kotwicki, Steve Petrucci
Lou Casale, Judy Varnos

Judy Vamos

From: "Judy Vamos" <jvamos@nirpc.org>
To: "Autenrieth, Karl R" <karl.autenrieth@nscorp.com>
Sent: Thursday, December 22, 2005 4:21 PM
Subject: Re: Gary, IN - Little Calumet River Flood Project

DC
598

22 December 2005

Dear Mr. Autenrieth,
Real Estate Norfolk Southern Railroad

RE: Easement acquisitions on DC 598, the Norfolk Southern Railroad between Burr Street and Clark Road in Gary, Indiana.

As we discussed in our phone conversation yesterday (12/21/05) I will be mailing to you on Tuesday 12/27/05 (overnight) the amended drawings showing the drainage easement extended to the south property line of the 100 ft. right-of-way of the N. & S. property. The written legal descriptions will also be included for your review.

Upon your approval of these revisions please forward the information for signing of the offer and easement agreements. I will inform LCRBDC attorney Louis Casale to contact you if he has questions.

I send my sincere thanks for your cooperation and ask that you call me if you need more information. Again, thank you.

Judy

Judith (Judy) Vamos
Land Acquisition Agent
Little Calumet River Flood Control and Recreation Project
Phone: 219-763-0696
Fax: 219-762-1763
e-mail: jvamos@nirpc.org

— Original Message —

From: Autenrieth, Karl R
To: 'Judy Vamos'
Cc: Noe, Randy, S. ; 'Duffey, John C.'
Sent: Thursday, December 22, 2005 1:31 PM
Subject: Gary, IN - Little Calumet River Flood Project

Judy Vamos
Land Acquisition Agent
LCRBDC

Confirming telephone conversation 12-21-05.

①
CONTINUED
ON
NEXT
PAGE

3

12/27/05

Norfolk Southern's Real Estate Department has no general objection to your Uniform Acquisition Offer of \$20,7000 for the various easements required for the subject project.

Before we can process the necessary easement documents through this office, a minor revision to the plan and description for the Drainage Ditch Easement (0.085 acres) will be required as follows:

The drawing for the drainage easement should be amended to extend the easement area (D page 1 of 2) all the way to the south railroad property line. Currently the proposed drainage easement area stops short about 2 or 3 feet north of our property line. The legal description and corresponding drawing of this drainage easement must be revised and resubmitted for NS review and approval.

Please submit the necessary changes to me for further handling.

Upon NS's approval of this resubmittal, NS Real Estate is prepared to draft the required deed of easement and proceed with the closing of this transaction.

All construction, ownership and future maintenance issues will be addressed in the Engineering Construction Agreement.

If you have any questions, please contact this office.

Karl Autenrieth, Property Manager
Norfolk Southern Corporation
1717 Arch Street - 49th Floor (new address & telephone)
Philadelphia, PA 19103
(215) 448-4211
Fax : (215) 448-4206

CC: Rany Noe - as per tel conversation 12-21-05.

*NS RR
Real Estate
is agreeable to
transferring easement
rights. JN
12/22/05*



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

DC
598

WILLIAM BILLER, Chairman
governor's Appointment

ROBERT HUFFMAN, Vice Chairman
governor's Appointment

RENE COLVIN, Treasurer
Mayor of Gary's
Appointment

R. MARK RESHKIN, Secretary
governor's Appointment

GEORGE CARLSON
Mayor of Hammond
Appointment

TEVE DAVIS
Dept. of Natural Resources
Appointment

AM DIMOPOULOS
Lake County Commissioners'
Appointment

ROBERT MARSZALEK
governor's Appointment

JOHN MROCZKOWSKI
governor's Appointment

HARLIE RAY
Porter County Commissioners'
Appointment

MACANCY
governor's Appointment

IAN GARDNER
Executive Director

LOU CASALE
Attorney

27 December 05

Mr. Karl Autenrieth, Property Manager
Norfolk Southern Corporation
1717 Arch Street 49th Floor
Philadelphia, PA 19103

RE: Amended drawings for easements on NS RR property (DC 598)

Dear Mr. Autenrieth,

Thank you for speaking with me on 12/21/05 about the various easements the Little Calumet River Basin Development Commission needs to acquire from the Norfolk Southern Railroad for the Little Calumet River Flood Control and Recreation Project.

As you requested I'm mailing overnight (three copies) an amended survey showing the drainage easement increased to the railroad's 100 ft. right-of-way.

After your review and acceptance would you please forward the easement agreements through the proper channels for signing?

Please call me at your convenience if you have questions about the drawings or agreements. I send my sincere appreciation for your cooperation.

Respectfully,

Judith (Judy) Vamos
Land Acquisition Agent

Enclosure:

cc: Imad Samara, PM, USACE
Lou Casale, Attorney, LCRBDC
Jim Pokrajac, Engineering, LCRBDC ✓

5



TERRELL R. OETZEL, MAI, CRE, SGA
JAMES T. HARTMAN, MAI

THE OETZEL-HARTMAN GROUP

Real Property Appraisers & Counselors

321 Woodland Pass, Suite 200 • East Lansing, Michigan 48823

Phone: (517) 336-0001 • Fax: (517) 336-0009

DC
836



TERRELL R. OETZEL, MAI, CRE, SGA

December 21, 2005

Ms. Judith Vamos
Land Acquisition Agent
Little Calumet River Flood Control and Recreations Project
6100 Southport Road
Portage, IN 46368

RE: Griffith Golf Center, Griffith, Indiana

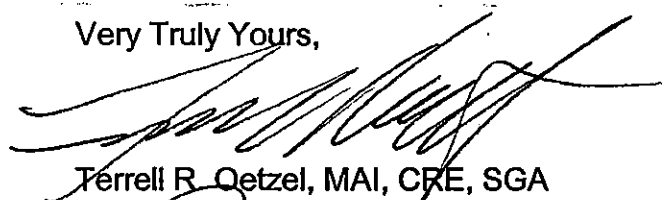
Dear Ms. Vamos,

The subject property was inspected on December 21, 2005. To complete the report we will need the following items:

- Topographical survey of the property.
- Copy of flowage easement including details such as any restriction on extent of flooding, duration of flooding, etc.
- Title report and survey showing all existing easements.
- Will the Army Corps of Engineers allow the berm to be moved and the southern 1/3 of the site to be improved, as proposed by the potential purchaser?

To our knowledge, we have not received the formal contract. If you have any questions, please do not hesitate to call.

Very Truly Yours,


Terrell R. Oetzel, MAI, CRE, SGA


James T. Hartman, MAI

*sent info
to Mr. Oetzel on
12/30/05. Referred him
to Corps for topo map
and Corps decision to
change real estate
requirements.
for
12/30/05*

TERRELL R. OETZEL:
toetzel@ohgroup.us

JAMES T. HARTMAN:
jhartman@ohgroup.us

One or more members of The Oetzel - Hartman Group belong to the following organizations:

The Appraisal Institute (MAI designation), Counselors of Real Estate (CRE designation),
The Society of Golf Appraisers (SGA designation) and The Real Estate Counseling Group of America

6



SCOTT L. KING
Mayor, City of Gary

DEPARTMENT OF PUBLIC WORKS

GERALDINE B. TOUSANT
Deputy Mayor, City of Gary

Gwen Malone
Director

January 4, 2006

Dear Contractor:

Enclosed, please find the second "Notice to Bidders" that has appeared in the Post-Tribune, Times, and Gary Crusader newspapers. This is strictly "for your information." However, should you have any questions regarding this latest "Notice to Bidders," please feel free to contact this office.

Sincerely,

Gwen Malone PB

Gwen Malone, Director
Department of Public Works

SECTION 00020

OFFICIAL NOTICE TO BIDDERS

Local Flood Protection
Little Calumet River, Indiana
Burr Street Betterment Levee, Phase 2 - Gary

Sealed Bids for the City of Gary ("City") Burr Street Betterment Levee, Phase 2 (Project) will be received by the City at the Department of Public Works, 401 Broadway, Suite 300, Gary, Indiana, 46402, until the bid opening for the Project agenda item is called by the Presiding officer of the Board of Public Works at the Board meeting on Wednesday, January 18, 2006. When the Project agenda item is called, the time for the submittal of all bids will be closed and bids will be publicly opened and read. The Board meeting is scheduled to begin at 10:00 AM local time.

MANDATORY PRE-BID MEETINGS for Project Burr Street Betterment Levee, Phase 2 will be held on December 19 and January 5, 2005, at 10:00 AM local time, at City Hall, in the Cleo Wesson Lounge, 2nd Floor, to discuss the Project. At the Mandatory Pre-Bid Meetings, the project site will be visited, rules and regulations included in the Contract Documents will be explained and questions regarding the project received and answered, where appropriate. Bids will not be considered from those firms that do not have a representative in attendance at at least one of the Mandatory Pre-Bid Meetings. **Attendance at one, but not both, of the pre-bid meetings is mandatory.** Copies of these Contract Documents may be obtained from the Department of Public Works for a non-refundable charge of \$100.00 per set.

The Work consists of furnishing all labor, materials, equipment, supplies and services for the construction of the Burr Street Betterment Levee, Phase 2, Project located West of Burr Street and South of the Little Calumet River.

The Bidding and Contract Documents, including Bid Proposal Form 96, Ordinance #6972, Project Labor Ordinance, Financial Statement, Bidder Employment Practices Report, Civil Rights and Affirmative Action Affidavit, Non-Collusion Affidavit, Bidders Procedure Checklist for Construction Services, Notice to Bidders, Instructions to Bidders, Wage Rate Requirements, Bid Bond, Performance Bond, Payment Bond, General Conditions, Supplementary Conditions, Specifications, Drawings and Addenda, if any, may be examined at the following locations:

Department of Public Works
401 Broadway, Suite 300
Gary, Indiana 46402
Phone: (219) 881-1310
Fax: (219) 882-7371

McGraw-Hill Construction Dodge
1411 Opus Place, Suite 100
Downers Grove, Illinois 60515-1183
Phone: (630) 971-6740
Fax: (630) 968-2919

Prospective Bidders must fully address all of the above-related bid documents. Should any bidder require assistance in preparation of the Affirmative Action Program or Affidavit or the Gary Business Entrepreneurship Promotional Program documents, please contact Tammi Davis, Business Compliance Officer, at tammi@garysan.com or by phone at 219-944-0595.

At the time of submission of the bid, the respondent must hold a General Contractors License. Please note, "Bids will not be accepted from bidders whose business property is operated in violation of municipal ordinance". Each Bid must be accompanied by a certified or cashier's check on a solvent bank or trust company, made payable to the City of Gary, or an acceptable Bid Bond, in an amount of not less than 5 percent

(5%) of the total Bid. This sum is a guarantee that, if the Bid is accepted, a contract will be entered into and its performance properly secured.

The Bid Bonds of Bidders, whose bid was not accepted, will be returned within thirty (30) days after the opening of bids. Any Bidder whose Bid security has been retained may, after thirty (30) days from the opening of Bids, request return of his Bid security provided he has not been notified of acceptance of his Bid. The Bid security of the successful Bidder will not be returned until Bidder delivers the required Performance Bond and/or Maintenance Bond.

Any Bid may be withdrawn prior to the scheduled time for the opening of Bids or authorized postponement thereof. However, no Bid may be withdrawn for thirty (30) days after the scheduled time for opening, unless agreed to by the CITY.

The Board of Public Works and Safety reserves the right to reject any and all proposals, to waive technicalities, to postpone the bid opening, to waive the formalities in the bid documents, or to advertise for new proposals, if in the judgment of the City of Gary Board of Public Works and Safety it is in their best interests would be promoted thereby.

In its selection of the lowest, most responsive and responsible bidder, the City of Gary will give weight to the lowest bid price, as well as to other factors, including but not limited to: ability and capacity, capital, competency, and efficiency, experience, facilities, promptness, quality of previous work, fraud or unfairness, fraud or unfairness in previous conduct, minority resident involvement in employment and applicable ordinances and statutes.

Your participation is both welcome and encouraged. If you require special assistance, please contact Ms. Gwen Malone at (219) 881-1310.

Board of Public Works and Safety
Geraldine Tousant, President
Husain G. Mahmoud, Vice President
Hamilton L. Carmouche, Secretary

ATTEST:
Gwen Malone, Director

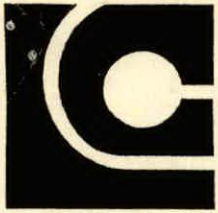
LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION ATTENDANCE ROSTER

NAME OF MEETING: LCEBOC DATE: Jan. 4, 2006

LOCATION: 6100 Southport Rd-Portage CHAIRMAN: William Biller

PLEASE SIGN IN

	NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER
1	Jonny Baker	DNR-Water
2	Steve Enger	CPWW
3	Elizabeth Johnson	Pete Visclosky
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Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

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

8 me good.

RESCHEDULING OF MEETING

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

Due to the snow storm on Wednesday, January 5th, the
Commission had no quorum and could not conduct any business
or approve any financial claims.

The Development Commission meeting is rescheduled for
Wednesday, January 12, 2005

Work Study Session - 5:00 p.m.

Public Board meeting - 6:00 p.m.

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
6100 SOUTHPORT ROAD
PORTAGE, INDIANA 46368

Imary
Ewaldt
Sandy O'Brien
Mark Hopewell



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson
Mayor of Gary's
Appointment

ROBERT MARZALEK, Vice Chairman
Governor's Appointment

ROBERT HUFFMAN, Treasurer
Governor's Appointment

JOHN MROCZKOWSKI, Secretary
Governor's Appointment

WILLIAM MILLER
Governor's Appointment

GEORGE CARLSON
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STEVE DAVIS
Dept. of Natural Resources'
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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

MEETING NOTICE

THERE WILL BE A MEETING OF THE
LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION
AT 6:00 P.M. WEDNESDAY, JANUARY 5, 2005
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
PORTAGE, IN

WORK STUDY SESSION – 5:00 P.M.

AGENDA

1. Call to order by Chairperson Arlene Colvin
2. Pledge of Allegiance
3. Recognition of Visitors and Guests
4. Approval of Minutes of December 1, 2004
5. Chairperson's Report
 - ~~Election of new officers for 2005~~
 - New committee preference sheet
6. Executive Director's Report
 - Update on FEMA mapping for Lake County
 - Need for "summit" meeting to move Gary O&M forward
7. Outstanding Issues
 - Mansards log jam – meeting scheduled with Griffith to discuss O&M

*No meeting
due to lack
of quorum
rescheduled for
January 12*

*(I missed
- Jan. 12m49)*

*HERE!
I'm here
Sandy O'Brien*

*add CR
to per diem on
calendar*

8. Standing Committees

A. Finance Committee – Report by Treasurer

- Financial status report
- Approval of claims for December 2004
- Approval of O&M claims for December 2004
- Finance Committee issues that require action – 2005 Budget, NIRPC contract for administrative services, outside contracts' renewal, legal contract, engineering contract
- Issues for discussion

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

Land Acquisition

- Appraisals, offers, acquisitions, recommended actions
- Update of Stage VI-1N and VI-2 real estate acquisition
- Issues for discussion

Land Management

- Farm leases will be advertised by end of January
- Issues for discussion

C. Operation & Maintenance – Committee Chairman Bob Huffman

- Log jam removed west of MLK – pictures available
- O&M response from United Water
- Letter from COE re: O&M responsibilities and inspections
- Meeting to be scheduled with HSD for S.E. Hessville pump station turnover
- 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

- State Budget request - \$5 million
- Issues for Discussion

F. Project Engineering Committee – Committee Chairman Bob Huffman

- COE response to rule 13
- Update on the hydrology modeling as per LCRBDC request
- Issues for Discussion

G. Recreational Development Committee – Committee Chairman Bob Huffman

- Update of INDOT request for recreational crossing at Cline Avenue
- Issues for Discussion

H. Marina Development Committee – Committee Chairman Charlie Ray

- Issues for Discussion

I. Policy Committee – Committee Chairman George Carlson

- Issues for Discussion

J. Public Relations Committee – Committee Chairman Bob Marszalek

- "Along the Calumet River" by Cynthia L. Ogorek
- Issues for discussion

9. Other Issues / New Business

10. Statements to the Board from the Floor

11. Set date for next meeting; adjournment

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 6:00 P.M. WEDNESDAY, December 1, 2004
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairperson Arlene Colvin called the meeting to order at 6:05 p.m. Eight (8) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

Development Commissioners:

Arlene Colvin
Robert Marszalek
Robert Huffman
Charlie Ray
George Carlson
Steve Davis
William Biller
Mark Reshkin

Visitors:

Sandy O'Brien - Hobart
Jomary Crary - IDNR
Imad Samara - ACOE
Elizabeth Johnson - Congressman Visclosky's Office
Mark Lopez - Congressman Visclosky's Office
Steve Enger - Munster resident

Staff:

Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos

A motion to approve the November 3rd minutes was made by William Biller; motion was seconded by Charlie Ray; motion passed unanimously.

Chairperson's Report – Chairperson Arlene Colvin referred to the Nominating Committee, consisting of George Carlson, Steve Davis, and Chairman Charlie Ray). Mr. Ray reported that the committee met, a slate of officers was recommended, and members were consulted. Recommendations for 2005 officers were: Chairman – William Biller; Vice Chairman - Robert Marszalek; Treasurer – Arlene Colvin; and Secretary – Mark Reshkin. Commissioner Marszalek then requested that his name be withdrawn as Vice Chairman. He went on to say that he has served as Vice Chairman several times and has taken over as Chairman when the chairman was unable to attend a meeting. Since the only job as Vice Chairman is to fill in when the Chairman is absent, he felt that maybe he did not meet the expectations of the fellow board members and, therefore, did not wish to continue another term as Vice Chairman. Although fellow Commissioners assured him that he did a fine job as the Chairman fill-in and the Nominating committee explained their rationale of feeling the need for a west reach members to serve as Chairman this year, Mr. Marszalek still declined the Vice Chairman office. Attorney Casale added that the new officers will not assume their new role until the January meeting. That being the case, the Nominating Committee could meet again to select someone else or they could have nominations from the floor. Nominating Committee chairman Charlie Ray then nominated Robert Huffman to serve as Vice Chairman. No other nominations were made.

- Arlene Colvin reiterated the proposed 2005 officers – William Biller as Chairman, Robert Huffman as Vice Chairman, Arlene Colvin as Treasurer, and Mark Reshkin as Secretary. A motion was made by Charlie Ray to elect the proposed officers; motion seconded by Steve Davis; motion passed unanimously. New officers will assume their new roles at the January meeting.

Executive Director's Report – Mr. Gardner met with Mayor McDermott and several members of the administration on November 9. Commissioner George Carlson also attended. Various topics were discussed, including identifying how the city can work with the Commission to move forward at a quicker pace. The Mayor is very supportive of getting Hammond residents out of the floodplain as quickly as possible. The city wants to get more involved with certain properties where development is possible (K-Mart, Whiteco, Woodmar).

- Mr. Gardner also reported that he has talked to Highland officials in regard to what they could do to help the project move faster. They are willing to do a writing campaign, will talk to area legislators, and a meeting was discussed where the officials from Highland, Munster, and Hammond could meet jointly with us. Mr. Gardner added that it's obvious that we need to be more creative with land acquisition. With the high costs coming back from the Court, we need to try to reduce costs anywhere we can.
- George Carlson met with the Mayor on a separate matter and found the Mayor very supportive and helpful.
- FEMA held a meeting on November 16 with various entities present – IDNR, Lake County Surveyor's Office, Corps, LCRBDC. The discussion was the remapping of Lake County and digitizing the maps. The last mapping was done in 1980. We have received a disk to review and they would like the review completed by mid December. We were hoping that Gary could come out of the floodplain with the new remapping. Mr. Gardner stated that FEMA has certain criteria that has to be met before that happens – (1) interchanges at Grant Broadway must be complete; (2) project must be completed; and (3) operation and maintenance has to be committed to by the city. If we do not meet the spring deadline, a map revision can be made at any time. Commissioner Charlie Ray questioned the hydrology used by FEMA. Mr. Gardner said that the engineering consultant used the Corps hydrology and no new hydrology was submitted. Jomary Crary from IDNR added that she thought some new topos were used. Mr. Gardner added that there were several mapping errors they found just at first review. It is important that a thorough review be done before FEMA declares a final product.
- Mr. Gardner referred to the project construction schedule relative to our remaining easement acquisition.

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 November totaling \$80,398.77; motion seconded by Bill Biller; motion passed unanimously.

- Mr. Huffman then presented three O&M claims for approval. He made a motion to approve the O&M claims of \$1,492.43; motion seconded by Bill Biller; motion passed unanimously.
- Mr. Huffman reported on the Finance Committee meeting held on November 30. He referred to the proposed 2005 budget. Mr. Gardner pointed out the budget codes where decreases were made. The administrative budget decreased about 6.5% from last year. The land purchase budget code increased about \$1,018,721 because it now includes the invested monies we had that we were earning some limited interest dollars on. With the increased dollar amount, we will pursue acquisition for the mitigation lands we need to move forward.
- Mr. Huffman presented the proposed NIRPC contract, which increased only slightly. Mr. Huffman also indicated that the Finance Committee recommends no bonus this year for employees Dan Gardner and Sandy Mordus. Mr. Huffman added that bonuses have always been based on service to the Commission and should not be held to the financial situation, but unfortunately, finances are a big concern this year. He also stated that all service contracts would be reviewed at the same amounts as last year, with no monetary increase this year.
- Mr. Gardner added that he has met with various municipalities and talked to several legislators. He also talked to Tim Sanders today. He wants to meet with Representative Ralph Ayres soon. Mr. Ayres will serve as Vice Chairman of the Ways and Means Committee so he will become a key player.
- Mr. Gardner reiterated the need to utilize the federal money available for construction. We need to complete the West Reach land acquisition as timely as possible and we can't spend that money at the expense of the mitigation lands needed for the construction permit. That is why we will recommend budgeting all the investment dollars we have and proceed with mitigation land purchase. This will put us in the best position to access federal money and in need of new state funding support to proceed further. This is the recommendation of Congressman Visclosky to spend down all available funds. There are three mitigation properties we need to acquire to meet the acreage requirements for obtaining the IDNR permit to allow us to proceed with the remaining West Reach construction.
- Mr. Gardner also stated that the budget could be amended after new dollars become available.
- Mr. Huffman stated that the budget would not be adopted until the January meeting. That will afford time to all members to review it.

Environmental Committee – Committee Chairman Mark Reshkin reported that we have 309 acres toward the 437 acres need to have our west reach IDNR permit extended. He felt that TPL is doing a good job of moving forward. Their focus is on three properties that would finish our mitigation requirements. The properties need to be purchased within the next three months at a cost of about \$1.1 million.

- A conference call was held on November 24 with IDNR, IDEM, the Corps, the Congressman's office, the Commission, and TPL. In this call, it was agreed to use the Commission's invested dollars to move forward with mitigation land purchase. TPL also has a "buy and hold" program that the Commission could take advantage of if necessary. They do charge an interest fee but if we run short of funds, which would be used only as a last resort.

Land Acquisition/Land Management Committee – Committee Chairperson Arlene Colvin referred the report to Bob Marszalek. He proceeded to make a motion to condemn DC1014 A&B (if he rejects our offer); motion seconded by George Carlson; motion passed unanimously.

- Bob Marszalek made a motion to approve and sign the Declaration of Restriction on land use for the Lake County Highway Dept. motion seconded by George Carlson; motion passed unanimously.

- Mr. Marszalek made a motion to allow staff to put a bid package together to advertise the four farm leases; motion seconded by George Carlson; motion passed unanimously.

- Staff presented a "proposed current lease" schedule for 2005 indicating projected revenues from commission-owned properties.

Operation & Maintenance Committee – Committee Chairman Bob Huffman referred to a letter sent to the Corps requesting the remaining items in the East Reach be inspected as soon as possible in order to be able to comprise a final "punch list" for deficiencies. This is critical in completing our responsibility to Gary prior to their accepting O&M responsibility.

- Mr. Huffman reported that three quotes were received for clearing the log jam west of MLK Drive. Congress Enterprises was low bidder with the bid being \$4,680. Mr. Huffman proceeded to make a motion to award the job to Congress; motion seconded by Bill Biller; motion passed unanimously. Mr. Huffman asked staff to look into a log jam by the Mansards that he noticed there. Staff will see if it is our responsibility to clean it up.

- Mr. Huffman informed the Board members that the agreements for operation and maintenance of the Southeast Hessville pump station were sent to the Hammond sanitary District for approval. Mr. Biller stated that he was aware that they had received them and their next scheduled Board meeting where they could be approved would be December 14.

Legislative Committee – Committee Chairman George Carlson referred to Mr. Gardner for a legislative update. Mr. Gardner already addressed how he was working with Hammond, Highland, and Munster in regard to their support for the next biennium funding request of the Commission. He will also be communicating with Representative Ralph Ayres and other members of the area delegation before the new session starts.

Project Engineering Committee – Committee Chairman Bob Huffman reported that a pre-construction meeting for Stage VI-1S will be held on December 2 at the Griffith COE office.

- A meeting was held with INDOT for the coordination of the upcoming construction at I-80/94 & I-65 on October 2, 2004.

- Final review of plans were submitted back to the COE for Burr Street II Gary with comments. A meeting with Gary needs to be scheduled to discuss design before actually going out for bids for construction. Gary will pay \$1.4 million toward the cost of this phase of construction.

- Discussion took place with INDOT, COE, city of Gary, and the Commission relative to the need for a pump station between Grant & Broadway. COE will provide current design and hydrology information to Gary.
- Mr. Huffman also referred to a draft letter addressed to the COE regarding hydrology in the West Reach and whether the hydrology needs to be reviewed to see if recent changes have caused conditions that would modify hydrology. A lengthy discussion was held. Commissioner Charlie Ray is putting together some data for COE review.
- Mr. Huffman asked staff about the scheduling of the bridge reconstruction at Indianapolis Blvd. in Highland. Jim Pokrajac answered that the bridge is scheduled to come down in 2005 or 2006. Our phase of construction that includes the pump station is not scheduled to be completed until the fall of 2006. The INDOT pump station cannot be built until the levee has been constructed. We have been in discussions with INDOT regarding this issue.
- The COE is currently coordinating with Overstreet to terminate their contract by default.

Recreation Committee – Committee Chairman Bob Huffman inquired about the proposed trail location in Highland at Cline Avenue along the NIPSCO R/W. Jim Pokrajac replied that he has talked to Dennis Cobb and he is looking into the possibility of the trail crossing at the light at River Road and Cline instead of Highway Avenue. Mr. Cobb thinks it might be possible. It would save the Commission time and money for construction and acquisition.

Marina Committee – Committee Chairman Charlie Ray informed the board members that a tort claim notice has been received by the Commission involving a claim that was made on behalf of a person that sustained an injury at the marina. Attorney Casale added that he has notified the Commission's insurance company.

- Mr. Gardner stated that Lefty's Coho marina is expanding and we have received a copy of their DNR permit approval.
- Mr. Huffman talked about the Marquette Plan and stated that some of the area they are including is the area around the Portage marina.

Policy Committee – There was no report.

Public Relations Committee – Committee Chairman Bob Marszalek referred to a thank you letter received from Joyceanne Agnew, thanking everyone for the wonderful dedication of the Charles Agnew Handicapped Park. Mr. Gardner added that the dedication was successful because of the time and effort that Mr. Marszalek put into it. He coordinated the entire event.

- Mr. Marszalek also took this opportunity to point out that this was the last meeting of the year and the year was successful because of good people working at it. He complimented Arlene Colvin on the fine job she has done as Chairperson.

Statements from the Floor - Munster resident Steve Enger stated that he thought hydrology review should have been done all along instead of re-evaluating it at this point in time.

- He also inquired about the status of the Woodmar Country Club condemnation. After discussion on building levees in that area, Imad Samara stated that nothing would be built that would adversely impact anyone else and that the COE would be reviewing the current hydrology.
- Mr. Enger also reiterated that the Commission committed to meeting with Munster every six months to keep Munster and the residents informed and updated.

There being no further business, the next meeting was scheduled for 6:00 p.m. Wednesday, January 5, 2004.



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

December 16, 2004

Construction Operations Branch

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

Dear Mr. Gardner:

This letter provides the results of the Little Calumet River Flood Protection and Recreation project pump station inspections conducted in Gary, IN on September 13, 2004. Representatives from the Corps of Engineers: Reric Witowski, Jan Plachta, Bharat Shah, Ernesto Go and Robert Craib. Representatives from LCRBDC: James Pokrajac and Robert Huffman. Representatives from United Water: Dwain L. Bowie and Adrienne Fancher. Representatives from Greeley and Hansen: Jay Niec and Don Smales. The inspection report is enclosed. The following comments are provided to address noted deficiencies.

Burr Street Pump Station (Unsatisfactory Rating):

- Pump #1: Pump is operational only in manual mode.
- Pump #2: Pump is not operational.
- Sump Pump: Pump is not operational. We lifted the pump-float to energize sump pump but it was non responsive.
- Upon switching all pumps to auto mode and manually lifting the float switches in the wet well, none of the pumps start. The problems seem to be in the motor starters and pump controller (Direct Logic DL205). Suggest to investigate the problems and repair before the next big storm occurs.
- No O&M manual in the pump station for immediate reference during maintenance.
- Suggest keeping a logbook to record the inspection and maintenance works including the date, purpose and what have been work-on, repaired or replaced.
- None of the pumps operated in automatic mode. Such deficiencies result from inadequate maintenance procedures. In accordance with the Local Cooperation Agreement you must correct these deficiencies within 30 days.

Heating and Ventilation System:

- Wall mounted unit heater did not stop at temperature setting indicated on the wall thermostat.
- Fan was operated on manual mode to check interlock with intake louver damper. Fan and louver damper operated as required.
- Check heating and ventilation control system and adjust as necessary to control building temperature.

Grant Street Pump Station (Marginal Rating)

Pumping System:

- Remove trash from pump station intake area.
- Both main pumps are working. Pump no. 1 and 2 run smoothly.
- Sump Pump discharge pipe is disconnected. Not clear why the discharge pipe is disconnected. Did not operate the sump pump.
- Keep O&M manual at the pump station site.
- Suggest keeping a logbook in the pump station to records the inspection and maintenance work including the date, purpose and what has been serviced, repaired, or replaced.

Sluice Gates:

- Sluice Gate Located on the right side is broken.
- Incorporate gate travel limit on all sluice gate stem. Currently, the gate travel indicator dial does not reflect actual position of gate. Adjust existing gate travel indicator dial.

Broadway Avenue Pump Station: (Unsatisfactory Rating)

Pumping System:

- No water was available for running the pump so pump was just bumped.
- **Pump #1 ran, Pump #2 did not run (just a humming sound).**
- Suggest replacing a rusted junction box near the top of the sump area to a NEMA 4X stainless steel junction box.
- Keep O&M manual at the pump station site.
- Suggest keeping a logbook in the pump station to record the inspection and maintenance work including the date, purpose and what has been serviced, repaired, or replaced.

Sluice Gates:

- Sluice Gate functions as intended.
- Incorporate gate travel limit on all sluice gate stem. Currently gate travel indicator dial does not reflect actual position of gate. Adjust existing gate travel indicator dial.

Ironwood Pump Station: (Satisfactory Rating)

Pumping System:

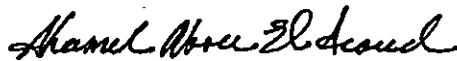
- Pump #1 & #2 run as intended.
- Grounding cable to fence needs to be tightened.
- Keep O&M manual at the pump station site.
- Suggest keeping a logbook in the pump station to records the inspections and maintenance works including the date, purpose and what have been work-on, repaired or replaced.

Sluice Gates:

- Sluice Gate function as intended.
- Incorporate gate travel limit on all sluice gate stem. Currently gate travel indicator dial does not reflect actual position of gate. Adjust existing gate travel indicator dial.

If you have questions, please contact Mr. Witowski at (312) 846-5476. We look forward to conducting the 2005 inspections in July, 2005.

Sincerely,



Shamel Abou-El-Seoud, P.E.
Chief, Construction Operations Branch

Enclosure

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
FINANCIAL STATEMENT
JANUARY 1, 2004 - NOVEMBER 30, 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 - NOVEMBER 30, 2004

LEASE RENTS	49,537.10
LEL MONIES (SAVINGS)	
INTEREST INCOME (FROM CHECKING & FIRST NATL)	24,932.83
LAND ACQUISITION	2,831,900.87
ESCROW ACCOUNT INTEREST	508.60
MISC. RECEIPTS	91,737.88
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE	1,560.43
TRANSFERRED FROM SAVINGS	51,971.78
PROCEEDS FROM VOIDED CHECKS	
TOTAL RECEIPTS	3,052,149.49

DISBURSEMENTS - JANUARY 1, 2004 - NOVEMBER 30, 2004

ADMINISTRATIVE	
2003 EXPENSES PAID IN 2004	157,015.46
PER DIEM	7,950.00
LEGAL SERVICES	4,372.63
NIRPC	111,099.09
TRAVEL & MILEAGE	1,210.06
PRINTING & ADVERTISING	10.00
BONDS & INSURANCE	6,483.25
TELEPHONE EXPENSE	5,832.91
MEETING EXPENSE	3,383.70
LAND ACQUISITION	
LEGAL SERVICES	83,583.16
APPRAISAL SERVICES	100,100.00
ENGINEERING SERVICES	69,873.90
LAND PURCHASE CONTRACTUAL	36,880.00
FACILITIES/PROJECT MAINTENANCE SERVICES	492.87
OPERATIONS SERVICES	0.00
LAND MANGEMENT SERVICES	199,792.50
SURVEYING SERVICES	45,613.50
MISCELLANEOUS EXPENSES	0.00
ECONOMIC/MARKETING SOURCES	0.00
PROPERTY & STRUCTURE COSTS	2,241,514.00
MOVING ALLOCATION	6,450.00
TAXES	0.00
PROPERTY & STRUCTURES INSURANCE	0.00
UTILITY RELOCATION SERVICES	20,095.45
LAND CAPITAL IMPROVEMENT	0.00
STRUCTURAL CAPITAL IMPROVEMENTS	6,395.00
BANK CHARGES MERCANTILE	57.00
PASS THROUGH FOR SAVINGS	51,971.78
TOTAL DISBURSEMENTS	3,003,160.80

CASH POSITION - NOVEMBER 30, 2004

CHECKING ACCOUNT	
LAND ACQUISITION	112,605.21
GENERAL FUND	39,052.26
TAX FUND	0.00
TOTAL FUNDS IN CHECKING ACCOUNT	151,657.47
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	225,581.76
(LEL MONEY)	88,130.37
(MARINA SAND MONEY)	133,721.49
(STATE DRAW MONIES)	-
(GARY PARKS & REC MONIES)	-
SAVINGS INTEREST	3,729.90
TOTAL INVESTMENTS & SAVINGS	1,110,581.76
ESCROW ACCOUNT INTEREST AVAILABLE	1,892.99
	<hr/>
TOTAL OF ALL ACCOUNTS	1,264,132.22

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

MONTHLY BUDGET REPORT, DECEMBER, 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
5892 PROJECT COSTSHARE/ESC ACCT	400,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	400,000.00
	5,189,677.00	64,571.12	1,216,743.06	115,347.10	474,514.71	66,834.99	75,576.73	2,013,587.71	3,176,089.29

	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	0.00	0.00	0.00	3,300.00	7,200.00	7,800.00
5811 LEGAL EXPENSES	8,500.00	463.83	283.33	283.33	283.33	283.33	311.83	4,589.46	3,910.54
5812 NIRPC SERVICES	130,000.00	8,759.21	8,838.51	8,709.45	10,827.00	11,006.19	11,028.31	122,697.73	7,302.27
5821 TRAVEL/MILEAGE	10,000.00	30.60	73.16	20.74	61.18	9.18	449.84	1,201.96	8,798.04
5822 PRINTING/ADVERTISING	5,000.00	0.00	0.00	0.00	0.00	60.39	0.00	70.39	4,929.61
5823 BONDS/INSURANCE	8,000.00	0.00	0.00	0.00	0.00	0.00	77.00	6,560.25	1,439.75
5824 TELEPHONE EXPENSES	7,000.00	124.30	236.26	722.92	120.39	235.13	733.23	4,538.23	2,461.77
5825 MEETING EXPENSES	8,000.00	0.00	300.34	0.00	74.25	0.00	62.80	3,364.20	4,635.80
5840 PROFESSIONAL SERVICES	650,000.00	33,163.95	36,137.31	29,685.41	40,626.24	37,104.23	34,485.04	520,949.45	129,050.55
5860 PROJECT LAND PURCHASE EXP.	4,073,177.00	0.00	70,951.60	354,589.20	154,000.00	31,488.64	350.00	2,227,539.64	1,845,637.36
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	1,565.00	165.00	460.74	2,275.28	211.68	2,269.68	12,174.76	187,825.24
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	6,395.00	0.00	0.00	6,395.00	18,605.00
5892 PROJECTCOSTSHARE/ESC ACCT	400,000.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	400,000.00
	5,189,677.00	44,106.89	116,985.51	394,471.79	214,662.67	80,398.77	53,067.73	2,917,281.07	2,272,395.93

CLAIMS PAYABLE FOR DECEMBER 2004

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5801	MARK RESHKIN	250.00	PER DIEM 7/7/04-11/3/04
5801	CHARLES RAY	500.00	PER DIEM 7/7/04-12/01/04
5801	GEORGE CARLSON	500.00	PER DIEM 7/7/04-12/01/04
5801	WILLIAM BILLER	500.00	PER DIEM 7/7/04-12/07/04
5801	JOHN MROCZKOWSKI	50.00	PER DIEM 7/7/04
5801	ROBERT HUFFMAN	900.00	PER DIEM 7/7/04-12/02/04
5801	ROBERT MARSZALEK	250.00	PER DIEM 7/7/04-12/01/04
5801	ARLENE COLVIN	350.00	PER DIEM 8/04/04-12/01/04
5811	CASALE, WOODWARD & BULS LLP	283.33	MONTHLY RETAINER FOR MONTH OF DECEMBER 2004
5811	CASALE, WOODWARD & BULS LLP	28.50	ADDITIONAL LEGAL SERVICES THROUGH 12/21/04
5812	NIRPC	11,028.31	SERVICES PERFORMED NOVEMBER 2004
5821	SANDY MORDUS	37.06	MILEAGE 11/30/04-12/22/04
5821	JAMES E POKRAJAC	24.50	TRAVEL EXPENSES INCURRED 12/15/04 FOR CHICAGO COE REAL ESTATE MEETING
5821	GEORGE CARLSON	19.04	MILEAGE 8/12/04-11/30/04
5821	MARK RESHKIN	57.80	MILEAGE 7/7/04-11/3/04
5821	CHARLES RAY	59.84	MILEAGE 7/7/04-12/1/04
5821	WILLIAM BILLER	12.92	MILEAGE 11/3/04
5821	ROBERT HUFFMAN	166.60	MILEAGE 7/7/04-12/2/04
5821	ROBERT MARSZALEK	27.20	MILEAGE 7/7/04-12/1/04
5821	ARLENE COLVIN	44.88	MILEAGE 8/4/04-12/1/04
5823	DALY INSURANCE SERVICES	77.00	RENEWAL OF TREASURER BOND
5824	AT & T	233.20	BILLING PERIOD 10/13/04-11/14/04(TOTAL BILL 250.39, KRBC 17.19)
5824	AT & T	255.43	BILLING PERIOD 11/15/04-12/13/04(TOTAL BILL 272.20 KRBC 16.77)
5824	VERIZON	121.70	BILLING PERIOD 11/16/04-12/16/04(TOTAL BILL 234.03 KRBC 112.33)
5824	VERIZON	122.90	BILLING PERIOD 12/16/04-1/16/05(TOTAL BILL 235.23 KRBC 112.33)
5825	JIMMY JOHNS	62.80	COSTS INCURRED FOR FINANCE COMMITTEE MEETING 11/30/04
5842	R. W. ARMSTRONG	2,659.50	PROFESSIONAL SERVICES FOR PERIOD ENDED 12/10/04
5843	STEWART TITLE SERVICES OF NORTHWEST	440.00	TITLE WORK FOR DC-212
5843	STEWART TITLE SERVICES OF NORTHWEST	360.00	TITLE WORK FOR DC-798
5843	STEWART TITLE SERVICES OF NORTHWEST	360.00	TITLE WORK FOR DC-800
5843	STEWART TITLE SERVICES OF NORTHWEST	360.00	TITLE WORK FOR DC-815
5843	STEWART TITLE SERVICES OF NORTHWEST	470.00	TITLE WORK FOR M12 & M14(1 OF 3)
5843	STEWART TITLE SERVICES OF NORTHWEST	470.00	TITLE WORK FOR M12 & M14(2 OF 3)
5843	STEWART TITLE SERVICES OF NORTHWEST	650.00	TITLE WORK FOR M12 & M14(3 OF 3)
5843	STEWART TITLE SERVICES OF NORTHWEST	470.00	TITLE WORK FOR DC-1043 (1 OF 2)
5843	STEWART TITLE SERVICES OF NORTHWEST	360.00	TITLE WORK FOR DC-1043(2 OF 2)
5843	STEWART TITLE SERVICES OF NORTHWEST	360.00	TITLE WORK FOR DC-1046
5843	STEWART TITLE SERVICES OF NORTHWEST	470.00	TITLE WORK FOR DC-1050
5844	JAMES E POKRAJAC	4,423.90	ENGINEERING SERVICES 11/16/04-11/30/04
5844	JAMES E POKRAJAC	190.74	NOVEMBER MILEAGE
5844	JAMES E POKRAJAC	5,276.70	ENGINEERING SERVICES 12/1/04-12/15/04
5844	JUDITH VAMOS	2,933.77	LAND ACQUISITION AGENT SERVICES 11/16/04-11/30/04
5844	JUDITH VAMOS	14.62	NOVEMBER MILEAGE
5844	JUDITH VAMOS	2,703.68	LAND ACQUISITION AGENT SERVICES 12/1/04-12/15/04
5844	LORRAINE KRAY	816.00	CREDITING TECHNICIAN/LAND ACQUISITION ASST 11/16/04-11/30/04
5844	LORRAINE KRAY	1,008.00	CREDITING TECHNICIAN/LAND ACQUISITION ASST 12/01/04-12/15/04
5844	SANDY MORDUS	400.00	CREDITING TECHNICIAN SERVICES 11/16/04-11/30/04
5844	SANDY MORDUS	150.00	CREDITING TECHNICIAN SERVICES 12/1/04-12/15/04
5849	CASALE, WOODWARD & BULS LLP	9,138.13	LAND ACQUISITION/LEGAL SERVICES FOR PERIOD ENDED 12/21/04
5861	WIESER & STERBA	350.00	SERVICES RE: CONDEMNATION OF DC-1010B & DC-1010D
5882	NIES	2,269.68	UTILITY RELOCATION ASSISTANCE SVH-I

TOTAL 53,067.73

**APPROVAL TO PAY THE FOLLOWING INVOICES
FROM O&M FUND (LEL MONIES)
JANUARY 5, 2005**

- \$2,000.00 to C&H Mowing for 2004 levee spraying & brush cutting
 - \$1,380.00 to Congress Enterprise, Inc. for removal of debris in Ditchline Encloser of flap Gate at I-Wall – Chase Street in Gary
 - \$4,680.00 to Congress enterprise, Inc. for removal of all trees, logs, brush and debris located west of MLK Drive and under the Chicago, Ft. Wayne, and Eastern RR in Gary
 - \$86.57 to NIPSCO in payment of electric bill at 3120 Gerry Street, Gary
 - \$649 to CNA Insurance Company for renewal policy of 3499 Chase Street
-

TOTAL \$8,795.57

Balance in O&M account (LEL monies) after paying these invoices will be \$77,927

PROPOSED
2005 OPERATING BUDGET

Budget Code	Category	2004 (12 month) Budget	2005 (12 month) Budget
<u>ADMINISTRATIVE BUDGET</u>			
5801	Per diem expenses	\$15,000.00	\$10,000.00
5811	Legal Services	\$8,500.00	\$8,500.00
5812	NIRPC Services	\$130,000.00	\$130,000.00
	a) Basic staff support		
	b) Mileage/expenses		
	c) Room rental		
	d) Postage		
	e) Copying machine		
	f) Printing/graphics labor		
	g) Office supplies		
	h) Other		
5821	Travel and Mileage	\$10,000.00	\$10,000.00
5822	Printing and Advertising	\$5,000.00	\$2,500.00
5823	Bonds and Insurance	\$8,000.00	\$8,000.00
5824	Telephone Costs	\$7,000.00	\$5,000.00
5825	Meeting Expenses	\$8,000.00	\$6,000.00
SUB TOTAL		\$191,500.00	\$180,000.00

LAND ACQUISITION/PROJECT DEVELOPMENT BUDGET

5840	Professional/Consultant Services	\$650,000.00	\$600,000.00
5841	Appraisal Services		
5842	Engineering/design services		
5843	Land Purchase contractual services		
5844	Land management services		
5845	Facilities/project maintenance services		
5846	Operational services		
5847	Surveying services		
5848	Economic/marketing sources		
5849	Legal Services		
5860	Project Land Purchase Contracts	\$4,073,177.00	\$2,337,073.00
5861	Property & Structures costs		
5862	Moving/relocation costs		
5863	Real Estate Taxes owed account (pass through account)		
5881	Property/Structure Insurance	\$25,000.00	-
5882	Utility Relocation Costs	\$200,000.00	\$100,000.00
5883	Land Capital Improvements	\$25,000.00	\$5,000.00
5884	Structures Capital Improvements	\$25,000.00	\$5,000.00
5892	Project Cost Share Payments/Escrow Account	(\$400,000.00)	(\$472,500.00)
SUB TOTAL		\$4,998,177.00	\$3,047,073.00

TOTAL BUDGET **\$5,189,677.00** **\$3,227,073.00**

Note:

- \$5 million allocated on 8/14/03 from 2003/04 - 2004/05 General Fund budget
- \$2 million appropriated from 2003/04 - 2004/05 reverted
- \$5 million request of 2005/07 budget made on 8/12/04
- \$700,000; \$185,000; \$133,721 (investments) - Add'l monies added into Land Acquisition/Project Development budget

Sandy Mordus

From: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
To: "Sandy Mordus" <smordus@nirpc.org>
Sent: Tuesday, January 11, 2005 5:07 PM
Subject: RE: Friendly Reminder of Outstanding Issues

Please See Answers Below

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

From: Sandy Mordus [mailto:smordus@nirpc.org]
Sent: Friday, January 07, 2005 3:54 PM
To: Samara, Imad LRC
Subject: Friendly Reminder of Outstanding Issues

Imad:

Following are several items that either need to be addressed or I need an answer to. These are as follows:

(1) Could you give me the status of your coordination with the Lake County Highway Department for the Kennedy Avenue bridge deck re-building? It was our understanding that your engineers and the County engineers would coordinate any features adjacent to the bridge that Lake County would do; and that you would enter into an agreement with them, similarly as we have done in the past, whereby the Corps would pay the County for those features necessary for our flood control portion.

We have coordinated the necessary technical information, we have also started the coordination of the agreements but that kind off slowed down since the project was know going to be let in 2006.

(2) I sent an e-mail to you a few months back requesting as-built drawings for those completed levee segments that we have not received. We still need these in order that, as part of our turn-over process to Gary, we can submit to them "as-built" drawings. If you need the information again, please let me know. We also requested that we get half sized sets, not computer data whereby we would be responsible for printing out the copy, as we do not have this capability. You did receive a CD with the O&M Manual that included all the as builds for the east reach. If you don't have the CD please let me know so that I can furnish you with another one. With the information in the cd you can print any size papers.

(3) The Development Commission is currently in the beginning stages of coordinating with the town of Griffith regarding their acceptance of O&M in the East Reach. Primarily, this would cover all of the Burr Street Betterment Levee Phase 1 from Colfax westward to the EJ&E RR. In addition, we will be discussing with them the use of their existing levee system between Cline Avenue and the EJ&E RR, whereby we will be installing a recreational trail along this levee.

- Could you please refresh my memory. You said to use the same easement that we did for the Chase Street trail as part of the Recreation Phase 1 project. This was referred to as a 'fee acquisition parcel'. We won't get this in fee from Griffith. Also, we will probably need a letter from the Corps allowing us some type of easement, not in fee, for a recreational feature.

I'm not sure why you need any letter from the COE if this situation is similar to Chase Street. You must have letter approving that acquisition and this should be done similarly.

(4) We're still awaiting a copy of your agreements with INDOT for what was paid as part of their project that was done as part of our flood control. In the past, you asked us to look through our files to see if we have had any record of these agreements; we do not. Will you please check

through your files and provide these to us in order that we can assure that we would be getting credit for any items that you have not paid to INDOT that are flood control project related.

I'm still trying to find them, since the move last year it has been hard to find old things. And it is especially hard with the fact that Don Valk is not in the office where he kept a copy of these agreements. There is still few places that I intend to look for these agreements. I will let you know if I find anything by the end of this week.

(5) Has the Corps had the opportunity to review their estimate of \$1.7 million for construction for the Burr Street II Gary portion of construction? Is it the intention of the Corps to wait until bids come back to see if certain costs have to be reduced or if items may be omitted from that contract?

Since the commission is allotted to spend state funding on the Betterment Levee we feel that the commission should come up with state funding to make up this difference for this contract. As you know that since whatever we delete from the Gary contract would have to be added to Burr II which will be funded with state funding. If the commission request that we reduce the scope we will do that. But in the opinion of the COE the scope should not be changed.

James E. Pokrajac, Agent
Land Management/Engineering

WORK STUDY SESSION
ENGINEERING COMMITTEE

January 5, 2005

Bob Huffman, Committee Chairman

1. GSD wrote a letter to the Army Corps on November 8, 2004 regarding concerns with the upcoming construction of the Burr Street Betterment Levee Phase II (Gary) that included concerns with Rule 5 and Rule 13 (Refer to attachments in Engineering Report, Pages 2A-2D).
 - Army Corps responded in a letter dated December 28th indicating their legal opinion.
 - Corps also indicated they would incorporate design features into the project plans to help Gary meet local storm water requirements.
 - Still awaiting a list from Gary as to what features Gary feels need to be addressed (Attached is a letter sent to Greeley & Hansen on May 25, 2004). /
 - A meeting is being scheduled with Gary to discuss this issue.

2. The LCRBDC received a letter from the Corps on December 27, 2004 addressing our hydrology concerns relative to the current West Reach design. 2-5
 - Corps project is designed for a 200 year event and current storm water ordinances accommodate more frequent events, which will not affect our design.
 - HEC models for design were run with and without Hartsale Pond that mainly affect Spring Ditch.
 - VI-2 storage was included in their modeling.
 - Thorn Creek has been included in their modeling (including Thornton Quarry)
 - (Refer to attachment to this report)
 - Corps will have representatives at our February meeting to make a presentation and answer questions.

3. A Local Transportation Management Plan meeting was held with INDOT on November 30, 2004 regarding I-80/94 & I-65 construction.
 - Minutes of meeting available upon request.
 - A follow-up meeting has been scheduled for January 26th for the purpose of discussing the final construction sequencing and the ramp closures and detour routes by contract.



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson
Mayor of Gary's
Appointment

ROBERT MARSZALEK, Vice Chairman
Governor's Appointment

MARK LOPEZ, Treasurer
Lake County Commissioners'
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

ROBERT HUFFMAN
Governor's Appointment

CHARLES RAY
Porter County Commissioners'
Appointment

DR. MARK RESHKIN
Governor's Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

May 25, 2004

Mr. Jay Niec
Greeley & Hansen Engineers
105 E. Jefferson Blvd.
Suite 800
South Bend, Indiana 46601

Dear Jay:

In a recent conversation with the Army Corps of Engineers, it is my understanding that they have agreed to work with the city of Gary and the Gary Sanitary District to provide water quality measures that are required to be in compliance with IDEM items that are part of the Little Calumet River flood control project. In order to comprise a scope of work, the COE will need a list from the GSD that has been coordinated with IDEM as to what features will be needed. The COE will evaluate this list and work with the city and the GSD to develop a scope for a contract to implement these required changes and advertise a contract in the 2005 COE fiscal year. It is their intent to create a new contract, and to budget for this contract. This will include the control structure along the east side of Chase Street south of your 27th Avenue pump station, the backup pump and jib crane for the Ironwood pump station, as well as other miscellaneous features.

We are hoping that by working with you to complete these items, we can continue our coordination with the GSD for them to ultimately assume the operation and maintenance of the completed east reach features for the flood control project in Gary.

If you have any questions regarding this request, please let me know.

Sincerely,


Dan Gardner
Executive Director

/s/jm
cc:

Don Smales, Greeley and Hansen
Jim Meyer, GSD attorney
Spike Peller, GSD
Arlene Colvin, City of Gary
Imad Samara, COE
Vic Gervais, COE



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

REPLY TO
ATTENTION OF

December 27, 2004

Technical Services Division
Hydraulic and Environmental Engineering Branch

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

Dear Mr. Gardner:

This letter is our response to your letter of 15 December 2004, regarding possible hydrologic adjustments that may help reduce costs by lowering levee crest elevations and resulting levee footprints. We appreciate your suggestions and concerns and are always willing to pursue viable alternatives to reduce costs while still providing a quality flood control project with dependable flood protection. We have considered your suggestions and have developed the following responses:

Regarding item (1) – Restrictive storm water ordinances are quite necessary in fast growing urban environments like the Little Calumet River basin in northwest Indiana. The designs to accommodate these ordinances are effective in compensating for the additional runoff created by commercial and residential development, however, these storm water features are designed for mitigating more frequent storm events than the 200 year design event that was used for design of the Little Calumet River flood control project. In other Corps studies in the Chicago metropolitan area it is generally considered that these features compensate for the development with basically a zero net effect with regard to the infrequent events used for levee design.

We examined the gage records to make a comparison of the last ten years of record compared to the previous years of record. At the Hart Ditch gage at Munster, annual peak flows for the first 50 years of record averaged 1513 cubic feet per second (cfs). For the next and last 10 years of available data (water years 1993-2003 - 2002 missing) the average annual peak flow was 2204 cfs, for an average increase of 694 cfs or a 46% increase. Some increase would be expected for annual peak flows in rapidly developing areas even with storm water ordinances. Some of the increase may be due to a wet cycle, but in either case the gage record would not suggest a lowering of flood protection levels.

In a similar manner, peak annual stages for the first 51 years of record averaged 5.51 ft (596.78 ft NGVD) at Hart Ditch gage. For the last ten years, the average peak stage was 7.33 ft (598.60 ft NGVD), 1.82 feet higher than the average of the previous 51 years.

At the Little Calumet River gage at Munster by Hohman Avenue the average peak stage for the first 35 years of record were 12.52 ft (593.24 ft NGVD). For the last 10 years of record the peak stages averaged 13.91 ft (594.63 ft NGVD) or 1.39 feet higher than the average of the previous 35 years.

As stated above regarding flows, the stage data also does not suggest a rationale for lowering levels of flood protection for the levee project.

Regarding item (2) – We did a sensitivity analysis with our HEC-1 and UNET unsteady flow models regarding the Hartsdale Pond. The models assumed full project conditions and were run for both with and without the Hartsdale Pond in place. Attachment 1 presents resulting flow hydrographs from the analysis. When comparing the flow hydrographs at the pond, we see that the pond is extremely effective for decreasing peak stages on Spring Ditch, however, because of the difference in the timing of the peaks when compared with flows at the Hart Ditch Gage it had no effect on the peak flow at the Hart Ditch gage and as a result an insignificant impact on stages on the Little Calumet River.

Regarding item (3) – The realignment of the levee in Stage VI-2 created a large amount of additional flood storage, lowering design stages two or three tenths of a foot in some areas of the east reach. This storage has been included in our modeling since the mid 1990's, and was included in the analysis for the East Reach Remediation Levee and the current model submittal for the FEMA remapping effort.

Regarding item (4) – The Thorn Creek Reservoir has been a necessary feature for our project to provide the required levee freeboard at the state line. It has been included in our analyses since the 1980's. The portion of the quarry that was put online in recent years is included in our analysis that was submitted to FEMA for the current remapping effort and will continue to be included in all current and project condition models.

Regarding flow into Illinois, our Little Calumet River model is calibrated using frequency data developed from every applicable USGS stage/flow gage that is available in the watershed. It was also calibrated to the 1989 and 1990 flood events in which there was a wealth of data provided by the USGS, Illinois and Indiana. We had an extensive amount of high water data, flow and stage data from the gages and also flow measurements by the USGS for these two historic flood events. In addition, an analysis of average flows into Illinois is presented in FDM5 and an updated version in the East Reach Remediation Report. For current and project condition models new bridges and other major projects (Cady Marsh Ditch Diversion for example) are added where applicable. We feel confident that the model reflects a good calibration to the available data and provides a reasonable estimate for flows into Illinois for this very complicated and ever changing watershed.

The reduction of 100 year flood levels for the residents west of Hohman Avenue is due primarily to the Thorn Creek Reservoir lobe that has been put online. The reservoir

lowers stages approximately two and a half feet at the state line. This will be reflected when that portion of the river is remapped by FEMA.

Regarding item (5) – The models were updated for the latest FEMA submittal to include Bulletin 70 rainfall distributions, which is the current standard for flood frequency studies in our area. The model was updated from Technical Paper 40 (TP 40) rainfall distributions. Even if the model was changed to another rainfall distribution, the models would still need to be calibrated to flow and stage frequency curves at the gages. Timing, volumes and flow distributions may change due to the different distributions, but ultimately peak flows and stages must be calibrated to the gage data and ultimately there are only slight changes made when changing rainfall distributions. This was the case when changing from TP 40 to Bulletin 71 rainfall.

Regarding item (5) – See the second paragraph of response to item (4) above.

We are looking forward to making a presentation to explain and discuss our model at the February meeting of the Commission. Please contact Ms. Susanne Davis of the Hydraulic and Environmental Engineering Branch or Mr. Rick Ackerson of the Hydraulic Engineering Section if you have further questions. Ms. Davis can be reached at 312-846-5500. Mr. Ackerson can be reached at 312-846-5511.

Sincerely,



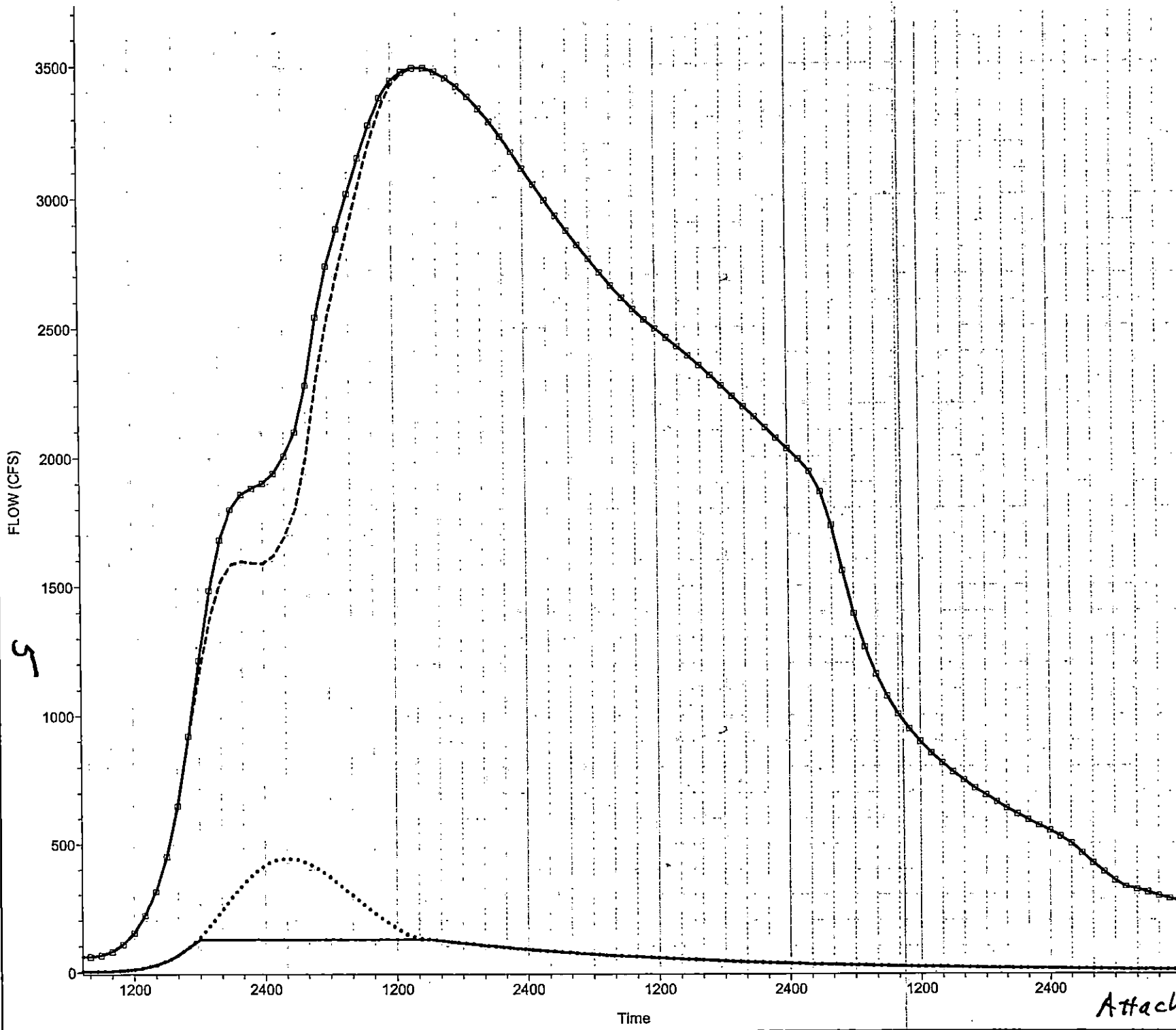
Susanne J. Davis, P.E.
Chief, Hydraulic and Environmental
Engineering Branch

Attachment

cf: Imad Samara (PM)

Hartsdale Pond Comparison 200 year event flow hydrographs

Legend	
---	Hart Ditch gage (no pond)
—○—	Hart Ditch gage (w/ pond)
—	At Pond (no pond)
.....	At Pond (w/pond)



Attachment 1

WORK STUDY SESSION
LAND MANAGEMENT
January 5, 2005
Arlene Colvin, Committee Chairperson

1. Farm leases to be advertised for 2005 farming season by end of January.
- Cash rental lease*
- A. 200 acres between levees between Chase and Grant have a large amount of standing water due to Corps and Gary designs for storing water.
- 2004 farm lease in this area paid LCRBDC \$14,000 minus \$12,000 for pumping charges, leaving a net profit of \$2,000.
 - Propose to advertise and indicate in bid form that LCRBDC will need to make a minimum profit of \$2,000 regardless of pumping charges.
- 100 acres!*
- B. 120 acres outside the levees between Chase & Grant
- Farmed in 2004 by Don Ewen and netted \$7,700 profit – No pumping charges.
 - Ewen verbally requested consideration in 2005 to work with a local organization to help feed the "hungry of Gary".
- 100 acres!*
2. 3120 Gerry Street is currently being reviewed by the Attorney General's office.
- As of today, our attorney has been requested to provide some additional information.
 - He feels they already have this information and should sign off when they find and review it.

*What they want?
get it to them!*

get FEMA
site showing
maps from
Dennis

1436 total
825 closed

WORK STUDY SESSION
5 January 2005

LAND ACQUISITION COMMITTEE
Arlene Colvin, Chairperson

get happy chart
from Judy

- 1.) There are no increased offers.
There are no condemnations:
- 2.) Year-end update for calendar year 2004:
 - **Properties (DC Numbers) closed: 42**
(for Stages VI-1 North & South, VI-2, Burr St., Mitigation, East Reach)
 - **Landowners condemned: 12**
(5 were friendly condemnations because of the re-assessment)
 - **Properties involved in the acquisition procedure: 80**
(each property requires survey, title work, appraisals, etc.)

3.) Update on current condemnations:

- Court appraisers to return Friday 1/7/05 with court award for Hammond
- Appraisers on Thursday 6 January 05 will inspect the:
 - DC 617- (Cline Avenue and the frontage road) VI-2
 - DC 1009 - (3323 Liable Road in Highland)
 - DC 210 and 211 - (east of Chase and 35th Street) - E.E.
- Court hearing on 20 January 05 for DC 1002 (Liable Rd and NIPSCo R/W) - VI-2

4.) Update on Motel 6:

A survey was completed on the parking lot area of Motel 6 indicating the three (3) parking spaces are impacted by the flood project, not five (5) as counted by the court-appointed appraisers. The inclusion of the five spaces figured heavily into the court award of \$154,000. The money was paid into court on 11/30/04 and we have possession of the land. The landowner has filed exceptions to the court award, however, that does not interfere with our deadline of April 05.

we filed exceptions, too.

get from Daniel -
Dennis's email
to him

PROJECT ENGINEERING MONTHLY STATUS REPORT

For meeting on Wednesday, January 5, 2005

(Information in this report is from November 25 – December 28, 2004)

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

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

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

1. Project completed on December 1st, 1993
Dyer/Ellas Construction – Contract price: \$1,220,386
 - Discussions ongoing as to whether a pump station is needed between Grant and Broadway along I-80/94 to address potential flooding of interstate when the gates are closed.
 - Refer to Item #2 in the "General" section of this report that regards the meeting which was held on November 9, 2004.

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

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

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

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

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

Wrong letter - change it - ask Jim

Send forward legal opinion to Stone Davis

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. Bids were opened on June 30 and the apparent low bidder was ECO SYSTEMS, INC. (who estimated approximately 56% of the government estimate).
 - 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.

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

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

STATUS (Stage III) Chase to Grant Street:

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

STAGE III Drainage Remediation:

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 28th, 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. (Completed)

D. Phase indicator system, for generator plug-in at the North Burr St. pump station.
(Completed)

3. The pump station start-up for Grant Street was done on July 20th, 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. LCRBDC completed review of the access/recreational trail ramp west of Grant Street and forwarded to the COE. Anticipate ramp construction prior to the end of the 2004 construction season.
 - COE anticipates approval for design by early November and that the ramp and concrete spillways will be installed this calendar year.

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

1. IV-1 (North) The drainage system from Colfax to Burr St. North of the Norfolk Southern RR.
 - Current contract amount - \$2,956,964.61
 - Original contract amount - \$2,708,720.00
 - Amount overrun - \$248,244.60 (9%)
2. We received “as built” drawings from the COE on March 13th, 2002. The only item needed to be completed is to assure turf growth in all areas. (This will be inspected in the spring, 2004)
 - This will be part of the final inspection with the COE. If the turf grass has not established itself, the COE will be responsible to remediate.
3. We received a response from the COE on January 7th, 2003, addressing vegetation.
 - Current plantings are for erosion control that will give way to native grasses. Native grasses weren’t planned on this contract, but will be 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.

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

1. The bid opening was held on May 9th, 2000

- The low bidder is Dyer Construction.
 - Current contract amount - \$2,228,652.16
 - Original contract amount - \$2,074,072.70
 - Amount overrun - \$113,604.62 (6%)
2. The drainage ditch north of the Mansards is having sloughing problems that should be corrected when Burr St. Phase II(Gary) 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 October 27, 2004 indicating that a schedule has not yet been established and that a coordination meeting with Gary needs to be arranged to discuss design.
 - Engineering plans and specifications for this segment were submitted to Gary by the COE for review and comment on November 1, 2004.
 - COE is awaiting a letter from Gary indicating all of their concerns regarding water quality that they feel are necessary for the project to address.
 - **The LCRBDC submitted comments to the COE on December 8th, 2004. Suggested a coordination meeting with Gary, discussed Rule 13, and reviewed estimate of projected contract cost.** 1-2
 - **GSD sent a letter to the COE on November 8, 2004 with (2) concerns regarding water levels at Burr Street and again on Rule 13.** 2A+B
 - **The COE sent a letter to GSD on December 28, 2004 regarding their concerns for construction in this area.** 2C+D
3. A meeting was held with the COE, LCRBDC, and Jim Meyer (GSD attorney) on March 23rd, 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 by the COE to reduce their estimate of \$1.6 million to allow Gary appropriate budget.

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. We were informed of the change in schedule on October 27, 2004 as follows: Final engineering drawings for review will be submitted April 2005; design completion June 2005; advertise July 2005; and award September 2005. (One year to complete construction)
3. A letter was sent to the NSRR (Dave Orrison) on November 12 along with the current cross-sectional and plan view drawings of our impacts to the railroad. A field meeting will be scheduled to review and discuss design.

STATUS (Stage V Phase 1) Wicker Park Manor:

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

STATUS (Stage V Phase 2):

1. A meeting was held with the LCRBDC and the COE on May 14, 2003 to discuss revised scheduling with the recent appropriation from the State.
 - A. We considered breaking up Stage V-2 into (2) segments as follows:
 - Stage V-2A (Kennedy to Indianapolis Blvd.)
 - Stage V-2B (Indianapolis Blvd. to Northcote)
 - A letter was sent to the COE on June 5th, 2003 requesting division of V-2 into (2) segments & also hydrology data and recreational tie-in. (Response is ongoing.)
2. We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of January 2006, with two (2) years to complete construction.
3. INDOT drainage issues at Indianapolis Blvd. and the Little Calumet River.
 - A. INDOT had a coordination meeting on August 12th, 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.

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.
 - We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of November 2006, with one (1) year to complete construction.
2. This project will be done after all other construction between Cline Ave. and Northcote is completed due to hydrology concerns with installing the control structure as part of the project.
3. A meeting with Woodmar was held on December 4, 2003 to discuss current status.
 - At this point in time, all of Hammond (Cline to State Line) would come out of the floodplain at one time. All construction needs to be completed north of the river because no tie-backs are currently available.

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

1. Illinois Constructors Corporation was awarded the contract on September 30, 2004.
 - COE estimate (without profit) - \$6,141,815.00
 - Low bid (awarded amount) - \$6,513,093.70
 - 700 days to complete from contractor receiving his "Notice to Proceed".
2. A pre-construction meeting is scheduled for December 2 at the Griffith COE office with the contractor, municipalities, and utilities to answer questions, establish points of contact, discuss scheduling, and review construction.

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

1. We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of July 2005, with a one and one half (1-1/2) year to complete construction.
 - The COE indicated on a conference call on November 17 that final drawings for review will be distributed on December 22, 2004, and comments will be due on January 18, 2005.

2. A coordination meeting was held on August 25th, 2003, with the Lake County Highway Dept., LCRBDC, and the Army Corps to discuss the upcoming construction by the county for their bridge and our construction on and adjacent to Kennedy Ave.
 - The county is only re-building the existing bridge deck.
 - COE agreed we could accept the cost for the incremental difference for a 10' cantilevered recreational 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. (Needs to be facilitated.)
 - **LCRBDC received an e-mail from Lake Co. Highway on December 21st, 2004, with their schedule for construction. Let bid in January 2006, start construction in April, 2006.** 3-4
3. On a conference call with the COE on November 27th, 2004, the COE had several design questions. One issue was whether rip-rap or landscaping should be installed at Carlson Oxbow Park along the levee at the south end of the lake. An e-mail was sent to Hammond Parks on November 18th, 2004, requesting a field meeting to make a decision.
 - **Information was sent to the COE on December 8th, 2004, regarding depths of the lake relative to the location of the existing levee.** 5
 - **No response was received from Hammond regarding preference of design in this area as of December 23rd, 2004. (Patrick Moore – Parks Administrator)**

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.)
 - We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of May 2005, with a one (1) year construction completion date.
2. NIES Engineering has been given the task to do all utility coordination.
3. A memo was sent to LCRBDC attorney on May 5th, 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. (Ongoing)
4. The LCRBDC is revisiting the trail coordination from the EJ&E RR to west of Cline Avenue. (include as part of Burr St. II (Little Cal) project **or as part of an upcoming Recreation – Phase II project.**)
 - A. LCRBDC will re-investigate the possibility of crossing Cline Avenue at the NIPSCO R/W rather than at Highway Avenue.
 - A letter was sent to Dennis Cobb, along with the original COE design drawings, on November 24, requesting he pursue the possibility of crossing in this area. 6-7
 - B. Completing Griffith trail along the top of the existing Griffith levee.
 - C. All ramps and tie-ins on and adjacent to the EJ&E RR embankment.
5. LCRBDC is coordinating with NIPSCO to construct a haul route (access roadway) along their right-of-way from Cline Avenue to Liable Road. This could save time and money for hauling and construction, and reduce impact to Highland residential areas.
6. **The COE Environmental Dept. requested the LCRBDC to investigate piles of fill West of Liable Road on Highland Property. John Bach indicated it was clean, excavated material – this information was forwarded to the COE.** 8-9

STATUS (Stage VII) Northcote to Columbia:

1. The final contract with Earth Tech to do the A/E work for this stage/phase of construction was signed and submitted by the COE on December 21st, 1999.
2. We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of January 2007, with one and one half (1-1/2) years to complete construction.

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. We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of January 2008, with two and one half (2-1/2) years to complete construction.

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 **has been completed** as part of the Stage III remediation project. (See Stage III remediation in this report for details.) Construction started March, 2003. Approximately 95% complete.

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

1. Bids were opened on September 17th, 2002, and Renewable Resources, Inc. (from Barnesville, Georgia) is the successful bidder.
 - The 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 12th, 2004, with the COE, LCRBDC, project A/E, and Renewable Resources.
 - A summarization of the inspection was received by the LCRBDC on June 4th, 2004.

West Reach Pump Stations – Phase 1A:

1. The four (4) pump stations that are included in this initial West Reach pump station project are Baring, Walnut, S. Kennedy, and Hohman/Munster.
 2. Low bidder was Overstreet Construction. Notice to proceed was given on November 7th, 2000 – 700 work days to complete (Anticipated completion date is August 26, 2004)
 - Current contract amount - \$4,855,320
 - Original contract amount - \$4,638,400
 - Amount overrun – \$216,920 (4.7%)
 3. A letter was received from the COE to Overstreet Construction dated October 19 (we received on October 26) indicating they have 10 days from receipt of this letter to provide all pump station parts from Viking (going into bankruptcy), complete trash rack enclosure at South Kennedy to prevent freezing, and other miscellaneous uncompleted work. Overstreet to provide plan to cure or contract will be terminated.
 - B. The COE is currently coordinating with Overstreet to terminate their contract by default.
- (Ongoing)**

- If executed, the remaining work will be awarded to a new contractor.
- The COE anticipates enough money is left on this contract to complete the work.
- A meeting is tentatively scheduled for **January, 2005** to discuss this issue (the LCRBDC would be requested to attend).

West Reach Pump Stations – Phase 1B:

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

North Fifth Avenue Pump Station:

1. The low bidder was Overstreet Construction
 - Current contract amount - \$2,501,776
 - Original contract amount- \$2,387,500
 - Amount overrun - \$114,276 (4.8%)
 - Project is currently 99% completed
 - Project completion date was scheduled for January 6th, 2004.
2. LCRBDC received a copy of the pre-inspection punch list from Highland on February 2nd, 2004. (Dated January 29th, 2004.)
 - Additional comments for a punch list were submitted by NIES Engineering to the COE on March 2nd, 2004.

General

1. INDOT coordination for Grant St. & Broadway interchanges with I-80/94.
 - INDOT sent a letter to the COE on April 15th, 2004, indicating they worked out an agreement with the COE whereby flood control features will be included in their contract at no cost to the COE, which could be credited to the LCRBDC for that portion constructed for the flood control of the Little Calumet River.
 - 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. (Ongoing)
 - We received a copy of a letter from the COE to INDOT on September 13 requesting all utility and overbuild construction will be coordinated with the Chicago COE.
2. **A meeting was held with INDOT on November 30, 2004 to discuss coordination of the I-80/94 project east of Georgia Street to Clay (Minutes available upon request).**
3. Jim Pokrajac had a meeting with Commissioner Charlie Ray on November 8, 2004 to review and discuss Little Calumet river hydrology. A draft letter was written (to be discussed with the COE) requesting CE re-visit original hydrology that served as their guideline for all West Reach flood protection design.
 - A. **A letter was sent to the COE on December 15th, 2004, addressing the hydrology concerns relative to design.**
 - B. **A conference call was held with the COE on December 22nd, 2004, to discuss their position.**
 - A letter will be forthcoming.
 - The COE will attend the February Commissioners meeting to make a presentation and answer questions.

10-11

12-13



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

December 8, 2004

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

ACANCY
Governor's Appointment

ACANCY
Lake County Commissioners'
Appointment

IAN GARDNER
Executive Director

DOU CASALE
Attorney

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

Re: Burr Street Betterment Levee-Phase 2 Gary
100% BCOE Follow-up Comments

Dear Imad:

The LCRBDC and R.W. Armstrong have reviewed the 100% BCOE plans and specifications which you transmitted to us in November, 2004. We have also compared that set of plans and specifications to the responses made to our comments dated June 18, 2004. LCRBDC and R.W. Armstrong have the following comments:

1. In comparing the latest plans and specifications with the responses to our comments dated June 18, 2004, we find that the actions indicated in the response have not been implemented for comments 1a, 1b, 1c, 3b, 5b, and 7a(3). Please implement the responses associated with these comments and re-submit the respective plan sheets.
2. Regarding the response to comment 2b, since ditch 4 is being reshaped due to sloughing of the side slopes, what is being done to assure that sloughing does not continue to be a problem? Is there any concern of sloughing and seepage problems similar to those experienced on Stage IV-1 North and the detention pond east of Burr Street in the rest of this project?
3. Regarding the response to comment 7b, what do these alternatives to rip-rap cost? Since much of the rip-rap in the East Reach already needs maintenance action, which we understand amounts to removal and replacement, has the life cycle cost of all the alternatives been compared?

4. Regarding comment 12, we have the following follow-up comments:

- a. Is seed mix 2 to be used for the ditch bottom in addition to the sides? If so, how effective will the ditches be in draining and transporting the design flows?
- b. We are still concerned that turf-type grasses might be a better long-term solution to finishing levee surfaces. We suggest a meeting to discuss landscaping issues for this project as well as an overall plan for the rest of the total project.

Upon addressing the above listed comments, the LCRBDC, Army Corps, and Gary need to have a coordination meeting to discuss the scheduling and to resolve outstanding issues of the upcoming Burr Street Phase 2 Gary portion. It has never been resolved as to who has what responsibilities and how this project will be coordinated. Prior to having a meeting with Gary, the Corps and LCRBDC should resolve how this will be addressed and what agreements need to be in place.

We received your letter to Spike Peller on October 28, 2004 addressing the Corps position on Rule 5 as well as Rule 13. It appears Rule 5 was the responsibility of the contractor during construction and it appears that there should be no problem in the future with any issues regarding Rule 5. However, your response to Rule 13 may not be acceptable to the Gary Stormwater Management District and needs to be discussed further. We are hoping this issue can be adequately addressed at our upcoming meeting to satisfy all concerned parties.

The current working estimate shows the project cost as \$1,777,431.00. How much of this total is for recreation and any other items which will be paid for by the LCRBDC and the Corps? If the remaining cost, which is to be paid by Gary, is more than the \$1.4 million available from Gary, we collectively need to explore ways to reduce costs. Should this cost reduction be delayed until bids are received and actual costs are known? We need to develop a strategy.

If you have any questions regarding any of these issues, please let me know.

Sincerely,


Dan Gardner
Executive Director

/sjm
cc:

Roy Deda, ACOE
Lou Casale, Attorney, LCRBDC
Jim Flora, R.W. Armstrong Co.



Charles G. Peller, Jr., PE
Director

Mayor Scott L. King
Special Administrator

Main Office:
3600 West 3rd Avenue
Gary, Indiana 46406
219-944-0595 phone
219-944-0250 fax

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

November 8, 2004

Mr. Imad N. Samara
Department of the Army
Chicago District, Corps of Engineers
111 North Canal Street
Chicago, Illinois 60606-7206

Subject: Burr Street Betterment Levee Phase II, Gary, Indiana

Dear Mr. Samara:

Our consultant, Greeley and Hansen has reviewed the subject drawings (100% BCOE Review Set, dated July 2004), and as a result of the review, the Gary Storm Water Management District (GSWMD) has the following concerns:

1. Sheet C-07; Plan 1/C-07: Approximately 50 feet south of and running parallel to the N&S RR is a culvert that is located under Burr Street that presently connects the ditch on the east side of Burr Street with the ditch located on the west side of Burr Street. It seems that after the levee is constructed, the culvert will provide an "open" connection between interior of the levee and the exterior of the levee via a drainage channel that connects directly to the Little Calumet River (LCR). Assuming that the water surface of the LCR may rise to the flood stage at some point in the future, the potential exists to backflow LCR floodwater into the "protected" side of the levee via this connection and thereby inundating the South Burr Street lift station and land area with LCR floodwater. How will the culvert in question be addressed?
2. While 327 IAC 15-5 (Rule 5) governs soil and erosion control with respect to construction activity, there is no mention in the Contract Documents of compliance with Rule 13 as it relates to the Phase II MS4 stormwater program. As you are aware, the Phase II MS4 program requires, among other criteria, reduction of the discharge of pollutants to the "maximum extent practicable", protection of water quality, and compliance with the appropriate water quality requirements of the Clean Water Act. What "plan" will be employed to address Rule 13?

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www.garysan.com

We would appreciate meeting with you at your earliest convenience so that we may discuss and resolve the aforementioned concerns prior to finalization of the project documents. I look forward to your response.

Yours very truly,
Gary Storm Water Management District



Charles G. Peller Jr., P.E., Director

cc: Honorable GSWMD Board of Directors
Mr. James B. Meyer, GSWMD Attorney
Mr. Dwain Bowie, WREP
Mr. Don Smales, Greeley and Hansen



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

December 28, 2004

REPLY TO
ATTENTION OF
Planning, Program and Project
Management Branch

Mr. Charles G. Peller, Jr., P.E., Director
Gary Stormwater Management District
3600 West 3rd Avenue
Gary, Indiana 46406

Dear Mr. Peller,

This letter is in response to comments that were made in a correspondence, attached, from your office dated November 8, 2004 RE: Burr Street Betterment Levee Phase II, Gary, Indiana.

Reply to comment 1:

The line of protection for the Burr Street levee will not be complete until both the east tieback of the Burr Street Levee is complete and the Griffith Levee west of the E. J. and E. Railroad is certified. In addition to the culvert across Burr Street, there is also a connection to the river at Clark Street. The railroad ballast is also permeable and does not provide full flood protection. As discussed at our meeting last spring, the next phase of the Burr Street Levee will include a floodwall that will cut off the connection of the Burr Street culvert with the river. Per request of Greeley and Hansen at the meeting, the Corps agreed to plug this culvert during that phase of construction. In the mean time, during a flood on the Little Cal, the Burr Street culvert could be flood fought with sandbags in one or both manholes on either side of Burr Street. Some other method (a sand berm with plastic?) could possibly be used at the Clark Street crossing.

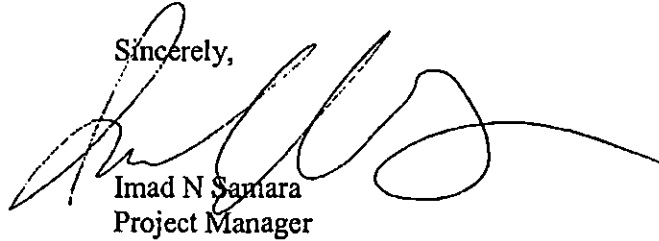
Reply to Comment 2:

Within this comment the question is asked what plan will be employed to the Burr Street (Gary) project to address Rule 13. We have researched this matter and discussed it internally, including with our Office of Counsel. We have concluded that the US Army Corps of Engineers (USACE) is not regulated by the State of Indiana's NPDES permit Rule 13, and is therefore not responsible for the development of a stormwater management plan. However, USACE will, to the greatest degree possible, incorporate any necessary design features into the project plans and specifications to help the City of Gary meet the requirements of the local storm water management plan developed for the City. Please forward requirements for all design features that need to be incorporated into the plans and specifications.

2C

If you have any questions regarding this matter or if you feel a face to face meeting is necessary you can contact me at 312-846-5560 or email me at imad.samara@usace.army.mil.

Sincerely,

A handwritten signature in black ink, appearing to read 'Imad N. Samara', with a long horizontal flourish extending to the right.

Imad N Samara
Project Manager

Attachment

Cc: Ronald Wietecha, Assistant District Counsel
Jay Semmler, Chief, Environmental Engineering
Dan Gardner, Executive Director, Little Calumet River Basin Development Commission
Jay Niece, Greeley and Hansen
Jim Meyer, Attorney at Law for the Gary Sanitary District.

Sandy Mordus

From: "Duane Alverson" <alverda@lakecountyin.org>
To: "Sandy Mordus" <smordus@nirpc.org>; "Duane Alverson" <alverda@lakecountyin.org>
Cc: <David.Druzicki@usace.army.mil>; "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; <Douglas.M.Anderson@usace.army.mil>; <EHart@RQAW.com>
Sent: Tuesday, December 21, 2004 9:56 AM
Attach: lcbr143schedule.a.htm
Subject: Lake county bridge #143 rehabilitation

Jim,

Please find attached a schedule for the rehabilitation of Lake County Bridge #143, Kennedy Avenue over the Little Calumet River.

Please check with the COPR of Engineers to be sure we have included all the necessary information in our supplemental agreement with our design consultant. Also I have not heard anything from the CORP concerning a reimbursement agreement for the additional work.

Please review and notify me.

Thanks,

Duane

From: Sandy Mordus [mailto:smordus@nirpc.org]
Sent: Monday, December 06, 2004 2:21 PM
To: Alverda@lakecountyin.org
Cc: David.Druzicki@usace.army.mil; Samara, Imad LRC; Douglas.M.Anderson@usace.army.mil
Subject: Stage VI-1South Pre-construction meeting

Duane:

On December 2, 2004, a pre-construction meeting was held with the Army Corps of Engineers and their contractor, Illinois Constructors, Inc., that will be doing the work between Kennedy Avenue and Liabe south of the Little Calumet River and some minor work north of the Little Calumet River east of Kennedy Avenue where the concrete I-wall will be installed.

I apologize for not notifying you of this meeting but when the Corps submits minutes of the meeting, I will assure that you receive a copy. Our main concern with the Lake County Highway Department is your schedule for rebuilding the bridge deck and the new recreational trail which will be extended on the east side of the bridge. As we discussed on Friday, I will notify you when we could have a field meeting with your design engineer, the Corps of Engineers, and their contractor to discuss impacts in this area and how your contractor and ours will need to interact.

I am assuming, at this point in time, that the Corps has provided any decision information to your A/E for their design for this project. (I will provide you a contract set of plans and specifications for this project). Coordination also needs to be done between yourself and the Corps to establish an agreement whereby the Corps will reimburse you for those portions of your contract that are necessary for our flood control project.

If you have any questions regarding this, please free feel to call me anytime.

James E. Pokrajac, Agent
Land Management/Engineering

12/21/2004

3

From: Erich Hart [EHart@RQAW.com]
Sent: Monday, December 20, 2004 7:56 AM
To: alverda@lakecountyin.org
Subject: Schedule
Duane

KENNEDY AVENUE BRIDGE

I put a schedule together based on the number of days required for plan development and number of days for review. I carried the schedule out to issuing Notice-To-Proceed to the contractor. I allowed 1 ½ months between the Tracing submittal and Letting. I allow 2 months between Letting and the Notice-To-Proceed to the contractor. This is only my assumption and we can revise the values based on what is typical for Lake County.

Based on this schedule, Notice-To-Proceed to the contract would not be until the end of October. We would most likely want to hold off on the letting until the beginning of 2006 and give Notice-To-Proceed at the beginning of the construction season (2006). Feel free to contact me and we can go over the schedule some more.

I checked with Mr. O'Connor and he indicated that we do not need to revise the supplemental agreement documents due to the year. The year 2004 can be marked out and the year 2005 can be written in by hand.

Thanks

Erich T. Hart, P.E.
RQAW Consulting Engineers & Architects
4755 Kingsway Drive, Suite 400
Indianapolis, IN 46205-1547
ehart@rqaw.com

- NOTICE TO PROCEED (to contract) - Oct., 2005
- BID LETTING - Jan., 2006
- NOTICE TO PROCEED (CONSTRUCTION) - APRIL, 2006

4

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
Cc: <Khalid.J.Maali@lrc02.usace.army.mil>
Sent: Wednesday, December 08, 2004 3:09 PM
Subject: Stage VI-1N - Carlson OxBow Park

Imad:

In a recent conversation with Khalid, the subject came up of what is proposed along the north face of the existing levee adjacent to the south end of the Carlson OxBow Park lake. The current design indicates several hundred feet of rip-rap will be installed along this face. In a conversation with the Hammond Parks Department and with George Carlson (LCRBDC board member), they indicated that it would be preferable to fill this area and to do some plantings, if possible, rather than rip-rap. Khalid raised the question of the depth of the lake in that area. George Carlson was good enough to contact his nephew, who went out on December 2 with his fishing boat and a depth locator, to determine the depth of the water in that area. Following is the information he gave me:

At the east and west ends of the lake, there are shallow areas that appear to be coves. He started at the east end approximately 15' from the shoreline working his way westward and found that the depth at the east and west ends were approximately 3' deep and dropped to a depth of approximately 7' halfway between the two ends. He then went out approximately 30' from the bank and found the depths at the east end to be approximately 4' deep and at the west end, approximately 7' deep. As he approached the middle section, it averaged approximately 14' deep. He then went to a distance of approximately 50' from the shoreline and found the depth to average approximately 16-19' deep.

I hope this depth information helps Khalid to determine what design we will incorporate into this area. I realize that the height and width of the proposed levee will exceed what currently exists in this area and that some of the fill will extend into this south end of the lake. I'm hoping that we can incorporate some type of fill whereby turf grass and/or minor landscaping could be incorporated to improve the aesthetics in this area.

If you have any questions regarding this information, or need any further information, please contact me. I would like to know as soon as possible, prior to you changing design, what your decision will be in order that I can inform George as well as the Hammond Parks Department.

Jim Pokrajac, Agent
Land Management/Engineering

5
12/8/2004



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson
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ROBERT MARSZALEK, Vice Chairman
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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

November 24, 2004

Mr. Dennis Cobb, P.E.
President
First Group Engineering
5714 West 74th Street
Indianapolis, Indiana 46278

Dear Dennis:

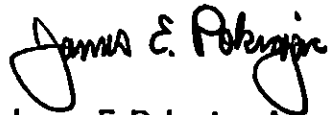
Enclosed are two sets of the drawings of the area at Cline Avenue from the upcoming Stage VI-2 construction that the Corps has proposed along the NIPSCO right-of-way in Highland, Indiana. This plan was initially designed by RANI Engineering out of St. Paul, Minnesota. This was the proposal to use a recreational trail crossing on Cline Avenue that would give a direct route to the Griffith levee on the east side of Cline Avenue. This would provide a convenient tie-in for the trail on both sides of Cline Avenue. As we previously discussed, INDOT had not approved our crossing in this area because of high traffic volume and their concern for the speed in this area. They recommended we cross at Highway Avenue which is approximately ¼ mile south of this intersection. If we crossed at Highway Avenue, there would be a significant amount of additional real estate that would be required as well as a significant cost increase for the installation of the trail. I am hoping that you will be able to work with INDOT to see if we can cross at this point based upon these enclosed drawings.

The Corps is currently planning to award this contract in May 2005. I need this information as soon as possible in order that the Corps may include this as part of this upcoming construction. Once notified, I will pursue a permanent easement agreement with INDOT which will allow us to cross in this area.

Mr. Dennis Cobb
November 24, 2004
Page 2

I appreciate your help in assisting us in making our recreational trail system more efficient and to save the project a significant amount of cost by using this proposed route. If you need any additional information, or if you have any questions, please contact me.

Sincerely,



James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.

cc: Imad Samara, COE
Bob Huffman, LCRBDC
Lou Casale, LCRBDC attorney
Judy Vamos, LCRBDC

Sandy Mordus

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Roach, Nicole L LRC" <Nicole.L.Roach@lrc02.usace.army.mil>
Cc: "Karwatka, Edmund J LRC" <Edmund.J.Karwatka@lrc02.usace.army.mil>; "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; <JBach@highland.in.gov>
Sent: Wednesday, December 08, 2004 3:29 PM
Subject: Re: Little Calumet River Stage 6-2 Final Review (mandated BCOE)

Nicole:

In a conversation with John Bach, Director of Public Works for the town of Highland, on December 8, I investigated the area you referred to in Stage VI Phase 2 as "unidentified piles of earthen material". In my conversation with John, he indicated that this was, in most probability, clean fill that was dumped there back in 1992 and again in 1998 by the town of Highland. This material was excavated east of Kennedy Avenue and south of the Little Calumet River where Highland had additional materials from their newly installed ground water storage tanks. At that point in time, the Highland Parks Department indicated they would like to have this fill dumped on the above mentioned site in order that it could be graded out and that area could then be developed for soccer fields or ball parks. To Mr. Bach's knowledge, this material is primarily clay with some silt and should be clean.

If you need any additional information regarding this area, please let me know.

James E. Pokrajac, Agent
 Land Management/Engineering

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

From: Roach, Nicole L LRC
To: jpokrajac@nirpc.org
Cc: Karwatka, Edmund J LRC
Sent: Monday, November 29, 2004 2:46 PM
Subject: Little Calumet River Stage 6-2 Final Review (mandated BCOE)

Hello Mr. Pokrajac,

I am the environmental contact for the Little Cal project here at the Chicago District. Some recent technical review comments made by Ed Karwatka on the design for Stage 6-2 mention unidentified piles of earthen material located on site near Liable road. Do you know the source of this material? And Are there plans to remove the material from the site?

If we cannot identify the source of this material, then it needs to be tested for contamination. Depending on test results, the material must be reused or removed from the site. If the material is to be removed from the site, then test results will determine what are the disposal options.

I would also like to make arrangements to visit the site to inspect the material piles. Would you be available to meet me next week for a brief site visit?

thanks,

Nicole Roach
 Environmental Engineering Section
 U.S. Army Corps of Engineers, Chicago District
 office (312) 846-5406
 fax (312) 353-2156

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

From: Samara, Imad LRC
Sent: Monday, November 29, 2004 8:49 AM
To: Roach, Nicole L LRC
Cc: Maali, Khalid J LRC; Karwatka, Edmund J LRC; Anderson, Douglas M LRC
Subject: RE: Little Calumet River Stage 6-2 Final Review (mandated BCOE)

Nicole can you please contact Jim Pokrajac from the LCRBDC 219-763-0696 and ask him these questions. You can also email him at this address jpokrajac@nirpc.org. Please make sure when you visit the site that he is there with you. The local sponsor is responsible for removal of any suspect material.

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

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

From: Roach, Nicole L LRC
Sent: Wednesday, November 24, 2004 3:56 PM
To: Karwatka, Edmund J LRC; Samara, Imad LRC
Subject: RE: Little Calumet River Stage 6-2 Final Review (mandated BCOE)

Ed, Imad

Does either of you know if the unidentified material referred to in Comment 4 and Comment 68b is going to be removed from the site? I assume this material did not originate on the site where it currently resides. Is that correct?

Based on that assumption (that it is foreign to the site), if there are plans to remove the material, we need to know its origin to determine the proper procedure for transporting it, and disposing of it. If there is no current plan to remove it but it is not clean fill, then it shouldn't stay on the site anyway and plans should be made to have it hauled off.

It was suggested in our last Little Cal meeting that I go take a look at it, and that may be helpful if there is an odor or some other obvious sign of contamination... but the most helpful information for us to have right now is the source of the material. Hopefully we can use that information to confirm that it is clean. Then there would be more options as to what can be done with the material.

Can someone contact the local sponsor and see if he knows about potential sources? Or can someone provide me with a contact? If we determine that we cannot pinpoint the source of this material then I will arrange for it to be tested. If the material contains significant pollutants, and it did not originate from the site it is currently on (near Liable Road) which I am under the impression that it did not, it has to be removed and disposed of as special waste.

thanks,

Nicole Roach
Environmental Engineering Section
U.S. Army Corps of Engineers, Chicago District
office (312) 846-5406

Sandy Mordus

From: "Egilmez, Allen" <ALLENE@ucea.com>
To: <BSTECKLER@indot.state.in.us>; <DSEDLER@indot.state.in.us>; <WrightVisions@aol.com>;
 <dennis.lee@fhwa.dot.gov>; <dabraham@indot.state.in.us>; <dshelton@isp.state.in.us>;
 <alverda@lakecountyin.org>; <ERICWILSON@indot.state.in.us>; <gabell@hetcom.com>;
 <GMRO CZKA@indot.state.in.us>; <gkicinski@indot.state.in.us>; <gmelyon@garyfire.org>;
 <HPatel@jsengr.com>; <Imad.Samara@usace.army.mil>; <jpokrajac@nirpc.org>;
 <JKAUR@indot.state.in.us>; <jmace@indot.state.in.us>; <KLEET@indot.state.in.us>;
 <knuzzo@viamarketing.net>; <krogan@indot.state.in.us>; <kblanton@rqaw.com>;
 <kdallmeyer@nirpc.org>; <KMORSE@indot.state.in.us>; <WAFFCO08@aol.com>;
 <LKeiser@indot.state.in.us>; <lizs@viamarketing.net>; <MNEWLAND@indot.state.in.us>;
 <MPuro@indot.state.in.us>; <MHOLOWATY@indot.state.in.us>;
 <MMONAHAN@indot.state.in.us>; <RCLARK@indot.state.in.us>;
 <RBREITAIN@indot.state.in.us>; <swolfe@toll.indot.state.in.us>; <ssstrains@nirpc.org>;
 <SWUERTZ@indot.state.in.us>; <TKONIECZNY@indot.state.in.us>; <t felts@indot.state.in.us>;
 <TBOYD@indot.state.in.us>; <wbrown@nirpc.org>; <frealeza@ci.gary.us>;
 <MNEWLAND@indot.state.in.us>; <GKICINSKI@indot.state.in.us>;
 <GMRO CZKA@indot.state.in.us>; <BSTECKLER@indot.state.in.us>;
 <swolfe@toll.indot.state.in.us>; <GWatson@ci.gary.us>; <B.Black@ci.gary.us>
Cc: "Rowe, Mike" <MIKER@ucea.com>; "Pope, Chris" <CHRISP@ucea.com>; "Fowerbaugh, Kurt"
 <KURTF@ucea.com>; "Clodfelter, Jon" <JONC@ucea.com>; "Richter, Dave"
 <DAVER@ucea.com>
Sent: Tuesday, December 21, 2004 3:24 PM
Attach: TMP - Local Minutes.pdf
Subject: I-80/65 Interchange Modification (Phase IV), Des. No. 0065300, Lake County

To all,

Attached you will find the minutes of the Local Transportation Management Plan meeting held on November 30, 2004.

If you have any questions, please feel free to contact our office.

Allen R. Egilmez, P.E.
Transportation Department Manager
United Consulting Engineers, Inc.
1625 North Post Road
Indianapolis, IN 46219-1995
Ph: (317) 895-2585 ext. 125

Cell: (317) 250-3761
Fax: (317) 895-2596



UNITED
Consulting Engineers
& Architects

Officers

Kent D. Downey, P.E., L.S.
William E. Hall, P.E.
Steven W. Jones
Dave Richter, P.E., L.S.
Craig E. Burgess, AIA
B. Keith Bryant, P.E.

Planner

Devin L. Stottler, A.I.C.P.

Architects

Paul A. Sommers, AIA
Donald L. Cassell, AIA

Engineers

Jerry D. Ritchie, P.E.
Chris R. Pope, P.E.
Allen R. Egdmaz, P.E.
Kurt E. Fowerbaugh, P.E.
Andrew T. Wolka, P.E.
Jon E. Clodfelter, P.E.
Michael A. Rowe, P.E.
Steven R. Passey, P.E.
Darryl P. Wineinger, P.E.
Elizabeth W. Phillips-Jones, P.E.
Todd V. Taylor, P.E.
Paul W. Vincent, P.E.
Todd A. Burch, P.E.
Adam C. Post, P.E.
Donald F. Robin, P.E.
Brian W. Craig, P.E.
Anthony P. Lukac, P.E.
David B. Miller, P.E.

December 21, 2004

Mr. Jeffrey B. Clanton, Manager
Consultant Services Section
Division of Design
Indiana Department of Transportation
Indiana Government Center North, Room N642
100 North Senate Avenue
Indianapolis, IN 46204-1149

Attn: Ms. Peters, Project Coordinator

RE: **LOCAL TRANSPORTATION MANAGEMENT PLAN MEETING MINUTES**
I-80/94 Interchange Modification @ I-65, Lake County
Project No.: IM-80-1(183)
Des. No.: 0065300

Dear Ms. Peters:

A Transportation Management Plan Meeting for the local city officials was held on November 30, 2004 at the INDOT Borman ITS Management Center in Gary, Indiana. The meeting was attended by the following:

Mr. Russ Brittain	INDOT Division of Design	RBrittain@indot.state.in.us
Mr. Dennis Lee	Federal Highway Administration (FHWA)	Dennis.Lee@fhwa.dot.gov
Mr. Garnett Watson	City of Gary, Police Chief	GWatson@ci.gary.us
Mr. Bonearl Black	City of Gary, Fire Department	BBlack@ci.gary.us
Mr. Greg Melyon	City of Gary, Fire Department	GMelyon@comcast.net
Mr. Felix Realeza	City of Gary, Traffic Engineer	FRealeza@ci.gary.us
Mr. Kevin Farthing	WAFFCO Towing	WAFFCO08@aol.com
Mr. Mark Rapo	WAFFCO Towing	800-962-9112
Mr. Allen Egilmez	United Consulting Engineers (UNITED)	allene@ucea.com

Representatives from the City of Lake Station and Hobart were not able to be present at the meeting. The following is a summary of the minutes of the meeting:

1. The members of the TMP team and the purpose of the TMP meetings were announced.
2. The limits of the project on I-80/94 are from just East of Georgia Street to East of Clay Street overpass. On I-65, the project extends from 35th Avenue to the south approach of the I-65 over Central Avenue bridge. Included within the project limits are the Northwest Connector ramps between I-65 and I-80.
3. This is a total pavement replacement project with added fourth lane on I-80/94. No added travel lanes are proposed for I-65, however a concrete median barrier will be added along with a continuous auxiliary lane between the northwest connector ramps and the I-80/65

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Indianapolis, IN
46219-1995

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(CONTINUED)

//



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

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

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 RESHIN
Governor's Appointment

VACANCY
Governor's Appointment

VACANCY
*Lake County Commissioners'
Appointment*

DAN GARDNER
Executive Director

LOU CASALE
Attorney

December 15, 2004

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

Dear Imad:

I write to you to discuss the hydrology upon which the design for the west reach levee system is based for the Little Calumet River Flood Control/Recreation project. As we have talked in the past, the Commission is investigating all possibilities to minimize the construction footprint and method of construction for the west reach line of flood protection. We understand the original hydrology and design assumptions were completed in the mid to late 1980's and we would like to discuss with the Corps recent changes of condition in the area that may impact the hydrology – hopefully for the better.

Members of the Development Commission have met with Congressman Visclosky and his staff; and everyone, especially the Congressman, has expressed strong concerns over scheduling of the project and escalating costs of the project. We would like to explore with the Corps any method to expedite and lessen the costs and impacts of the project. Our intent is certainly not to request new hydrology, which we recognize as time consuming and expensive, but to see if certain factors can't aid in reducing costs. Following is a list of some of the items we think have changed and may be helpful in the final design of the west reach flood protection system:

(1) During the past 5-10 years, new construction in the tributaries that feed Hart Ditch and Cady Marsh Ditch, are being restricted by more stringent storm water ordinances. We believe these ordinances restrict the water peak flows that must be dealt with and may have not been considered when the hydrology was first run.

December 15, 2004

Page 2

(2) The configuration of Hartsdale Pond is currently serving for water detention which regulates the drainage flowing to the Little Calumet River from Spring Ditch and will be expanded in the future to allow for additional storage from the Schererville area.

(3) The realignment of the levee in Stage VI -1 that is now labeled as Stage VI-2 will allow additional storage between Liable and Cline Avenue north of the NIPSCO right-of-way and south of the Little Calumet River.

(4) Thornton Quarry is now in the process of serving as a detention area for Thorn Creek and will also help reduce the water levels west of the future control structure west of Hart Ditch. Are you confident that Illinois water flows are accurately calculated?

- When we requested flood information from the hydrology department in the area west of Hohman Avenue that affected the four houses, you indicated to us that the level has already been reduced based upon new hydrology review.

(5) It is the intent of the Development Commission to send you substantiating data no later than December 31, 2004 regarding rainfall data for the Little Calumet River basin. We are in the process of reviewing river level elevations and rainfall data that has been obtained from the MIDWEST CLIMATE CONTROL CENTER (national water and climate center) that includes rainfall information from the last ten years and will compare the data that is current with the data from ten years ago. If the river level elevations are lower, due to changes in retention or detention areas and runoff, relative to the amount of rainfall being the same, it would appear that there have been hydrology changes that could affect design. We are hoping that the information we provide you will be able to be used to help determine whether or not the current design elevations of our project should be modified.

(6) There are several USGS monitoring stations currently in use. Is information from them consistent with your modeling projections, so that we are confident in the current design?

We raise these issues for the purpose of a targeted discussion to explore ways cooperatively with the Corps to move this project forward and contain costs. As we listen to the concerns of the residents in the west reach, we also are made aware of their requests for the project to be as minimally impacting as possible. We would like to, thus, engage in some discussions toward that end. If you have any questions, we will try to answer them and we would like to speak with you and others of Corps management regarding ways to complete this project successfully.

Sincerely,



Dan Gardner
Executive Director

/sjm

cc: Roy Deda, Sue Davis, Rick Ackerson, COE
Mark Lopez, Congressman Visclosky's office
LCRBDC Board members



Thomas M. McDermott, Jr.
Mayor

CITY OF HAMMOND

December 10, 2004

Mr. Dan Gardner
Little Calumet River Basin Com.
6100 Southport Road
Portage, IN 46368

Dear Mr. Gardner:

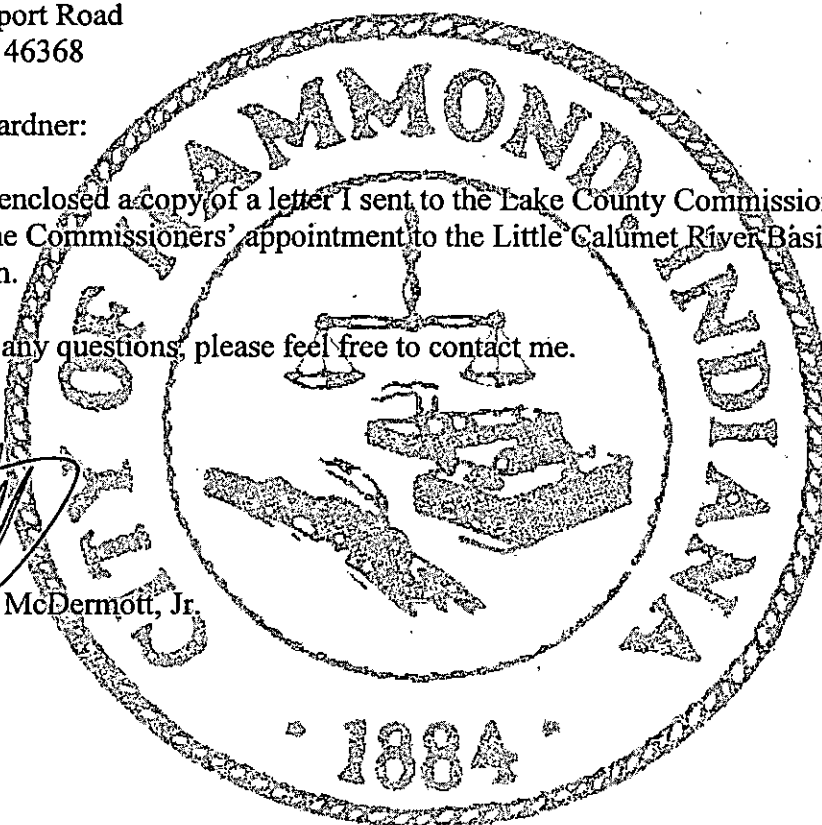
Please find enclosed a copy of a letter I sent to the Lake County Commissioners regarding the Commissioners' appointment to the Little Calumet River Basin Commission.

If you have any questions, please feel free to contact me.

Sincerely,

Thomas M. McDermott, Jr.
Mayor

TMM/ss



5925 Calumet Avenue
Hammond, Indiana 46320

219.853.6301

fax: 219.931.0831

www.ci.hammond.in.us

e-mail: mayor@ci.hammond.in.us



Thomas M. McDermott, Jr.
Mayor

CITY OF HAMMOND

December 10, 2004

Mr. Rudy Clay
Lake County Commission
2293 N. Main Street
Crown Point, IN 46307

Dear Commissioner Clay:

In light of the fact that Robert Golec is not eligible to be a Commissioner on the Little Calumet River Basin Development Commission because of his position as Hammond City Clerk, I would like to recommend Sam Dimopolous.

Mr. Dimopolous is a graduate of Ball State University with a BS/BA in Architecture Science. He has been a licensed architect since 1991 and is currently working at Teng Architecture and Engineering in Chicago. Mr. Dimopolous lives in a section of Hammond that is forced to pay flood insurance.

I feel it is important for Hammond to be represented on the Commission especially since the only remaining portion of this project so heavily affects Hammond residents. I would ask that the Lake County Commissioners appoint Mr. Dimopolous to this Commission so that we can use his expertise to move the project along more quickly.

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

Sincerely,

Thomas M. McDermott, Jr.
Mayor

TMM/ss

cc: Sam Dimopolous

5925 Calumet Avenue
Hammond, Indiana 46320

219.853.6301

fax: 219.931.0831

www.ci.hammond.in.us

e-mail: mayor@ci.hammond.in.us

PROFESSIONAL SERVICES AGREEMENT

This is an Agreement with an Effective Date as set forth below (the "Agreement") between **LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION**, a public body corporate and politic ("Little Cal") and **THE TRUST FOR PUBLIC LAND**, a nonprofit California public benefit corporation ("TPL").

RECITALS

A. The addresses and telephone numbers of the parties are:

Little Cal:

TPL:

Little Calumet River Basin
Development Commission
6100 Southport
Portage, IN 46358
Attn: Dan Gardner
Tel: (219) 763-0696
Fax: (219) 762-1653

The Trust for Public Land
Chicago Field Office
53 W. Jackson, Suite 815
Chicago, IL 60604
Attn: Ms. Christine K. Slattery
Tel: (312) 427-1979
Fax: (312) 408-1733
Email: chris.slattery@tpl.org

With copies to:

With copies to:

Louis Casale
Casale Woodward & Buls LLP
9223 Broadway
Merrillville, IN 46410
Tel: (219) 736-9990
Fax: (219) 736-9991
E-mail: lcasale@cwblawfirm.com

The Trust for Public Land
2610 University Avenue, Suite 300
St. Paul, MN 55114
Attn: Margaret J. Madden
Tel: (651) 999-5301
Fax: (651) 917-2248
Email: maggie.madden@tpl.org

WHEREAS, Little Cal has mandated wetland mitigation requirements for a major flood control project in Lake County and the Indiana Department of Natural Resources (IDNR) has identified an area known as "Hobart Marsh" for such mitigation; and

WHEREAS, TPL is a national nonprofit organization that works with citizen groups, communities and public agencies to help acquire lands of environmental, recreational, historic or cultural significance. TPL has experience in the acquisition on behalf of the public of open space, scenic and recreation lands. TPL obtains the resources to carry out its mission from various sources, among which are foundation grants, government funds, contributions of land value by property owners, loans and professional services agreements; and

WHEREAS, Little Cal and the IDNR have identified priority parcels in the Hobart Marsh area including the parcels identified on Exhibit A attached hereto and made a part hereof; and
WHEREAS, TPL, as an independent entity and not as Little Cal's or IDNR's agent, either has or

will endeavor to enter into certain real estate agreements to acquire each of the properties identified on Exhibit A (collectively the "Hobart Marsh Properties" and individually the "Hobart Marsh Property"; and

WHEREAS, Little Cal and TPL acknowledge that TPL will invest substantial corporate resources to accomplish the intended objective of eventual public acquisition of the Hobart Marsh Properties; and

WHEREAS, Little Cal intends to compensate TPL for expenses and the provision of professional land conservation planning services by TPL to facilitate an eventual public acquisition of the Hobart Marsh Properties;

NOW, THEREFORE, in consideration of the matters recited above, the mutual covenants set forth herein, and other good and sufficient consideration the receipt of which is hereby acknowledged, the parties hereby agree as follows:

1. The above recitals are true and correct.
2. TPL may pursue the acquisition of the Hobart Marsh Properties in any manner that it deems appropriate. Nothing herein will be construed as TPL making a representation that its efforts to secure eventual public acquisition of the Hobart Marsh Properties will succeed. The parties understand that the maximum purchase price that IDNR can pay to TPL for a Hobart Marsh Property will not exceed the fair market value of said Hobart Marsh Property as determined by an appraisal that has been reviewed and approved by the U.S. [Army Corps of Engineers, or in the event the purchase price exceeds the approved appraised value, the purchase price approved by the U.S.] Army Corps of Engineers.
3. At the time of the closing of the conveyance of a Hobart Marsh Property to IDNR, Little Cal will reimburse TPL for out-of-pocket expenses and fees actually incurred by TPL in conjunction with or related to the acquisition, operation, financing and conveyance of said Hobart Marsh Property, including without limitation, insurance premiums, interest and financing expenses, real estate taxes, appraisal fees, escrow fees, the premium for title insurance policy, escrow fees, fees paid to professional consultants performing services reasonably necessary for completion of the transactions referred to herein including environmental assessment and other inspection costs, and other transaction related charges (collectively, "TPL's Costs"). The estimate of TPL's Costs are set forth on Exhibit A, although, Little Cal understands and agrees that these are estimates only and that TPL's Costs may be more or less than those set forth on Exhibit A. Prior to the closing of the sale of a Hobart Marsh Property to IDNR, TPL will provide Little Cal City with a summary invoice and copies of supporting invoices, if applicable, regarding TPL's Costs incurred to date with respect to said property. Little Cal agrees to pay the amount set forth on the summary invoice through escrow at the time of closing. Not later than sixty (60) days after closing, TPL may submit one or more additional summary invoices and copies of any supporting invoices to Little Cal for reimbursement for TPL's Costs with respect to said property which were not reimbursed through closing, and Little Cal agrees to reimburse TPL for the same within thirty (30) days of receipt thereof.
4. In addition, as to the Hobart Marsh Property identified as the Kim Property on Exhibit A, at the time of the closing of the conveyance of this parcel to IDNR, Little Cal agrees to pay TPL a professional

services fee of \$8,400.00 through escrow at the time of closing.

5. The parties acknowledge that the payments to TPL described in this Agreement constitute payment for professional conservation land project services and is not a payment for brokerage services.
6. This Agreement shall not be modified or amended except by an instrument in writing signed by or on behalf of the parties.
7. This Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original, and all of which counterparts together shall constitute but one and the same instrument.
8. All of the terms, covenants and conditions of this Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.
9. Each provision of this Agreement is severable from any and all other provisions of this Agreement. Should any provision of this Agreement be for any reason unenforceable, the balance shall nonetheless remain in and be of full force and effect, but without giving effect to such provision.
10. Neither the failure of either party to exercise any power given such party hereunder or to insist upon strict compliance by the other party with its obligations hereunder, nor any custom or practice of the parties at variance with the terms hereof shall constitute a waiver of either party's right to demand exact compliance with the terms hereof.
11. TPL shall have the right to terminate this Agreement as to any one of the Hobart Marsh Properties any time that TPL determines that a public acquisition of a specific Hobart Marsh Property is not likely to occur and in such event this Agreement as to said Hobart Marsh Property shall be null and void and TPL and Little Cal shall have no further obligation to each other hereunder as to said Hobart Marsh Property.
12. Each party represents to the other that the person signing this Agreement on behalf of each party is duly authorized by that party to execute this Agreement and bind that party hereto.

IN WITNESS of the foregoing provisions, the parties have executed and delivered this Agreement as of the date set forth below. The effective date (the "Effective Date") of this Agreement shall be the last date of execution by either of the parties to this Agreement.

**LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION**

THE TRUST FOR PUBLIC LAND

By: _____
Name: _____
Title: _____
Date: _____

By: _____
Name: _____
Title: _____
Date: _____

EXHIBIT A

Hobart Marsh Mitigation Cost Estimates to Complete Land Acquisition (*)**EXHIBIT A**

Acres Needed 128 436 total mitigation requirement - 89 project area; 173 Bailey and 46 Quail Hollow acres

Proposed Acquisitions (tract name)	Tract Acres	Estimated Cost Per Acre	Estimated Land Cost	Estimated Expenses (note 3)	Professional Services Fee (note 4)	Estimated Holding Costs (note 5)
Bundalo (note 1)	25	\$7,500	\$187,500	\$5,250	0	\$625
Nozrik (a/k/a Brinson) - 3 parcels (note 2)	52.1	\$6,875	\$358,175	\$8,250	\$0	\$1,194
Kim (note 2)	60	\$7,850	\$471,000	\$8,250	\$8,400	\$7,850
Subtotal Land Area	137.1					
Subtotal Land Cost			\$1,016,675			
Estimated Transaction Expenses & Fees			\$30,150	\$21,750	\$8,400	
Estimated Holding Costs (if necessary)			\$9,689			\$9,689
Total Acquisition Cost			\$1,056,494			

NOTES:

(*) Estimates are based upon the best available information as of 12.21.04 and are subject to change.

1. Option executed; subject to delivery of survey from landowner.

2. Option execution expected by Dec. 30 after survey and legal description completed.

3. Appraisal cost = \$3500; survey cost = \$1,500 - \$4,500; environmental = \$250; title = \$500 - \$1,000; misc. closing/recording fees = \$500. Bundalo survey = landowner expense. Nozrik & Kim survey costs to be split by landowner, with credit to Little Cal at closing. TPL would seek reimbursement for remaining expenses.

4. Subject to professional services agreement with Little Calumet River Basin Development Commission.

5. Estimated minimum holding cost. Assumes funding gap still exists at acquisition deadline (March 31, 2005) and TPL would buy and hold until at least late August when additional funding may be available. Assumes avg financing cost of 4%. Does not include property taxes, insurance or management cost if necessary.

S.

2005 COMMITTEE PREFERENCE

Commissioner _____

Committees you currently sit on in 2004:

Land Acquisition/Management

Project Engineering

Legislative

Finance

Policy

Marina

Recreation

Public Relations

Environmental

Operation & Maintenance

Committees you wish to serve on in 2005:

Land Acquisition/Management

Project Engineering

Legislative

Finance

Policy

Marina

Recreation

Public Relations

Environmental

Operation & Maintenance

***Committee meetings held as needed.
Please select at least 2-3 committees
Please return to Sandy***

mymanhatch.com

WORK STUDY SESSION
OPERATION AND MAINTENANCE
JANUARY 5, 2005
BOB HUFFMAN, Committee Chairman

1. Logjam west of MLK was cleaned up and completed by CONGRESS ENTERPRISES on December 17, 2004.
 - Pictures are available and will be passed around at the Session.
2. A letter was received from the Corps on December 16 (refer to attachments 6-8 in the O&M Report) indicating the LCRBDC has 30 days to correct deficiencies for pump stations for O&M as per the LCA.
 - LCRBDC contacted UNITED WATER requesting they do diagnostics for Burr Street pump station because it has one pump that can only be operated manually.
 - UNITED WATER sent letter on June 9, 2004 (see attachments 2&3 in O&M Report) stating they will do nothing until back charges are paid up and agreement is signed.
 - LCRBDC will review LCA to assure that the Corps is also in compliance before we assume responsibility.
3. Burr Street pump station is not operating.
 - LCRBDC contracted AUSTGEN ELECTRIC to do diagnostics to determine problem and fix what can be fixed to make pumps automatically operate. (Contract not to exceed \$3,470)
 - As of January 4, 2005, the #1 pump is operating automatically and the #2 pump works, but only manually. (Refer to attached e-mail from Corps dated January 4) /
 - A final report will follow.
 - Costs for repairs and diagnostics will be reviewed with Corps to see who has cost responsibilities.
4. Final inspection of remaining features of the East Reach flood control project is not scheduled until July 2005.
 - Refer to Corps letter of December 16th at conclusion of letter on page 8 of attachments to O&M report.
 - LCRBDC wrote letter to Corps on November 29 indicating importance of completing inspection in a timely manner. This seems to have been ignored (Refer to attachments 4&5 of O&M Report).
5. O&M agreement with the HSD was signed on December 14 for the South East Hessville pump station. LCRBDC to counter-sign at January 5 Board meeting.
 - A meeting will be scheduled to do turnover with the HSD that includes "as-builts", manuals, etc.

6. LCRBDC requested by the Corps to either clean out the flap gates north of Berkheimer or to close the sluice gates.
 - The two east flap gates are stuck open which allows interior water to flow to the exterior of the levee. This causes a recycling of the pumps at the Grant Street lift station.
 - LCRBDC expected by the Corps to assume all responsibility for O&M which includes making flap gates operational.
7. LCRBDC received a request from city of Gary to make flap gate west of the Gary Grant Street pump station operational.
 - LCRBDC responded to their request indicating it should be the responsibility of Gary to clean this flap gate due to their own construction in this area (e-mail response attached).

2-5

Sandy Mordus

From: "Craib, Robert A LRC" <Robert.A.Craib@lrc02.usace.army.mil>
To: "Jim Pokrajac (E-mail)" <littlecal@nirpc.org>
Cc: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; "Abou-El-Seoud, Shamel LRC" <Shamel.Abou-El-Seoud@lrc02.usace.army.mil>; "Albert, Dick LRC" <Dick.Albert@lrc02.usace.army.mil>; "Anderson, Douglas M LRC" <Douglas.M.Anderson@lrc02.usace.army.mil>; "Waldrom, Brad A LRC" <Brad.A.Waldrom@lrc02.usace.army.mil>
Sent: Tuesday, January 04, 2005 2:33 PM
Subject: (Sandy) Status of Burr St. Pump Station

Jim,

The station's current operational capabilities are as follows:

1. SWP-1 is now capable of operating in both "automatic" or in "hand" mode. (I requested Austgen Electric's, Mike, to leave this pump in "automatic" mode.)
- 2.. SWP-2 is now capable of operating in "hand" mode only. (The Flygt CAS (Control and Status) module, and the three phase monitor will need to be replaced to allow for "automatic" pump operation.)
3. Sump pump is able to operate only in "hand" mode. (The three phase monitor will need to be replaced to allow for "automatic" pump operation.)
4. Austgen Electric's, Mike, indicated that he will be compiling a list of parts and costs for your review.
5. I provided Mike with a LCRBDC lock, for him to install, on the exterior sump pit access cover (after he evaluates all the station's float controls located in the pit).

(I will return the unused electrical spare parts, we obtained from your Chase St. warehouse, tomorrow.)

Based on item #1 above, I feel my services will no longer be needed for the operation of the station.

Therefore, I will not be checking water levels or pump status in the future! I hope our previous assistance, regarding the operation of this station, was well received by LCRBDC. If you need future assistance with this station, please contact Imad Samara who may present your request to Mr. Shamel Abou-El-Seoud and or Mr. Dick Albert.

Thanks,
Bob

ps.. Regarding the Stage 3 Remediation project, let me know when you have the two leaking flap valves fully sealed or their two sluice gates closed (west of Drain Tile pump station). Thanks.

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: "James Meyer" <jmeyer@meyerwyattpc.com>
Cc: "Dan Gardner" <dgardner@nirpc.org>
Sent: Wednesday, January 05, 2005 12:17 PM
Subject: Fw: LCRBDC Flap Gate located west of Grant Street

Jim:

In my field visit of January 4, it appears that this flap gate, which is intergrated in the existing concrete I-wall, is no more than 40' west of the penetration for the discharge of your pump station. Your pump station was constructed immediately south of this concrete I-wall. If you have any further questions, please let me know.

Jim Pokrajac, Agent
Land Management/Engineering

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

From: Dan Gardner
To: Sandra Mordus
Sent: Wednesday, January 05, 2005 11:23 AM
Subject: Fw: LCRBDC Flap Gate located west of Grant Street

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

From: James B. Meyer
To: Dan Gardner
Sent: Wednesday, January 05, 2005 11:11 AM
Subject: Fw: LCRBDC Flap Gate located west of Grant Street

James B. Meyer
MEYER & WYATT, P.C.
363 South Lake Street
Gary, IN 46403
Telephone: (219) 938-0800
Facsimile: (219) 939-3070
E-Mail Address: jmeyer@meyerwyattpc.com

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

From: James B. Meyer
To: Aravind S. Muzumdar
Cc: Imad Samara ; Spike Peller ; dsmalles@greeley-hansen.com ; jniec@greeley-hansen.com ; Dwain Bowie (E-mail) ; Adrienne Fancher ; Villacin, Cass ; David Hughes ; Robinson, Barry
Sent: Wednesday, January 05, 2005 10:37 AM
Subject: Re: LCRBDC Flap Gate located west of Grant Street

Isn't the flap gate a significant distance up stream of the construction site? Is LCRBDC contending the debris floated up stream?

James B. Meyer
MEYER & WYATT, P.C.
363 South Lake Street
Gary, IN 46403
Telephone: (219) 938-0800
Facsimile: (219) 939-3070
E-Mail Address: jmeyer@meyerwyattpc.com

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

From: Aravind S. Muzumdar
To: shanchar@walshgroup.com
Cc: Imad Samara ; Spike Peller ; dsmales@greeley-hansen.com ; jniec@greeley-hansen.com ; [Dwain Bowie \(E-mail\)](mailto:Dwain Bowie (E-mail)) ; Adrienne Fancher ; Villacin, Cass ; David Hughes ; Robinson, Barry
Sent: Wednesday, January 05, 2005 8:52 AM
Subject: Fw: LCRBDC Flap Gate located west of Grant Street

Steve,

I am forwarding a memo from Jim Pokrajac in reference to above referenced Flap Gate for your review and comments.

Arnie Muzumdar

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

From: Little Calumet
To: Samara, Imad LRC ; Aravind S. Muzumdar ; Spike Peller
Cc: James Meyer ; dsmales@greeley-hansen.com ; jniec@greeley-hansen.com ; [Dwain Bowie \(E-mail\)](mailto:Dwain Bowie (E-mail)) ; Adrienne Fancher ; Villacin, Cass ; Robinson, Barry ; Craib, Robert A LRC
Sent: Tuesday, January 04, 2005 5:27 PM
Subject: Re: LCRBDC Flap Gate located west of Grant Street

Arnie:

On Tuesday January 4th, I went out to the site to investigate the flap gate you had mentioned west of your newly installed pump station. It appears, as you have indicated, that this flap gate is stuck in the open position. When we made our inspection several year ago with the Army Corps, this flap gate was operating as was intended by the Army Corps of Engineers design. Prior to your construction in this area, this flap gate would properly seal to prevent water from backflowing to the landward side of protection. I feel it is very possible that some of the debris that could be causing this gate to remain open was a result of your construction in this area. Accordingly, I would recommend that your contractor clear out this flap gate in order that any landside problems from back flow could be eliminated.

James E. Pokrajac, Agent
Land Management/Engineering

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

From: Samara, Imad LRC
To: Aravind S. Muzumdar ; Spike Peller
Cc: James Meyer ; dsmiles@greeley-hansen.com ; jniec@greeley-hansen.com ; Dwain Bowie (E-mail) ; Adrienne Fancher ; Villacin, Cass ; Robinson, Barry ; Craib, Robert A LRC ; Little Calument (E-mail)
Sent: Monday, January 03, 2005 1:46 PM
Subject: RE: LCRBDC Flap Gate located west of Grant Street

Please review this email. Sorry I guess my earlier email talked about a different gate.

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

From: Aravind S. Muzumdar [mailto:Muzumdar@netnitco.net]
Sent: Monday, January 03, 2005 1:55 PM
To: Samara, Imad LRC; Spike Peller
Cc: James Meyer; dsmiles@greeley-hansen.com; jniec@greeley-hansen.com; Dwain Bowie (E-mail); Adrienne Fancher; Villacin, Cass; Robinson, Barry; Craib, Robert A LRC; Little Calument (E-mail)
Subject: Re: LCRBDC Flap Gate located west of Grant Street

Thank you for your e-mail, however it refers to the U.S. COE Pump Station located on west 32nd Avenue and not the City of Gary Pump Station located at about 2950 Grant Street.

Arnie Muzumdar

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

From: Samara, Imad LRC
To: Aravind S. Muzumdar ; Spike Peller
Cc: James Meyer ; dsmiles@greeley-hansen.com ; jniec@greeley-hansen.com ; Dwain Bowie (E-mail) ; Adrienne Fancher ; Villacin, Cass ; Robinson, Barry ; Craib, Robert A LRC ; Little Calument (E-mail)
Sent: Monday, January 03, 2005 11:51 AM
Subject: RE: LCRBDC Flap Gate located west of Grant Street

Please read the attached email. The COE is aware of the situation and we are working with the LCRBDC to get it fixed.

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

From: Aravind S. Muzumdar [mailto:Muzumdar@netnitco.net]
Sent: Monday, January 03, 2005 9:03 AM
To: Spike Peller
Cc: James Meyer; dsmiles@greeley-hansen.com; jniec@greeley-hansen.com; Samara, Imad LRC; Dwain Bowie (E-mail); Adrienne Fancher; Villacin, Cass; Robinson, Barry
Subject: LCRBDC Flap Gate located west of Grant Street

Spike,

During the testing of the storm water pump station it was discovered that when the station was pumping flow to the downstream side of the levee, the water was coming back to the pump station. Further investigation, revealed that there is a Flap Gate located west of the pump station, not a part of our project as it was installed by the COE, and this gate does not completely close resulting in water seeping back to our station. This situation was included in our comments to the WREP representative during the inspection. This is a serious situation as this opening from the levee can cause flooding rendering the levee ineffective.

It is our recommendation that this situation be brought to the attention of LCRBDC and the COE by GSWMD as the problem is not with our station but that of LCRBDC and the COE and a correction requested.

Arnie Muzumdar

5

1/5/2005

ATTENDANCE ROSTER

[illegible]

Sandy Mordus

From: "Siavash E. Beik" <sbeik@cbbel-in.com>
To: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
Sent: Tuesday, January 04, 2005 5:15 PM
Subject: Little Calumet River Levee Project - Hammond (CBBEL# 04-286A)

Imad,

It was nice talking to you on the telephone this morning. As always, you provided me with a very complete, honest, and realistic rundown on the current status of this project and issues involved with expediting the construction of the North Levee between Kennedy Avenue and Conrail (Phase V-2). During our conversation, I relayed that our preliminary review of the latest construction plans for Phases V-2 and VI-1 indicates that Conrail is a suitable tie-in for removing the SFHA floodplain designation for structures north of Little Calumet River between Cline Avenue and Conrail.

Based on what you told me, the 95% complete construction plans for the North Levee between Cline Avenue and Kennedy Avenue (Phase VI-1) has just been released for final review by local partners. You also indicated that you believed that all real estate for this phase of the project have been obtained by the local sponsors. You expect that a construction contract for this portion of levee would be awarded by June 2005. The construction contract for the South Levee portion (Phase VI-2) is also expected to be let by May 2005.

You also indicated that the current schedule for construction of north levee between Kennedy Avenue and Indianapolis Boulevard as well as the south levee between Kennedy Avenue and Conrail (Phase V-2) is for an approximate contract award date of May 2006, with construction plans for these sections to undergo updates and refinements starting March to May 2005. However, for this schedule to be adhered to it would be necessary for the local sponsor to obtain all the real estate and address any utility relocation needs prior to the contract award date.

We also discussed the possibility of expediting the construction of a portion of Phase V-2 north levee between Kennedy Avenue and Conrail so that an interim LOMR can be processed using Conrail as tie-in. You indicated that the Corps will be able to expedite the construction of the noted portion if the local sponsor was willing to acquire the affected real estate and address the required relocation of a major north-south utility corridor located east of Conrail in a timely manner. You also indicated that, due to the need to address the referenced major utility corridor at the same time north and south of the Little Calumet River, the portion of Phase V-2 levee south of Little Calumet River would need to also be constructed at the same time. Although, you mentioned, the breaking of the construction of the Phase V-2 levees into two pieces may involve a little additional cost, you had no problem expediting the schedule if local sponsor agrees to this additional cost and do their real estate acquisition part in time.

I hope I was able to capture our conversation accurately so that I can relay these thoughts to others. Please let me know if you have any comments or corrections. Thanks again, Siavash.

Siavash E. Beik, P.E., CFM
 Christopher B. Burke Engineering, Ltd.
 115 West Washington Street, Suite 1368 South
 Indianapolis, Indiana 46204
 Tel. 317.266.8000 Fax 317.632.3306
 sbeik@cbbel-in.com Web: www.cbbel-in.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

ARLENE COLVIN, Chairperson
Mayor of Gary's
Appointment

January 7, 2005

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

Honorable Ralph Ayres
IN State Representative
520 Park Avenue
Chesterton, Indiana 46304

Dear Representative Ayres:

Congratulations on your recent re-election and your appointment as Vice-Chairman of the House Ways and Means Committee. This position is obviously of tremendous importance to Northwest Indiana in the upcoming State Budget deliberations. We write to you to update you regarding the funding request submitted by the Little Calumet River Basin Development Commission to the State Budget Agency for capital funding in the 2005-07 State Budget.

The Little Calumet River Basin Development Commission has requested \$5 million in the 2005-07 State Budget. This funding is needed to continue the items of local cooperation contained in our legal agreement with the U.S. Army Corps of Engineers (Federal government) which specifies public right-of-way acquisition to allow Federal levee/floodwall construction; identified utilities relocation; and 5% cash match of the Federal construction contracts. This \$5 million capital investment will:

(1) Enable the Federal construction appropriations to continue at a 3-1 Federal to non-Federal funding ratio;

(2) Allow the last funding piece to be put in place to complete the final levee segment in the city of Gary (Burr Street levee South) which will permit the Federal Emergency Management Agency (FEMA) to remove Gary from floodplain designation. In addition to protecting some 2,650 Gary structures from flooding, creating economic development opportunities for construction (over 2,000 acres) and fully protect I-80/94 and the I.U. Northwest Campus from flooding; and

Representative Ralph Ayres
January 7, 2005
Page 2

(3) Leverage over \$19 million in Federal construction contracts for levees, floodwalls and pump station improvements in Hammond and Highland. Completion of this second phase of construction over the two year State biennial budget will allow all of Highland and over nearly 40% of Hammond to be protected from flooding and technically eligible to begin petitioning removal from floodplain designation.

The Little Calumet River Basin Development Commission is currently drawing from remainder of the 2003-2005 appropriation and additionally has budgeted all administrative funds so as to exhaust all non-Federal funds to match Federal capability. This situation will rely heavily upon the 2005-2007 State Budget including new monies to continue the project. As you may know, the State Budget Agency administratively reverted \$2 million from the Development Commission's appropriation as a result of the State Budget shortfall. This action negatively impacted the Development Commission's ability to complete the Gary stretch and move further in Highland and Hammond.

The Development Commission has worked closely with Mayor McDermott, the Hammond administration and City Council, as well as the town of Highland officials in moving the project to construction, as well as their strong support for continued state project funding.

On behalf of the Development Commission and the over 8,800 owners of homes, businesses, and public structures in the Little Calumet River floodplain in Hammond, Gary, Highland, Griffith, and Munster that will be removed from the floodplain upon construction completion, we respectfully request your support of the \$5 million requested in the 2005-2007 State Biennial Budget. The Commission has coordinated the request and budget priorities with Congressman Visclosky and the Federal construction, and we are willing to meet with you and the area delegation to answer any questions you may have regarding our request. For your information, we have included a project map of the segments targeted for the needed State funds, as well as a copy of our budget request sent to the Budget Agency on August 12, 2004.

The Development Commission thanks you for your support in the past and we look forward to working with you in the upcoming session.

Sincerely,



William Biller
Chairman, LCRBDC

Sincerely,



Dan Gardner
Executive Director

PLEASE SIGN IN

Name of meeting: LCRBDC

Date: January 12

[illegible]

PROPERTIES CREDITED – 2004

DC 1013C	\$	7,916.77
DC 512		3,645.58
DC 601		25,832.98
DC 505		4,096.62
DC 539		1,942.00
DC 822		2,828.11
DC 826		774.00
DC 86		20,153.73
DC 189		4,755.00
DNR 20		3,870.00
DC 188		2,620.00
DC 249		1,069.20
DC 754		3,692.00
DC 742		4,074.84
DC 1013-B		31,650.59
DC 715		2,654.73
DC 200		1,865.00
DC 317		1,772.00
DC 357		1,949.00
DC 250		1,069.20
DC 441-A		887.00
DC 300		30,307.00
DC 216-J		1,245.00
DC 92		10,091.50
DC 85		17,377.50
DC 1011-C		28,663.98
DC 744		1,098.33
DC 1032		2,113.27
DC 1010-G		4,808.00
DC 1011-B		69,355.64
DC 1012-C		9,781.38
DC 791		270.00
DC 823		492.50
DC 1015		347,996.25

APPROVED

34 Parcels	\$	<u>652,698.70</u>
------------	----	-------------------

SUBMITTED

41 Parcels	\$	1,201,663.00 ± pending on additional 7
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**APPROVAL TO PAY THE FOLLOWING INVOICES
FROM O&M FUND (LEL MONIES)
JANUARY 12, 2005**

- **\$2,000.00 to C&H Mowing for 2004 levee spraying & brush cutting**
- **\$86.57 to NIPSCO in payment of electric bill at 3120 Gerry Street, Gary**
- **\$649 to CNA Insurance Company for renewal policy of 3499 Chase Street**

TOTAL \$2,735.57

**RATIFICATION OF APPROVAL OF
CLAIMS PAID FROM
O&M FUND (LEL MONIES)**

- **\$1,380.00 to Congress Enterprise, Inc. for removal of debris in Ditchline Encloser of flap Gate at I-Wall – Chase Street in Gary**
- **\$4,680.00 to Congress enterprise, Inc. for removal of all trees, logs, brush and debris located west of MLK Drive and under the Chicago, Ft. Wayne, and Eastern RR in Gary**

TOTAL \$6,060.00

Balance in O&M account (LEL monies) after paying these invoices will be \$77,927

COPY**THE BOARD OF COMMISSIONERS
OF THE COUNTY OF LAKE**

2293 North Main Street
Crown Point, Indiana 46307
Phone: (219) 755-3200
Fax: (219) 753-3064

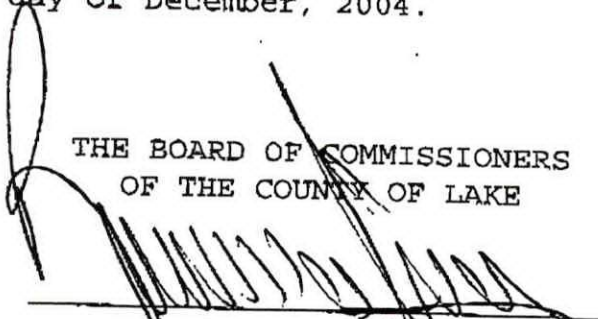
Rudolph Clay, First District
Gerry J. Scheub, Second District
Frances DuPey, Third District

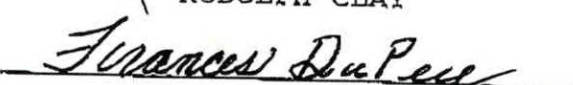
C E R T I F I C A T E O F A P P O I N T M E N T

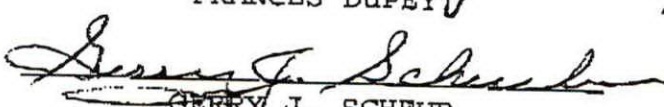
STATE OF INDIANA }
 }
COUNTY OF LAKE }

WE, the undersigned, duly elected, commissioned, qualified and acting members of the Board of Commissioners of the County of Lake, Indiana, do hereby constitute and appoint Sam Dimopoulos, as a Board Member of the Little Calumet River Basin Commission for a term commencing December 15, 2004, to expire on the 31st day of December 2005. IN TESTIMONY WHEREOF, We hereunto subscribe our names this 15th day of December, 2004.

THE BOARD OF COMMISSIONERS
OF THE COUNTY OF LAKE


RUDOLPH CLAY


FRANCES DUPEY


GERRY J. SCHEUB



Safidy Mordus

From: "Ackerson, Rick D LRC" <Rick.D.Ackerson@lrc02.usace.army.mil>
To: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
Sent: Wednesday, January 12, 2005 9:31 AM
Attach: attachment1.pdf
Subject: RE: Graph included in the Letter

Imad,

I apologise. The data is correct, but the labels are switched. The labels that say "no pond" should say "w/pond" and vice versa. Here is a corrected copy.

Rick

<<attachment1.pdf>>

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

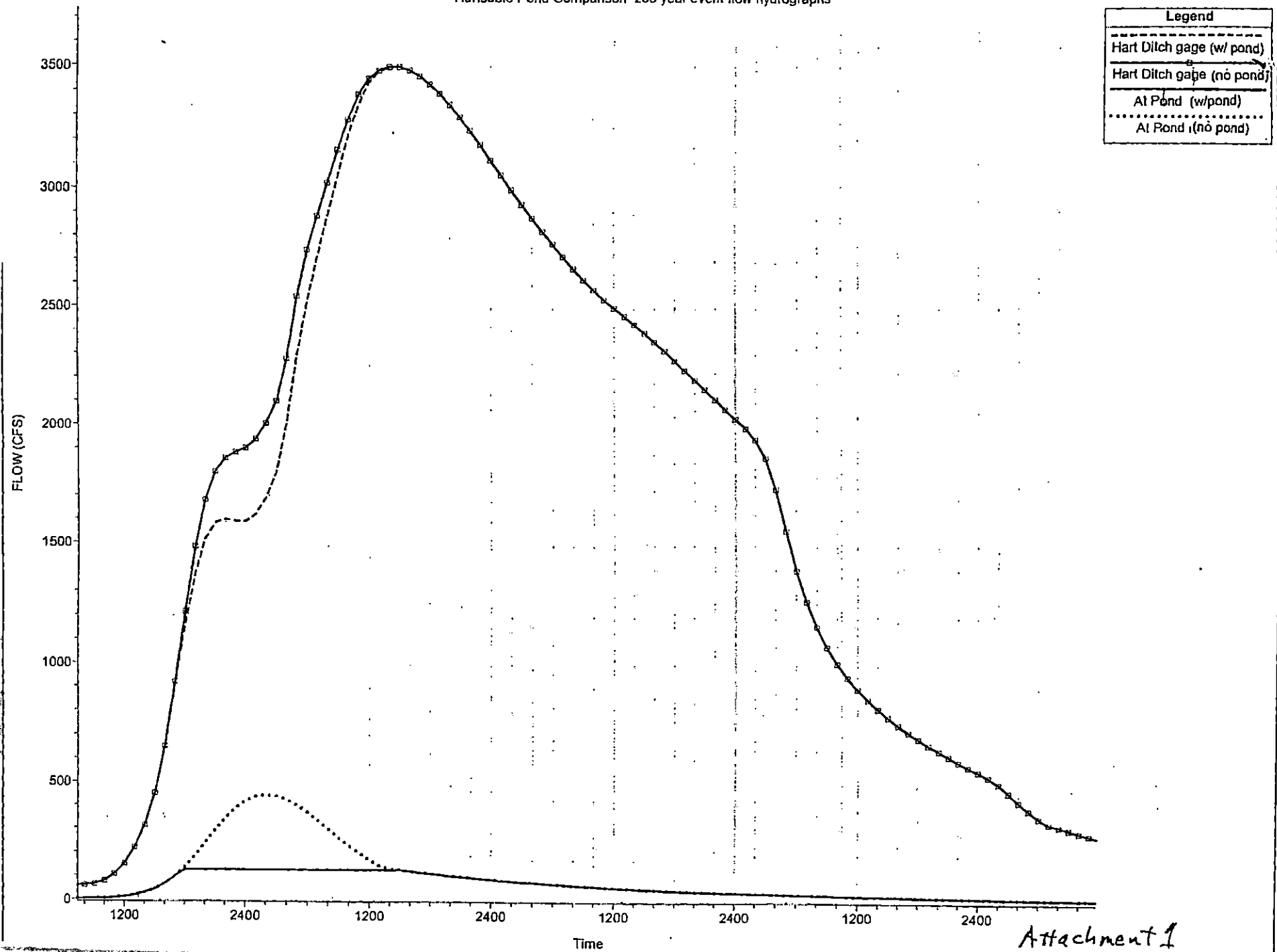
From: Samara, Imad LRC
Sent: Tuesday, January 11, 2005 4:58 PM
To: Ackerson, Rick D LRC
Subject: Graph included in the Letter

Rick the commissioners read the letter that Sue signed regarding the modeling and the February day. The commissioners had the following comment.

3) Steve Davis and Charlie Ray questioned the graph indicated as "Attachment 1" for the Hartsdale Pond comparison 200 year event for flow hydrographs. This was attached as part of Sue Davis's letter to Dan dated December 27, 2004. Could you confirm that this graph is accurate and if not, please provide a revised copy

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

Hartsdale Pond Comparison 200 year event flow hydrographs



Attachment 1

WORK STUDY SESSION
OPERATION AND MAINTENANCE
JANUARY 5, 2005
BOB HUFFMAN, Committee Chairman

1. Logjam west of MLK was cleaned up and completed by CONGRESS ENTERPRISES on December 17, 2004.
 - Pictures are available and will be passed around at the Session.
2. A letter was received from the Corps on December 16 (refer to attachments 6-8 in the O&M Report) indicating the LCRBDC has 30 days to correct deficiencies for pump stations for O&M as per the LCA.
 - LCRBDC contacted UNITED WATER requesting they do diagnostics for Burr Street pump station because it has one pump that can only be operated manually.
 - UNITED WATER sent letter on June 9, 2004 (see attachments 2&3 in O&M Report) stating they will do nothing until back charges are paid up and agreement is signed.
 - LCRBDC will review LCA to assure that the Corps is also in compliance before we assume responsibility.
3. Burr Street pump station is not operating.
 - LCRBDC contracted AUSTGEN ELECTRIC to do diagnostics to determine problem and fix what can be fixed to make pumps automatically operate. (Contract not to exceed \$3,470)
 - As of January 4, 2005, the #1 pump is operating automatically and the #2 pump works, but only manually. (Refer to attached e-mail from Corps dated January 4)
 - A final report will follow.
 - Costs for repairs and diagnostics will be reviewed with Corps to see who has cost responsibilities.
4. Final inspection of remaining features of the East Reach flood control project is not scheduled until July 2005.
 - Refer to Corps letter of December 16th at conclusion of letter on page 8 of attachments to O&M report.
 - LCRBDC wrote letter to Corps on November 29 indicating importance of completing inspection in a timely manner. This seems to have been ignored (Refer to attachments 4&5 of O&M Report).
5. O&M agreement with the HSD was signed on December 14 for the South East Hessville pump station. LCRBDC to counter-sign at January 5 Board meeting.
 - A meeting will be scheduled to do turnover with the HSD that includes "as-builts", manuals, etc.

*Write letter
Hessville*

Billie request history costs incurred.

- ✓
6. LCRBDC requested by the Corps to either clean out the flap gates north of Berkheimer or to close the sluice gates.
- The two east flap gates are stuck open which allows interior water to flow to the exterior of the levee. This causes a recycling of the pumps at the Grant Street lift station.
 - LCRBDC expected by the Corps to assume all responsibility for O&M which includes making flap gates operational.
7. LCRBDC received a request from city of Gary to make flap gate west of the Gary Grant Street pump station operational.
- LCRBDC responded to their request indicating it should be the responsibility of Gary to clean this flap gate due to their own construction in this area (e-mail response attached).
- 2-5

*Jim to close sluice gates because
flaps are stuck.*

Sandy Mordus

From: "Craib, Robert A LRC" <Robert.A.Craib@lrc02.usace.army.mil>
To: "Jim Pokrajac (E-mail)" <littlecal@nirpc.org>
Cc: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; "Abou-El-Seoud, Shamel LRC" <Shamel.Abou-El-Seoud@lrc02.usace.army.mil>; "Albert, Dick LRC" <Dick.Albert@lrc02.usace.army.mil>; "Anderson, Douglas M LRC" <Douglas.M.Anderson@lrc02.usace.army.mil>; "Waldrom, Brad A LRC" <Brad.A.Waldrom@lrc02.usace.army.mil>
Sent: Tuesday, January 04, 2005 2:33 PM
Subject: (Sandy) Status of Burr St. Pump Station

Jim,

The station's current operational capabilities are as follows:

1. SWP-1 is now capable of operating in both "automatic" or in "hand" mode. (I requested Austgen Electric's, Mike, to leave this pump in "automatic" mode.)
- 2.. SWP-2 is now capable of operating in "hand" mode only. (The Flygt CAS (Control and Status) module, and the three phase monitor will need to be replaced to allow for "automatic" pump operation.)
3. Sump pump is able to operate only in "hand" mode. (The three phase monitor will need to be replaced to allow for "automatic" pump operation.)
4. Austgen Electric's, Mike, indicated that he will be compiling a list of parts and costs for your review.
5. I provided Mike with a LCRBDC lock, for him to install, on the exterior sump pit access cover (after he evaluates all the station's float controls located in the pit).

(I will return the unused electrical spare parts, we obtained from your Chase St. warehouse, tomorrow.)

Based on item #1 above, I feel my services will no longer be needed for the operation of the station.

Therefore, I will not be checking water levels or pump status in the future! I hope our previous assistance, regarding the operation of this station, was well received by LCRBDC. If you need future assistance with this station, please contact Imad Samara who may present your request to Mr. Shamel Abou-El-Seoud and or Mr. Dick Albert.

Thanks,
Bob

ps.. Regarding the Stage 3 Remediation project, let me know when you have the two leaking flap valves fully sealed or their two sluice gates closed (west of Drain Tile pump station). Thanks.

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: "James Meyer" <jmeyer@meyerwyattpc.com>
Cc: "Dan Gardner" <dgardner@nirpc.org>
Sent: Wednesday, January 05, 2005 12:17 PM
Subject: Fw: LCRBDC Flap Gate located west of Grant Street

Jim:

In my field visit of January 4, it appears that this flap gate, which is intergrated in the existing concrete l-wall, is no more than 40' west of the penetration for the discharge of your pump station. Your pump station was constructed immediately south of this concrete l-wall. If you have any further questions, please let me know.

Jim Pokrajac, Agent
Land Management/Engineering

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

From: Dan Gardner
To: Sandra Mordus
Sent: Wednesday, January 05, 2005 11:23 AM
Subject: Fw: LCRBDC Flap Gate located west of Grant Street

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

From: James B. Meyer
To: Dan Gardner
Sent: Wednesday, January 05, 2005 11:11 AM
Subject: Fw: LCRBDC Flap Gate located west of Grant Street

James B. Meyer
MEYER & WYATT, P.C.
363 South Lake Street
Gary, IN 46403
Telephone: (219) 938-0800
Facsimile: (219) 939-3070
E-Mail Address: jmeyer@meyerwyattpc.com

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

From: James B. Meyer
To: Aravind S. Muzumdar
Cc: Imad Samara ; Spike Peller ; dsmales@greeley-hansen.com ; jniec@greeley-hansen.com ; Dwain Bowie (E-mail) ; Adrienne Fancher ; Villacin, Cass ; David Hughes ; Robinson, Barry
Sent: Wednesday, January 05, 2005 10:37 AM
Subject: Re: LCRBDC Flap Gate located west of Grant Street

Isn't the flap gate a significant distance up stream of the construction site? Is LCRBDC contending the debris floated up stream?

James B. Meyer
MEYER & WYATT, P.C.
363 South Lake Street
Gary, IN 46403
Telephone: (219) 938-0800
Facsimile: (219) 939-3070
E-Mail Address: jmeyer@meyerwyattpc.com

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

From: [Aravind S. Muzumdar](mailto:Aravind.S.Muzumdar)
To: shanchar@walshgroup.com
Cc: [Imad Samara](#) ; [Spike Peller](#) ; [James Meyer](#) ; dsmiles@greeley-hansen.com ; jniec@greeley-hansen.com ; [Dwain Bowie \(E-mail\)](#) ; [Adrienne Fancher](#) ; [Villacin, Cass](#) ; [David Hughes](#) ; [Robinson, Barry](#)
Sent: Wednesday, January 05, 2005 8:52 AM
Subject: Fw: LCRBDC Flap Gate located west of Grant Street

Steve,

I am forwarding a memo from Jim Pokrajac in reference to above referenced Flap Gate for your review and comments.

Arnie Muzumdar

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

From: [Little Calumet](#)
To: [Samara, Imad LRC](#) ; [Aravind S. Muzumdar](#) ; [Spike Peller](#)
Cc: [James Meyer](#) ; dsmiles@greeley-hansen.com ; jniec@greeley-hansen.com ; [Dwain Bowie \(E-mail\)](#) ; [Adrienne Fancher](#) ; [Villacin, Cass](#) ; [Robinson, Barry](#) ; [Craib, Robert A LRC](#)
Sent: Tuesday, January 04, 2005 5:27 PM
Subject: Re: LCRBDC Flap Gate located west of Grant Street

Arnie:

On Tuesday January 4th, I went out to the site to investigate the flap gate you had mentioned west of your newly installed pump station. It appears, as you have indicated, that this flap gate is stuck in the open position. When we made our inspection several year ago with the Army Corps, this flap gate was operating as was intended by the Army Corps of Engineers design. Prior to your construction in this area, this flap gate would properly seal to prevent water from backflowing to the landward side of protection. I feel it is very possible that some of the debris that could be causing this gate to remain open was a result of your construction in this area. Accordingly, I would recommend that your contractor clear out this flap gate in order that any landside problems from back flow could be eliminated.

3

1/5/2005

James E. Pokrajac, Agent
Land Management/Engineering

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

From: Samara, Imad LRC
To: Aravind S. Muzumdar ; Spike Peller
Cc: James Meyer ; dsm ales@greeley-hansen.com ; jniec@greeley-hansen.com ; Dwain Bowie (E-mail) ; Adrienne Fancher ; Villacin, Cass ; Robinson, Barry ; Craib, Robert A LRC ; Little Calument (E-mail)
Sent: Monday, January 03, 2005 1:46 PM
Subject: RE: LCRBDC Flap Gate located west of Grant Street

Please review this email. Sorry I guess my earlier email talked about a different gate.

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

From: Aravind S. Muzumdar [<mailto:Muzumdar@netnitco.net>]
Sent: Monday, January 03, 2005 1:55 PM
To: Samara, Imad LRC; Spike Peller
Cc: James Meyer; dsm ales@greeley-hansen.com; jniec@greeley-hansen.com; Dwain Bowie (E-mail); Adrienne Fancher; Villacin, Cass; Robinson, Barry; Craib, Robert A LRC; Little Calument (E-mail)
Subject: Re: LCRBDC Flap Gate located west of Grant Street

Thank you for your e-mail, however it refers to the U.S. COE Pump Station located on west 32nd Avenue and not the City of Gary Pump Station located at about 2950 Grant Street.

Arnie Muzumdar

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

From: Samara, Imad LRC
To: Aravind S. Muzumdar ; Spike Peller
Cc: James Meyer ; dsm ales@greeley-hansen.com ; jniec@greeley-hansen.com ; Dwain Bowie (E-mail) ; Adrienne Fancher ; Villacin, Cass ; Robinson, Barry ; Craib, Robert A LRC ; Little Calument (E-mail)
Sent: Monday, January 03, 2005 11:51 AM
Subject: RE: LCRBDC Flap Gate located west of Grant Street

Please read the attached email. The COE is aware of the situation and we are working with the LCRBDC to get it fixed.

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

From: Aravind S. Muzumdar [<mailto:Muzumdar@netnitco.net>]
Sent: Monday, January 03, 2005 9:03 AM
To: Spike Peller
Cc: James Meyer; dsm ales@greeley-hansen.com; jniec@greeley-hansen.com; Samara, Imad LRC; Dwain Bowie (E-mail); Adrienne Fancher; Villacin, Cass; Robinson, Barry
Subject: LCRBDC Flap Gate located west of Grant Street

Spike,

During the testing of the storm water pump station it was discovered that when the station was pumping flow to the downstream side of the levee, the water was coming back to the pump station. Further investigation, revealed that there is a Flap Gate located west of the pump station, not a part of our project as it was installed by the COE, and this gate does not completely close resulting in water seeping back to our station. This situation was included in our comments to the WREP representative during the inspection. This is a serious situation as this opening from the levee can cause flooding rendering the levee ineffective.

It is our recommendation that this situation be brought to the attention of LCRBDC and the COE by GSWMD as the problem is not with our station but that of LCRBDC and the COE and a correction requested.

Arnie Muzumdar

5

1/5/2005

WORK STUDY SESSION
ENGINEERING COMMITTEE

January 5, 2005

Bob Huffman, Committee Chairman

1. GSD wrote a letter to the Army Corps on November 8, 2004 regarding concerns with the upcoming construction of the Burr Street Betterment Levee Phase II (Gary) that included concerns with Rule 5 and Rule 13 (Refer to attachments in Engineering Report, Pages 2A-2D).
 - Army Corps responded in a letter dated December 28th indicating their legal opinion.
 - Corps also indicated they would incorporate design features into the project plans to help Gary meet local storm water requirements.
 - Still awaiting a list from Gary as to what features Gary feels need to be addressed (Attached is a letter sent to Greeley & Hansen on May 25, 2004). /
 - A meeting is being scheduled with Gary to discuss this issue.
2. The LCRBDC received a letter from the Corps on December 27, 2004 addressing our hydrology concerns relative to the current West Reach design. 2-5
 - Corps project is designed for a 200 year event and current storm water ordinances accommodate more frequent events, which will not affect our design.
 - HEC models for design were run with and without Hartsale Pond that mainly affect Spring Ditch.
 - VI-2 storage was included in their modeling.
 - Thorn Creek has been included in their modeling (including Thornton Quarry)
 - (Refer to attachment to this report)
 - Corps will have representatives at our February meeting to make a presentation and answer questions.
3. A Local Transportation Management Plan meeting was held with INDOT on November 30, 2004 regarding I-80/94 & I-65 construction.
 - Minutes of meeting available upon request.
 - A follow-up meeting has been scheduled for January 26th for the purpose of discussing the final construction sequencing and the ramp closures and detour routes by contract.

*Sue Davis
To come
for Feb.
mtg.*

*Atty.
Casey - a pt to Sandy Saloman to discuss Rule 13
Pt. legislation*



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson
Mayor of Gary's
Appointment

ROBERT MARSZALEK, Vice Chairman
Governor's Appointment

MARK LOPEZ, Treasurer
Lake County Commissioners'
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

ROBERT HUFFMAN
Governor's Appointment

CHARLES RAY
Porter County Commissioners'
Appointment

DR. MARK RESHKIN
Governor's Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

May 25, 2004

Mr. Jay Niec
Greeley & Hansen Engineers
105 E. Jefferson Blvd.
Suite 800
South Bend, Indiana 46601

Dear Jay:

In a recent conversation with the Army Corps of Engineers, it is my understanding that they have agreed to work with the city of Gary and the Gary Sanitary District to provide water quality measures that are required to be in compliance with IDEM items that are part of the Little Calumet River flood control project. In order to comprise a scope of work, the COE will need a list from the GSD that has been coordinated with IDEM as to what features will be needed. The COE will evaluate this list and work with the city and the GSD to develop a scope for a contract to implement these required changes and advertise a contract in the 2005 COE fiscal year. It is their intent to create a new contract, and to budget for this contract. This will include the control structure along the east side of Chase Street south of your 27th Avenue pump station, the backup pump and jib crane for the ironwood pump station, as well as other miscellaneous features.

We are hoping that by working with you to complete these items, we can continue our coordination with the GSD for them to ultimately assume the operation and maintenance of the completed east reach features for the flood control project in Gary.

If you have any questions regarding this request, please let me know.

Sincerely,


Dan Gardner
Executive Director

/s/jm
cc:

Don Smalas, Greeley and Hansen
Jim Meyer, GSD attorney
Spike Peller, GSD
Arlene Colvin, City of Gary
Imad Samara, COE
Vic Gervais, COE



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

REPLY TO
ATTENTION OF

December 27, 2004

Technical Services Division
Hydraulic and Environmental Engineering Branch

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

Dear Mr. Gardner:

This letter is our response to your letter of 15 December 2004, regarding possible hydrologic adjustments that may help reduce costs by lowering levee crest elevations and resulting levee footprints. We appreciate your suggestions and concerns and are always willing to pursue viable alternatives to reduce costs while still providing a quality flood control project with dependable flood protection. We have considered your suggestions and have developed the following responses:

Regarding item (1) – Restrictive storm water ordinances are quite necessary in fast growing urban environments like the Little Calumet River basin in northwest Indiana. The designs to accommodate these ordinances are effective in compensating for the additional runoff created by commercial and residential development, however, these storm water features are designed for mitigating more frequent storm events than the 200 year design event that was used for design of the Little Calumet River flood control project. In other Corps studies in the Chicago metropolitan area it is generally considered that these features compensate for the development with basically a zero net effect with regard to the infrequent events used for levee design.

We examined the gage records to make a comparison of the last ten years of record compared to the previous years of record. At the Hart Ditch gage at Munster, annual peak flows for the first 50 years of record averaged 1513 cubic feet per second (cfs). For the next and last 10 years of available data (water years 1993-2003 - 2002 missing) the average annual peak flow was 2204 cfs, for an average increase of 694 cfs or a 46% increase. Some increase would be expected for annual peak flows in rapidly developing areas even with storm water ordinances. Some of the increase may be due to a wet cycle, but in either case the gage record would not suggest a lowering of flood protection levels.

In a similar manner, peak annual stages for the first 51 years of record averaged 5.51 ft (596.78 ft NGVD) at Hart Ditch gage. For the last ten years, the average peak stage was 7.33 ft (598.60 ft NGVD), 1.82 feet higher than the average of the previous 51 years.

At the Little Calumet River gage at Munster by Hohman Avenue the average peak stage for the first 35 years of record were 12.52 ft (593.24 ft NGVD). For the last 10 years of record the peak stages averaged 13.91 ft (594.63 ft NGVD) or 1.39 feet higher than the average of the previous 35 years.

As stated above regarding flows, the stage data also does not suggest a rationale for lowering levels of flood protection for the levee project.

Regarding item (2) – We did a sensitivity analysis with our HEC-1 and UNET unsteady flow models regarding the Hartsdale Pond. The models assumed full project conditions and were run for both with and without the Hartsdale Pond in place. Attachment 1 presents resulting flow hydrographs from the analysis. When comparing the flow hydrographs at the pond, we see that the pond is extremely effective for decreasing peak stages on Spring Ditch, however, because of the difference in the timing of the peaks when compared with flows at the Hart Ditch Gage it had no effect on the peak flow at the Hart Ditch gage and as a result an insignificant impact on stages on the Little Calumet River.

Regarding item (3) – The realignment of the levee in Stage VI-2 created a large amount of additional flood storage, lowering design stages two or three tenths of a foot in some areas of the east reach. This storage has been included in our modeling since the mid 1990's, and was included in the analysis for the East Reach Remediation Levee and the current model submittal for the FEMA remapping effort.

Regarding item (4) – The Thorn Creek Reservoir has been a necessary feature for our project to provide the required levee freeboard at the state line. It has been included in our analyses since the 1980's. The portion of the quarry that was put online in recent years is included in our analysis that was submitted to FEMA for the current remapping effort and will continue to be included in all current and project condition models.

Regarding flow into Illinois, our Little Calumet River model is calibrated using frequency data developed from every applicable USGS stage/flow gage that is available in the watershed. It was also calibrated to the 1989 and 1990 flood events in which there was a wealth of data provided by the USGS, Illinois and Indiana. We had an extensive amount of high water data, flow and stage data from the gages and also flow measurements by the USGS for these two historic flood events. In addition, an analysis of average flows into Illinois is presented in FDM5 and an updated version in the East Reach Remediation Report. For current and project condition models new bridges and other major projects (Cady Marsh Ditch Diversion for example) are added where applicable. We feel confident that the model reflects a good calibration to the available data and provides a reasonable estimate for flows into Illinois for this very complicated and ever changing watershed.

The reduction of 100 year flood levels for the residents west of Hohman Avenue is due primarily to the Thorn Creek Reservoir lobe that has been put online. The reservoir

lowers stages approximately two and a half feet at the state line. This will be reflected when that portion of the river is remapped by FEMA.

Regarding item (5) – The models were updated for the latest FEMA submittal to include Bulletin 70 rainfall distributions, which is the current standard for flood frequency studies in our area. The model was updated from Technical Paper 40 (TP 40) rainfall distributions. Even if the model was changed to another rainfall distribution, the models would still need to be calibrated to flow and stage frequency curves at the gages. Timing, volumes and flow distributions may change due to the different distributions, but ultimately peak flows and stages must be calibrated to the gage data and ultimately there are only slight changes made when changing rainfall distributions. This was the case when changing from TP 40 to Bulletin 71 rainfall.

Regarding item (5) – See the second paragraph of response to item (4) above.

We are looking forward to making a presentation to explain and discuss our model at the February meeting of the Commission. Please contact Ms. Susanne Davis of the Hydraulic and Environmental Engineering Branch or Mr. Rick Ackerson of the Hydraulic Engineering Section if you have further questions. Ms. Davis can be reached at 312-846-5500. Mr. Ackerson can be reached at 312-846-5511.

Sincerely,

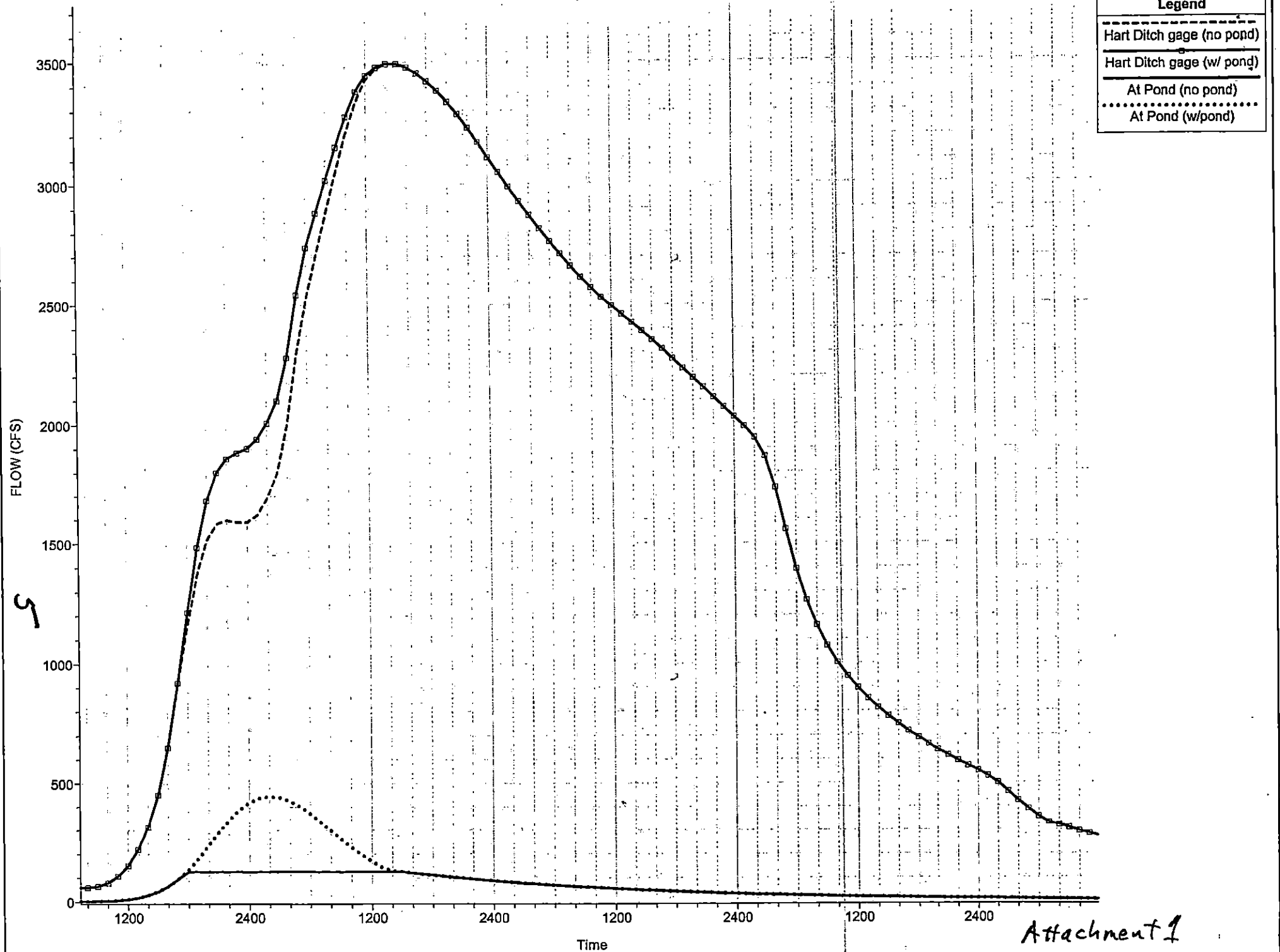


Susanne J. Davis, P.E.
Chief, Hydraulic and Environmental
Engineering Branch

Attachment

cf: Imad Samara (PM)

Hartsdale Pond Comparison 200 year event flow hydrographs



LAND ACQUISITION REPORT

For meeting on Wednesday, January 5, 2005

(Information in this report is from November 25 – December 28, 2004)

STATUS (Stage III) – Chase to Grant:

1. We are now in court with DC210 and 211. These are two of the six properties in the Lyles & Sons area that need to be acquired for flowage. These are lesser value properties and we will continue with their acquisition.
 - **Court appointed appraisers were sworn in December 14 and will return with findings on January 14, 2005.**

STATUS (Stage III) – REMEDIATION

Pumping west of Grant Street

1. Status of Right-of-Entry:
 - ROE was signed by the LCRBDC on April 4th, 2002.
 - Contract awarded – Construction started February, 2003.
 - Contract currently 95% complete

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.
 - The Corps has a new procedure for appraisal review. We now send appraisals to Chicago, Real Estate then sends the appraisal to reviewers in other districts who are available.
2. Appraiser Tim Harris is completing the appraisal in **January 2005**.
 - We've contacted the appropriate railroad personnel in Real Estate. They will review our appraisal and forward it to the Legal Department with their recommendations. (Ongoing)
 - **The appraiser was put on hold in November while changes in the survey were being completed. Changes are now complete and the appraisal will be completed.**

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. We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of January 2006, with two (2) years to complete construction.
 - This means land acquisition deadline is November 2005, sixty (60) days prior to the contract award date.
3. On a conference call with INDOT, the COE, and the LCRBDC on March 19th, 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.
 - We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of November 2006 with one (1) year to complete construction.
 - This means our land acquisition deadline is September 2006, sixty (60) days prior to the contract award date.
 - **Developments with Woodmar are ongoing and we have assigned an appraiser to complete the appraisal. At the December 2004 Real Estate meeting, our attorney issued a memorandum on the definition of the 75' easement. Corps attorney will write a letter of concurrence and the Chicago District Real Estate section will forward all to Corps headquarters in Cincinnati for review.**

STATUS (Stage VI-Phase 1 South) – Kennedy to Liabe - 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. The "Memo of Understanding" for all Highland utilities (Water, Sewer, Sanitary) were approved and signed and sent to the COE on November 2, 2004. These address all impacts in the designated work limits.
3. **An e-mail was sent to the Corps on December 3, 2004 explaining how the contractor should respond to landowners' questions about their fences being removed at construction time.**

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

Land Acquisition deadline March, 2005

1. We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of July 2005 with a one and one half (1-1/2) year to complete construction.
 - This means our land acquisition has been changed to May 2005, sixty (60) days prior to contract award.
 - **In a conference with the Corps on November 29, 2004, it was agreed to move the deadline back up to March 2005.**
2. Owners of DC1010-B and 1010-D (Deja-Vu and the old Burger King) have accepted our offers. Closing date will be scheduled. Condemnation will be stopped.
3. Owners of DC1022, 1023, 1024 (Oak Brook Metro) met with court-appointed appraisers and LCRBDC on 10/26. Findings were returned to court on 11/5. This time the court award is less than offer. **Owners are filing exceptions to the court award as being too low.** (Offer was \$80,000; court award was \$30,000).
4. Krosan has rejected our offer. Condemnation hearing set for after 12/2/04.
 - **Attorney is preparing documents to file for condemnation on Krosan.**
5. Court-appointed appraisers returned findings on 10/11/04 for DC1010-E (Motel 6). Court award \$154,000. **Landowner expected more but has agreed not to appeal.**
 - **A discrepancy about parking spaces taken from Motel 6 has been solved with a second survey. Court appraisers based their award on five spaces taken. The survey shows only three affected. We need to discuss what action to take.**

6. City of Hammond, Hammond Parks & Recreation, and Hammond Sanitary District have formally rejected our offers. Condemnation hearing to appoint court appraisers scheduled for 11/23/04.
 - **Court appointed appraisers were sworn in December 15, 2004. Findings back by January 15, 2005.**

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

Land Acquisition deadline March, 2005

1. All offers and easements are now out. We're in court with three landowners; one has settled. Easements for the municipalities, INDOT, and NIPSCO are in process.
 - **Four (4) easement agreements were sent to INDOT for approval on December 16, 2004.** 11-12
 - **Easement agreements were sent to NIPSCO on December 13, 2004 for their approval.** 13
 - **Survey completed on NIPSCO R/W between Liable and Cline for a temporary easement for a haul route. Agreement to follow.** 14
2. We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of May 2005 with a one (1) year construction completion date.
 - This means our land acquisition deadline remains the same, March 2005.
3. We need to acquire one last property west of Liable Road. Dan Gardner will approach the Highland Town Council for this donation.
4. **We received a response from the COE on December 1, 2004 indicating that we need to include the interior of the "tear drop" area owned by Davis due to hydrology issues.** 15-17

STATUS (Stage VII) – Northcote to Columbia:

1. The COE has put Stage VII on hold.
2. We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of January 2007 with one and one-half (1-1/2) years construction completion date.
 - This means our land acquisition deadline would be 60 days prior to the contract award date. Our deadline would be November 2006.

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

1. The COE has put Stage VIII on hold.
2. We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of January 2008 with two and one-half (2-1/2) years construction completion date.
 - This means our land acquisition deadline would be 60 days prior to contract award date. Our deadline would be November 2007.

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 May, 2005

1. We received a modified schedule from the COE on October 27, 2004 indicating a contract award date of September 2005 and a one (1) year construction completion date.
 - This means our land acquisition deadline is 60 days prior to contract award. Land acquisition is July 2005.
2. Only one private acquisition remains. DC582/583 (Tip Top lots) is in condemnation and the landowners are in family disagreements with the dissolution of the estate property. Court appointed appraisers will be sworn in when family lawyers agree to a date.

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.
 - We spoke with Rosa at Tax Sale office and she said there may be problems with tax sale properties because of the re-assessment. The County Commissioners will not have a fall sale and none is scheduled for next year.
 - **There will be a Treasurer’s tax sale; however, landowners in this sale have a one year right of redemption to redeem their property by paying their back taxes. To acquire these lands, LCRBDC must also pay the property’s back taxes. We do not acquire from this 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 has sent 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. **At the December Real Estate meeting, the Corps returned signed approvals for crediting of \$420,000.**
3. **We are trying to credit the \$1,065,000 mitigation acquisition but are having problems. Crediting requires documentation for each parcel. TPL has completed the acquisitions and we need to have their documentation. We will fax TPL the list of required crediting documents and have a conference call with TPL, LCRBDC, and the Chicago Corps Real Estate to decide on the proper condemnation.**

18-19

GENERAL INFORMATION:

1. Acquisition in the Hobart Marsh is continuing.
 - **TPL will finalize acquisition on three last Hobart Marsh properties:**
 - 60 acre parcel
 - 50 acre parcel
 - 25 acre parcel
 - 135 Total acreage

We have 309 acres. We need 437 acres. Acquiring these 135 acres gives us a surplus of 7 acres. Cost of these last three parcels is \$1.1 million.

2. We were recently contacted that monies in LCRBDC name are in the "unclaimed monies" division in Indianapolis. These are monies that we paid into court at condemnations but the landowner did not withdraw from court. We will withdraw the monies and distribute the "court awards" to the landowners.
 - We were contacted on 10/22/04 by Robin Jackson, supervisor of Holder Receipts, that her office is processing our request.
 - **We went to the Superior Court Clerk's Office on November 30 to obtain the petitions.**
 - **Petitions for seven landowners were mailed to the Clerk's Office on December 7, 2004. A court order will now be obtained to release the monies to LCRBDC.**
3. **We have identified 17 parcels that LCRBDC owns in fee that are listed on the Lake County Treasurer's tax sale. We will make copies of the deeds and ask the Treasurer to remove the properties from the sale.**

Judy Vamos

From: "Judy Vamos" <jvamos@nirpc.org>
To: "Dale Kleszynski" <dkleszynski@apclimited.com>
Sent: Thursday, December 09, 2004 5:41 PM
Subject: Woodmar Appraisal

9 December 04

Dear Dale,

Newest info about the Woodmar appraisal

- Lou, Dan, and I had a conference call today, 12/9/04.
- Decided to have you start the Woodmar appraisal.
- How long do you think it will take? Maybe until 15 February 05, maybe end of February?
We need to discuss a contract date.
- Appraisal will be reviewed by Chris Borton, but because it's more than a million dollars, he must send it to his HQ in Cincinnati. His supervisor, Paul Klote, must also review it.
- Woodmar phone is 219-844-0330.
Your contact at Woodmar is President Peter Lanman; his business phone is 219-838-6419.
- Title work is on order. I'll send you copies when it arrives. Do you still have the drawings?
Do you need new ones? What about updating the Nugent plan?

We do have much to discuss to get going. I'll call you to discuss more details.
Please consider this a notice to proceed. Thank you!

JV

Judith (Judy) Vamos
Land Acquisition Agent
Little Calumet River Flood Control and Recreation Project
Phone: 219-763-0696
Fax: 219-762-1763
e-mail: jvamos@nirpc.org

MEMORANDUM

TO: Army Corps of Engineers/Little Calumet River Basin Development Commission
FROM: Louis M. Casale
DATE: December 15, 2004
RE: Little Calumet River Basin Drain Construction

Based on the research performed, here is a discussion on some of the key issues and arguments involved:

- 1) Does the Army Corps of Engineers have the right to build a flood control project on the Little Calumet River Basin Drainage Easement?

IC 14-13-2-29 (Exhibit "A") codifies the regulations and rules related to the Little Calumet River Basin Drainage easement. The relevant provision provides as follows:

(b): If a regulated drain situated within the Little Calumet River basin is included in a flood control project approved by the department:

- (1) the drain ceases to be subject to IC 36-9-27; and
- (2) the agency that constructs and maintains the project on the date the flood control project is approved *has the same right-of-entry and right-of-way powers* over and upon private land that is given the county surveyor or drainage board under IC 36-9-27-33. (emphasis added).

(c): The construction, reconstruction, and maintenance of a drain described in subsection (b) are the responsibility of the agency that constructs and maintains the project.

IC 36-9-27-33(see Exhibit "B") provides in (relevant) part:

(a): The county surveyor, the board, or an authorized representative of the surveyor or the board acting under this chapter *has the right of entry over and upon land lying within seventy-five (75) feet of any regulated drain*. The seventy-five (75) foot limit shall be measured at right angles to: (emphasis added)

- (1) the center line of any tiled drain; and
- (2) the top edge of each bank of an open drain;

as determined by the surveyor.

*Louis
Memorandum
on 75'
Easement.*

(8 pages)

*Received
12/15/04
Real Estate
Meeting*

(b): Spoil bank spreading resulting from construction, reconstruction, or maintenance of an open drain may extend beyond the seventy-five (75) foot right-of-way if:

- (1) the county surveyor finds that the extension is necessary; and
- (2) the extension has been provided for in the engineer's report on the construction, reconstruction, or maintenance.

(d): (section d provides in relevant part): The owners of land over which the right-of-way runs may use the land in any manner consistent with this chapter and the proper operation of the drain. Permanent structures may not be placed on any right-of-way without the written consent of the board. Temporary structures may be placed upon or over the right-of-way without the written consent of the board, but shall be removed immediately by the owner when so ordered by the board or by the county surveyor. Crops grown on a right-of-way are at the risk of the owner...

Analysis of the above statutory provisions:

When I.C. 14-13-2-29, is read in conjunction with I.C. 36-9-27-33, it is apparent that the Little Calumet River Basin Development Commission (hereafter "Commission") has only a right of way, or right of entry, within seventy-five (75) feet of the regulated drain. This right of entry is designed to allow an entity such as Little Calumet to reinforce the existing drain. This is evident from the language of each statute. I.C. 14-13-2-29 indicates that the agency (Little Calumet) that constructs and maintains the project on the date the flood control project is approved (1983 in this case - see Exhibit "C") has the same right-of-entry and right-of-way powers over and upon private land that is given the drainage board under I.C. 36-9-27-33.

I.C. 36-9-27-33 deals with the Drainage Board's rights, and the Board has the right of entry over and upon land lying within seventy-five (75) feet of any regulated drain. (See Exhibit "B" for further specifications relating to the 75-foot limit). Undoubtedly, when the statutes are read together it is clear that Little Calumet has the same rights as the Drainage Board under I.C. 36-9-27-33. Thus, since the Drainage Board only has a right of entry, and the statutes give Little Calumet the same rights as the Drainage Board, it is evident that Little Calumet has only a right of entry (expanded and redefined as an easement - see *Mattingly*, below).

In other words, an interest in the property greater than the right of entry (easement) granted by the drainage statute would require a condemnation action. Further, the drainage statutes do not give the Commission the right to use the property for purposes of building a permanent structure or attachment to the drain. Paragraph (c) of I.C. 14-13-2-29 provides only that the Commission has the power of entry to maintain the drain; however, this section in no way allows for the construction of a levee on the existing drain. ✓

Subsequent case law supports this view. In *Mattingly v. Warrick County Drainage Board*, 743 N.E.2d 1245, 1249 (Ind. App. 2001), our Court of Appeals held that a right of entry constitutes an easement. (See also: *Johnson v. Kosciusko County Drainage Bd.*, 594, N.E.2d

798, 804 (Ind. App. 1992), describing Drainage Board's interest as an easement of up to 75 feet on either side of the drain for repair and maintenance purposes).

2) What power if any is delegated by these two statutes?

The Little Calumet River Basin Drain is a regulated drain by virtue of an action taken by the Lake County Drainage Board, adopting the Little Calumet River Drain Petition and final report, in 1983 (See Exhibit "C"). Findings eight (8) through ten (10) listed in the Drainage Board's final report indicate that no additional construction was necessary for the existing drain, that the best method of drainage would be to provide periodic maintenance, and that no damages were incurred or assessed. The fact that no damages were incurred or assessed indicates that the Drainage Board did not intend to construct or reconstruct the existing drain, in which case damages would be incurred, but only to allow for a right of entry to maintain the drain. Furthermore, the effect of the Drainage Board's findings illustrates that the Right of entry is for maintenance, and not construction.

The Drainage Board's adoption of this final report (Exhibit "C") is in sharp contrast to the February 19, 2003, letter generated by Dale Kleszynski, MAI, SRA President, which is addressed to the Executive Director of the Little Calumet River Basin Development Commission. (Exhibit "D"). The second page of this letter (under heading: Special Assumption) suggests that the Army Corps of Engineers' review appraiser indicated that the drainage easement allows for natural drainage, as well as the construction, maintenance, and development of the flood protection levee (See Exhibit "D").

The review appraiser's assertion is based on far too liberal a construction of the language found in the code (discussed above). Nothing in the case law or the statutes allows for the construction of the Little Calumet Federal Flood Control Project. The statutes provide for the responsibility of initial construction and maintenance, not the right to take the property without condemning it. Listed below is an example of the type of language necessary to permit the construction the Little Calumet Federal Flood Control Project on the existing drain:

...to construct, maintain, repair, operate, patrol and replace a flood protection levee, including all appurtenances thereto; reserving, however, to the owners, their heirs and assigns, all such rights and privileges in the land as may be used without interfering with or abridging the rights and easement hereby acquired; subject, however, to existing easements....

Finally, as no such language is found in any of the aforementioned drainage statutes, it is evident that the construction of the Little Calumet Federal Flood Control Project, without Due Process acquisition, would constitute an impermissible taking, in violation of the 5th Amendment of the U.S. Constitution, as well as Article I, Section 21, of the Indiana Constitution. (see: *Bayh v. Sonnenburg*, 573 N.E.2d 398 (Ind. 1991)).

IN ST 14-13-2-29
IC 14-13-2-29

Page 4

WEST'S ANNOTATED INDIANA CODE
TITLE 14. NATURAL AND CULTURAL RESOURCES
ARTICLE 13. LOCAL RESOURCE DEVELOPMENT
CHAPTER 2. LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

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Current through End of 2002 1st Special Sess.

14-13-2-29 Little Calumet River basin

Sec. 29. (a) As used in this section, "Little Calumet River basin" means the area and subareas that:

- (1) drain into the western arm of the Little Calumet River; and
- (2) are certified by the department after consultation with the following:

(A) The county surveyors.

(B) The United States Army Corps of Engineers.

(b) If a regulated drain situated within the Little Calumet River basin is included in a flood control project approved by the department:

- (1) the drain ceases to be subject to IC 36-9-27; and
- (2) the agency that constructs and maintains the project on the date the flood control project is approved has the same right-of-entry and right-of-way powers over and upon private land that is given the county surveyor or drainage board under IC 36-9-27-33.

(c) The construction, reconstruction, and maintenance of a drain described in subsection (b) are the responsibility of the agency that constructs and maintains the project.

CREDIT(S)

1998 Main Volume

As added by P.L.1-1995, SEC.6.

<General Materials (GM) - References, Annotations, or Tables>

HISTORICAL AND STATUTORY NOTES

1998 Main Volume

Formerly:
IC 14-6-29.5-11.
P.L.95-1984, SEC.1.

LIBRARY REFERENCES

1998 Main Volume

Words and Phrases (Perm.Ed.)

IN ST 36-9-27-33
IC 36-9-27-33

Page 1

WEST'S ANNOTATED INDIANA CODE
TITLE 36. LOCAL GOVERNMENT
ARTICLE 9. TRANSPORTATION AND PUBLIC WORKS
CHAPTER 27. DRAINAGE LAW

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Current through End of 2002 1st Special Sess.

36-9-27-33 Right of entry over private land; extension of spoil banks beyond right-of-way

Sec. 33. (a) The county surveyor, the board, or an authorized representative of the surveyor or the board acting under this chapter has the right of entry over and upon land lying within seventy-five (75) feet of any regulated drain. The seventy-five (75) foot limit shall be measured at right angles to:

(1) the center line of any tiled drain; and

(2) the top edge of each bank of an open drain;

as determined by the surveyor.

(b) Spoil bank spreading resulting from the construction, reconstruction, or maintenance of an open drain may extend beyond the seventy-five (75) foot right-of-way if:

(1) the county surveyor finds that the extension is necessary; and

(2) the extension has been provided for in the engineer's report on the construction, reconstruction, or maintenance.

(c) All persons exercising the right given by this section shall, to the extent possible, use due care to avoid damage to crops, fences, buildings, and other structures outside of the right-of-way, and to crops and approved structures inside the right-of-way. The county surveyor shall give oral or written notice of the entry on the land to the property owner of record, and in the case of a municipality, to the executive of that municipality. The notice must state the purpose for the entry.

(d) The owners of land over which the right-of-way runs may use the land in any manner consistent with this chapter and the proper operation of the drain. Permanent structures may not be placed on any right-of-way without the written consent of the board. Temporary structures may be placed upon or over the right-of-way without the written consent of the board, but shall be removed immediately by the owner when so ordered by the board or by the county surveyor. Crops grown on a right-of-way are at the risk of the owner, and, if necessary in the reconstruction or maintenance of the drain, may be damaged without liability on the part of the surveyor, the board, or their representatives. Trees, shrubs, and woody vegetation may not be planted in the right-of-way without the written consent of the board, and trees and shrubs may be removed by the surveyor if necessary to the proper operation or maintenance of the drain.

(e) This subsection applies to new regulated drains established after September 1, 1984, and to urban drains. The board may reduce the seventy-five (75) foot requirement of subsections (a) and (b) to any distance of not less than twenty-five (25) feet from the top of each bank of an open ditch and fifteen (15) feet from the center line of any tiled drain as measured at right angles.

(f) The surveyor, the board, or an authorized representative of the surveyor or the board acting under this chapter does not commit criminal trespass under IC 35-43-2-2.

CREDIT(S)

COUNTY OF LAKE

1983

IN THE MATTER OF

THE LITTLE CALUMET RIVER
DRAIN PETITION

File No: RD 82 - 1

NOTICE AND
FINAL REPORT
SURVEYOR'S OFFICE

Comes now the Surveyor of the County of Lake and states:

1. That a hearing of the Lake County Drainage Board was held on January 19, 1983 at 11:00 a.m. at the Commissioner's Courtroom, regarding the Little Calumet River Drain Petition;
2. That the Surveyor filed his Preliminary Report regarding said Petition;
3. That the Lake County Drainage Board found the Petition to be in proper form;
4. That the Lake County Drainage Board found that the affidavits filed therewith were in order;
5. That no objections or remonstrances were filed pursuant to I.C. 36-9-27-60;
6. That the Lake County Drainage Board directed the Lake County Surveyor to file this Final Report;
7. That the Little Calumet River Drain is an existing drain which is accurately depicted on the map attached to the petition.
8. That the existing drain as presently constructed is the proposed regulated drain, and as such no additional construction is necessary;
9. That the best and cheapest means of drainage would be to provide periodic maintenance, which will be financed by funds collected pursuant to I.C. 36-9-27-74.
10. That since the existing drain as presently constructed is the proposed regulated drain, no assessments are necessary nor damages incurred, as indicated by the attached schedule of damages and assessments.

11. That the cost of petitioners to make the Little Calumet River Ditch a regulated drain, including notice and attorney fees has been born by the lead Petitioner. The Little Calumet River Basin Commission, the payment of which is hereby acknowledged by all parties hereto.

Steve W. Manich
STEVE W. MANICH
Lake County Surveyor

THEREFORE, the Lake County Drainage Board, having adopted this Final Report subject to a Final Hearing, hereby calls a Final Hearing to be held on the 21st day of March, 1983 at 11:00 a.m. at the Lake County Commissioner's Courtroom located at 2293 N. Main Street, Crown Point, Indiana.

This report and Notice has been delivered to the attorney for the Petitioners on the 15 day of February, 1983.

Clifford E. Deegan, Jr.
CLIFFORD E. DEEGAN, JR.
Lake County Surveyor's Office



**SCHEDULE OF DAMAGES
AND ASSESSMENTS**

Due to the fact that the Little Calumet River drain as it now exists is the same in terms of termini, route, location, and character as the proposed regulated drain, there is no construction necessary and therefore (1) no assessment adopted and (2) no damages incurred.



Judy Vamos

From: "Judy Vamos" <jvamos@nirpc.org>
To: <douglas.m.anderson@usace.army.mil>
Sent: Friday, December 03, 2004 5:19 PM
Subject: Fence issue on North Drive in Stage VI-1 South

3 December 04

Dear Mr. Anderson,

RE: Fence issue on North Drive in Highland Stage VI-1 South

Jim Pokrajac has asked me to e-mail you information about the fences on landowners property on North Drive in Highland in Stage VI-1 South. As I discussed with you today this is the information:

- 1.) LCRBDC has acquired easements on the properties on North Drive.
- 2.) Some properties have fences, sheds, pools, dog runs, etc. Pools, sheds, etc. close to temporary and permanent construction easements have been avoided. This is shown on landowners easement agreements and should be shown on contract specs.
- 3.) The residents have been told that their fences, if in the line of construction, will be taken down. The landowners were paid for their fences in the just compensation awarded them in the appraisal.
- 4.) The Corps contractor, at the time of construction when dealing with landowners, can direct questions or problems to the LCRBDC.

To help end confusion about the fence situation the LCRBDC will send out an introductory letter to the landowners informing them of upcoming construction. We will include our construction times, phone numbers, and contacts to call. This should help the Corps contractor.

Please file this MEMO for future reference.

Thank you.

Judith (Judy) Vamos
Land Acquisition Agent
Little Calumet River Flood Control and Recreation Project
Phone: 219-763-0696
Fax: 219-762-1763
e-mail: jvamos@nirpc.org



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

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

ROBERT MARSZALEK, Vice Chairman
Governor's Appointment

ROBERT HUFFMAN, Treasurer
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JOHN MROCZKOWSKI, Secretary
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WILLIAM BILLER
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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

December 16, 2004

Mr. Ted Elmore
Land Acquisition Department
IN Department of Transportation
100 N. Senate Avenue
Indianapolis, Indiana 46204

Dear Ted:

Enclosed please find four (4) copies of a Flowage Permit and Temporary Work Area Permit for lands needed on property owned by INDOT west of Cline Avenue and approximately 1/2 mile south of I-80/94 in Highland for our upcoming Stage VI Phase 2 construction segment. Will you please coordinate the approval and signing of this permit and then return them back to our office for our counter signature. After they are recorded, we will return two (2) sets back to you for your files.

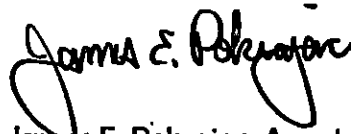
The format established for this permit has been coordinated with INDOT in the past; accordingly, we are following the same procedure and using the same format previously approved.

We have enclosed several engineering drawings of what we are proposing in this general area for the construction for our flood control project. The easements we are requesting are for flowage and for a temporary work area easement. The temporary easement will be needed only to allow us to do construction on adjacent property and, therefore, we will be doing no construction on INDOT property. The flowage easement is in an area within a turn-around that provides access back to the north to 179th Street. This area is currently undeveloped marshy lowland that will remain undisturbed and in its current condition. The engineering in this area has previously been coordinated with the Chicago Army Corps of Engineers and INDOT and no objections were made for the proposed construction. If you have any questions regarding our construction, or the design, in this area, please contact me in order that I can facilitate the coordination between the U.S. Army Corps of Engineers and your engineering personnel.

Mr. Ted Elmore
December 16, 2004
Page 2

The U.S. Army Corps of Engineers has scheduled a federal construction date to award the contract in May of 2005. The Development Commission would need to have all necessary easements signed and approved no later than March of 2005 in order to sign a right-of-entry that would allow the Corps to advertise this project. We are hoping to meet that deadline. We appreciate your cooperation on past real estate requests and look forward to working with INDOT again on this permit. If you have any questions regarding this permit, please call me. Thank you for your assistance.

Sincerely,



James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.
cc:

William Proud, LaPorte District Director, INDOT
Ron Raney, Steve Catron, INDOT
Imad Samara, ACOE
Lou Casale, LCRBDC attorney
Judy Varnos, LCRBDC



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

December 13, 2004

Mr. Mark Pasyk
Northern Indiana Public Service Company
801 East 86th Avenue
Merrillville, Indiana 46410

Dear Mr. Pasyk:

Enclosed are four (4) sets each of two agreements needed for a flood protection levee easement and a temporary work area easement (DC 1001, DC 1030) for the Stage VI Phase 2 levee segment (Liable Road to Cline Avenue south of the river) in Highland, Indiana. This phase of construction is scheduled to be awarded in May of 2005.

Will you please make the necessary arrangements to present these agreements for approval and signatures? Please note that the agreements require a notary. After having the appropriate parties sign these documents, please return them to our office for counter signature and recording. After recording, we will then forward two sets of each agreement back to you for your files.

If you have any questions regarding these agreements, please contact me at the above number. Thank you for your cooperation and support.

Sincerely,

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.

cc: Imad Samara, COE
Lou Casale, LCRBDC attorney

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: <mlpasyk@nisource.com>
Cc: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>;
<Khalid.J.Maali@lrc02.usace.army.mil>; "Louis M. Casale" <lcasale@cwblawfirm.com>; "Judy Vamos" <jvamos@nirpc.org>; <JKHayward@NISource.com>
Sent: Wednesday, December 08, 2004 3:11 PM
Subject: Stage VI-2 Construction Access Roadway

Mark:

In our recent field meeting on NIPSCO's right-of-way between Liable Road and Cline Avenue, we investigated the possibility of the Development Commission pursuing a haul route along your right-of-way. I was informed yesterday by the Army Corps of Engineers that we will provide the information to the Corps that could be used as part of the contract bid documents which would allow the contractor this option should he decide to pursue your right-of-way as a haul route. If the contractor decides to use this as a haul route, he will then contact you to facilitate whatever needs to be done at that point in time.

As I mentioned in our field meeting, I feel this would be a time and cost savings for the contractor to use this option because it would shorten the haul route and will also minimize the impacts of a haul route in Highland residential areas to the south.

I will be submitting two easement agreements to you to facilitate in the near future for those properties we will need adjacent to the Liable Road sub-station, as well as the easement that will be crossing your right-of-way several hundred feet west of Cline Avenue.

Thank you for your cooperation. If you need any further information or have any questions regarding this area, please let me know.

Jim Pokrajac, Agent
Land Management/Engineering

12/8/2004

Sandy Mordus

From: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
To: "Louis M Casale (E-mail)" <lcasale@cwblawfirm.com>
Cc: "Little Calument (E-mail)" <littlecal@nirpc.org>
Sent: Wednesday, December 01, 2004 2:19 PM
Subject: FW: "Tear Drop Area" in Stage VI Phase 2

Lou here is the email from Sue. Please read it carefully, I would like to get a held harmless agreement from the property owner so we would not get back in court to defend the things Sue mentioned in the email.

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

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

From: Davis, Susanne J LRC
Sent: Wednesday, December 01, 2004 1:35 PM
To: Samara, Imad LRC
Cc: Ackerson, Rick D LRC; Davis, Susanne J LRC
Subject: RE: "Tear Drop Area" in Stage VI Phase 2

Imad

As we discussed, there are several issues that we need to clarify regarding the "tear drop" property located north of our Stage VI-2 levee, nestled between Cline Avenue and the Cline Avenue access Road.

First, from the information provided by Mr. Ackerson, (see below) it is apparent that for with-project conditions, there is a significant impact on the property in terms of increased water surface elevations for the 100 and 200 year events (riverine flooding). Based on the changes between existing and project conditions, the impacts range from 0.68 feet to 0.74 feet for with-project conditions.

Second, the area is currently in the floodplain, and would remain so, when the area is remapped. While the property is afforded some protection from both Cline and the access road, those embankments do not provide 100 year level of protection + 3 feet of freeboard (as required by FEMA) The roadway crest is at 600 ft. NGVD. The roadways are not levees, so we would not certify them as such, and would not be able to leave that area out of the floodplain.

Finally, the upstream area drainage, as well as drainage from the east side of Cline Avenue is directed into the ditch along the east side of the property. There is one outlet from this area out to the "flowage area". Under high flood conditions (100+ and 200 year events), there will be a significant amount of water on the tailwater side of that outlet and therefore, interior flooding will be induced, due to inhibited outflow and/or backflow from the "flowage area"

It is our opinion that there is a justification to purchase the flowage easement because of the induced damages. If the landowner prefers to accept the damages and hold the government harmless, that is certainly an alternative to the purchase of the flowage easement.

Please copy us on your correspondence, so that we may keep a copy in our files.

Thanks much,

Sue Davis

12/1/2004

Susanne J. Davis, P.E.

U.S. Army Corps of Engineers, Chicago District

111 North Canal Street

Chicago, IL 60606-7206

312-846-5500

susanne.j.davis@usace.army.mil

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

From: Ackerson, Rick D LRC

Sent: Wednesday, December 01, 2004 10:30 AM

To: Davis, Susanne J LRC

Subject: FW: "Tear Drop Area" in Stage VI Phase 2

Sue,

The Little Cal River stages are as follows for the teardrop location:

FEMA 100 yr 597.7

Little Cal UNET 100 yr 200 yr

(river stage upstream of Cline)

existing 597.83 598.20

full project 598.51 598.94

interior stage,
full project only
(does not include
upland runoff) 591.49 598.41

Rick

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

From: Sandy Mordus [mailto:smordus@nirpc.org]

Sent: Tuesday, November 30, 2004 5:45 PM

To: Samara, Imad LRC

Cc: Louis M. Casale; Davis, Susanne J LRC; Ackerson, Rick D LRC; Judy Vamos

Subject: "Tear Drop Area" in Stage VI Phase 2

Imad:

We had a staff meeting this afternoon and we were discussing the acquisition schedule for DC617 (Lucy Davis property at Cline and I-80/94) in Stage VI Phase 2. It is critical that you send us a letter regarding the tear drop area as soon as possible. Lou Casale has a hearing for the condemnation of the Davis property this Thursday December 2 at 12:30 p.m. A decision needs to be made immediately and needs to be put in letter form. This letter could then serve as an indication that their attorney's objection would be addressed by the elimination of this piece of property from the project and that the acquiring of the tear drop area would not be necessary for the project.

In addition, I would like to pursue my easement agreement with INDOT in Stage VI-2 and a portion of the tear drop area along the NIPSCO right-of-way is also owned by INDOT (DC1016). Before I proceed

with the easement agreement, I also need to know if that portion of land can be eliminated as a flowage area.

If you have any questions, please let me know Wednesday. If you can give Lou a letter eliminating the Davis and INDOT properties in the teardrop area (DC617 and 1016) by tomorrow night, he can have it for the hearing on Thursday.

Jim Pokrajac, Agent
Land Management/Engineering

Judy U.



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

REPLY TO
ATTENTION OF:

October 25, 2001

*Corps
crediting
requirements*

Real Estate Division
Acquisition Branch

SUBJECT: Little Calumet River Flood Control and Recreation Project Crediting
Procedures for Lands, Easements, Rights-of-Way, Relocations and Disposal Areas
(LERRDs)

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

Dear Mr. Gardner:

I have enclosed an outline of the procedure developed for LCRBDC to submit and obtain credits for lands, easements, rights-of-way, relocations and disposal areas (LERRDs). Please be advised that this process should be completed within 90 days of a complete and creditable claim being submitted to this office. However, this process may be extended if claim information is incomplete or if the volume of claims submitted exceed existing staff workloads. If you have any questions please contact me at 312-353-6400 extension 5010.

Sincerely,

Chrystal Spokane

Chrystal Spokane
Realty Specialist

Enclosure

CF (w/ encl):
Imad Samara, PM-PM
Steve Hughes, RE-A

12-40 - 180 days

**LITTLE CALUMET RIVER FLOOD CONTROL AND RECREATION
PROJECT
CREDITING PROCEDURES FOR LANDS, EASEMENTS, RIGHTS-OF-WAY,
EASEMENTS AND DISPOSAL AREAS (LERRDs)
as of 25 October 2001**

To receive LERRD credits after the Little Calumet River Basin Development Commission (LCRBDC) acquires a project-related property, the following information should be submitted to the Chicago District's Real Estate Division in a timely manner.* A Claim for Acquisition Credits Form generated by your office will include (but not limited to) the following:

1. Purchase Price (include appraisal or land value estimate with Invoice)
2. Title Policy & Invoice
3. Survey & Invoice
4. Relocation Expenses with Receipts (if relocation is necessary)
5. Deed
6. Settlement Sheet
7. Recording Fees Receipts
8. Condemnation Expenses
9. Administrative Costs
10. Legal Fees Invoice

*info needs
to go into
each
crediting
packet
for.*

The Claim for Acquisition Credits Form with its enclosures will be reviewed by personnel in the Real Estate Division.

If all applicable items enclosed are considered to be reasonable, allocable, allowable and in accordance with our regulations, the Chief of Real Estate will approve the claim and return a signed copy of the claim to LCRBDC.

Within 30 days of the claim being submitted, LCRBDC's crediting/acquisition personnel will be contacted and advised if any information is missing, incomplete or questionable. The claim will be held, for up to 60 days, in order for LCRBDC to submit requested documentation. If no action is taken by LCRBDC within 60 days, the Chief of Real Estate will determine the amount of the claim. However, the LCRBDC can re-submit the claim for re-review.

All procedures will be in accordance with Corps regulations set forth in Chapter 12 of ER 405-1-12.

*Claims for LERRD credits can be submitted up to one year after project completion.

1436 parcels
- 825 purchased

611 remaining

WORK STUDY SESSION

12 **5 January 2005**

LAND ACQUISITION COMMITTEE

Arlene Colvin, Chairperson

1.) There are no increased offers.

There are no condemnations:

2.) Year-end update for calendar year 2004:

- **Properties (DC Numbers) closed: 42**

(for Stages VI-1 North & South, VI-2, Burr St., Mitigation, East Reach)

- **Landowners condemned: 12**

(5 were friendly condemnations because of the re-assessment)

- **Properties involved in the acquisition procedure: 80**

(each property requires survey, title work, appraisals, etc.)

3.) Update on current condemnations:

- Court appraisers to return Friday 1/7/05 with court award for Hammond

- Appraisers on Thursday 6 January 05 will inspect the:

DC 617- (Cline Avenue and the frontage road)

DC 1009 - (3323 Liable Road in Highland)

DC 210 and 211 - (east of Chase and 35th Street)

- Court hearing on 20 January 05 for DC 1002 (Liable Rd and NIPSCo R/W)

\$359,000

4.) Update on Motel 6:

A survey was completed on the parking lot area of Motel 6 indicating the three (3) parking spaces are impacted by the flood project, not five (5) as counted by the court-appointed appraisers. The inclusion of the five spaces figured heavily into the court award of \$154,000. The money was paid into court on 11/30/05 and we have possession of the land. The landowner has filed exceptions to the court award, however, that does not interfere with our deadline of April 05.

E of Clay 30 ac. - L. N.

declare to surplus to proj.

Mark R. N. & L. N. R. —



Little Calumet River Basin Development Commission

S.

WORK STUDY SESSION

5 January 2005

ENVIRONMENTAL COMMITTEE

Dr. Mark Reshkin, Chairperson

1.) Mitigation Update for Hobart Marsh:

As of tonight we have 309 acres toward the 437 needed to have our West Reach construction permit modified.

Trust for Public Land has new information about the acreages and purchase price of properties needed to meet our mitigation requirements.



The three final properties total 137 acres (instead of 145 as reported last meeting) bringing our total to 446 (instead of the 454 acres reported last month). We would have nine acres more than needed (instead of the 17 acres reported last meeting). The nine acres could be used a cushion against a loss of acreage in hydric soils.

The properties will be purchased within the next three months at a cost of \$1,056,494 (instead of \$1,098,900 as reported last meeting).



Kim - now 62 acres (not 70) = \$ 471,000

Nozrik - 50 acres = \$ 358,175

Bundalo - 25 acres = \$ 187,500

Total = 137 acres = \$1,016,675

Transaction/Holding costs = \$ 39,819 (based on \$1,016,675)

GRAND TOTAL 446 acres = \$1,056,494
(instead of \$1,143,365 as reported last month)

CONFIDENTIAL (revised 12/15/04)**Hobart Marsh Mitigation Funding Needs 2004-2005**

436 total mitigation requirement - 89 project area; 173 Bailey and 46 Quail

Acres Needed

128 Hollow acres

Priority Acquisitions	tract Acres	Estimated Cost Per Acre	Estimated Land Cost	Estimated Transaction Costs	Estimated Hard Costs (note 4)	Professional Services Fee (note 5)
Bundalo (note 1)	25	\$7,500	\$187,500	\$5,250	\$5,250	0
Nozrik-parcels 1, 3 & 4 (note 3)	51.7	\$7,000	\$361,900	\$0		
Kim (note 2)	60	\$7,850	\$471,000	\$9,250	\$9,250	\$0
Subtotal Land Area	136.7					
Subtotal Land Cost			\$1,020,400			
Transaction Cost				\$14,500		
Total Acquisition Cost			\$1,034,900			
Less Funds Available for Mitigation (note 6)			\$1,018,721			
Estimated Funding Gap (Surplus)			-\$16,179			

NOTES:

1. Option signed; FMV subject to survey. Subdivision approval may be required.
2. Contract execution expected by Dec. 22 after survey and legal description completed.
3. Contract execution expected by Dec. 22 after survey and legal description completed.
4. Appraisal cost = \$3500; survey cost = \$1,500 - \$4,500; environmental = \$250; title = \$500 - \$1,000; misc. closing/recording fees = \$500.
5. Subject to professional services agreement with Little Calumet River Basin Development Commission.
6. Per Dan Gardner as of Dec. 2, 2004.

Access ROAD
 IS 60' WIDE
 ANOTHER 50' FOR
 YARD SOUTH OF
 THE HOUSE.

60 ACRES ±

500'

12.546 ACRES
 TO BE RETAINED
 BY DR. KIM

130411

H = HOUSE
 B = POLE BARN

LIVERMORE RD.

420'

100'
 110'

150'

170'

113'

242'

113'

**Consulting Engineers**

5714 West 74th Street
Indianapolis, IN 46278
Phone (317) 290-9549
Fax (317) 290-9560

6949 Kennedy Avenue
Unit F
Hammond, IN 46323
Phone (219) 844-6752
Fax (219) 844-6795

January 12, 2005

Don Abraham, District Development Engineer
INDOT-LaPorte District
315 Boyd Blvd.
LaPorte, IN 46350

Re: Request for Recreation Trail Crossing
Cline Avenue (SR912) at River Drive
Highland, Lake County

Dear Mr. Abraham:

The Corps of Engineers Levee project along the Little Calumet River in Lake County includes a recreational trail for bicycles and pedestrians. This trail is also in NIRPC's Bike Plan as a High Priority Trail. The trail runs along the south side of the Little Calumet River in the vicinity of Cline Avenue (SR 912).

The enclosed plans (2 sets) are from the Corps project and show a proposed routing for the trail that will cross Cline Avenue at the intersection with River Drive. This is the newly created intersection south of I-80/94 between Kennedy Avenue and Cline Avenue. This intersection is presently signalized and has good visibility. The crossing would be on the south side of River Drive/Cline Avenue intersection. The Corps understands that they would be responsible for all costs to add pedestrian signals to the intersection and will submit plans to the State for approval of same. The Corps would also provide pavement markings for the crosswalk, pedestrian signal push buttons and signs. The Corps would be responsible for all trail maintenance. To us, this is similar to a municipality placing new sidewalks at an existing signalized intersection.

The Corps is assuming that they will need an easement form INDOT for construction on your R/W. If they are treated as a municipality, it would seem that an easement would be unnecessary. I would think that permission to use the state's R/W as well as the signal work could be covered under a signal agreement similar to the installation of emergency signal pre-emption by a local agency.

STREETS - HIGHWAYS - TRAFFIC - STRUCTURES - WATER - SEWER - SURVEYING - RIGHT-OF-WAY SERVICES

ACTIVE MEMBERSHIPS:

Don Abraham
January 12, 2005
Page Two

At this point, the Corps would desire some type of indication that INDOT would be receptive to permitting the trail crossing at this location. Their next steps would be to prepare detailed drawings and acquire land on the east side of Cline Avenue. Their land acquisition process is quite lengthy. They would probably wait to prepare the drawings for the work on INDOT R/W until an agreement is signed with INDOT, if one is required.

If you have any questions once you review this, please contact me. When you are ready to respond, address your response to Mr. James E. Pokrajac at the following address:

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

Mr. Pokrajac is the contact person for this work with the Corps of Engineers.

Thank you for your attention in this matter.

Very Truly Yours,



Dennis W. Cobb, P.E.
President

HA103-4048-03

ATTENDANCE ROSTER

[illegible]

PROPERTIES CREDITED – 2004

DC 1013C	\$	7,916.77
DC 512		3,645.58
DC 601		25,832.98
DC 505		4,096.62
DC 539		1,942.00
DC 822		2,828.11
DC 826		774.00
DC 86		20,153.73
DC 189		4,755.00
DNR 20		3,870.00
DC 188		2,620.00
DC 249		1,069.20
DC 754		3,692.00
DC 742		4,074.84
DC 1013-B		31,650.59
DC 715		2,654.73
DC 200		1,865.00
DC 317		1,772.00
DC 357		1,949.00
DC 250		1,069.20
DC 441-A		887.00
DC 300		30,307.00
DC 216-J		1,245.00
DC 92		10,091.50
DC 85		17,377.50
DC 1011-C		28,663.98
DC 744		1,098.33
DC 1032		2,113.27
DC 1010-G		4,808.00
DC 1011-B		69,355.64
DC 1012-C		9,781.38
DC 791		270.00
DC 823		492.50
DC 1015		347,996.25

APPROVED

34 Parcels	\$	<u>652,698.70</u>
------------	----	-------------------

SUBMITTED

41 Parcels	\$	1,201,663.00 ± pending on additional 7
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Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson
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Governor's Appointment

VACANCY
Governor's Appointment

VACANCY
Lake County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

January 7, 2005

Honorable Ralph Ayres
IN State Representative
520 Park Avenue
Chesterton, Indiana 46304

Dear Representative Ayres:

Congratulations on your recent re-election and your appointment as Vice-Chairman of the House Ways and Means Committee. This position is obviously of tremendous importance to Northwest Indiana in the upcoming State Budget deliberations. We write to you to update you regarding the funding request submitted by the Little Calumet River Basin Development Commission to the State Budget Agency for capital funding in the 2005-07 State Budget.

The Little Calumet River Basin Development Commission has requested \$5 million in the 2005-07 State Budget. This funding is needed to continue the items of local cooperation contained in our legal agreement with the U.S. Army Corps of Engineers (Federal government) which specifies public right-of-way acquisition to allow Federal levee/floodwall construction; identified utilities relocation; and 5% cash match of the Federal construction contracts. This \$5 million capital investment will:

(1) Enable the Federal construction appropriations to continue at a 3-1 Federal to non-Federal funding ratio;

(2) Allow the last funding piece to be put in place to complete the final levee segment in the city of Gary (Burr Street levee South) which will permit the Federal Emergency Management Agency (FEMA) to remove Gary from floodplain designation. In addition to protecting some 2,650 Gary structures from flooding, creating economic development opportunities for construction (over 2,000 acres) and fully protect I-80/94 and the I.U. Northwest Campus from flooding; and

(3) Leverage over \$19 million in Federal construction contracts for levees, floodwalls and pump station improvements in Hammond and Highland. Completion of this second phase of construction over the two year State biennial budget will allow all of Highland and over nearly 40% of Hammond to be protected from flooding and technically eligible to begin petitioning removal from floodplain designation.

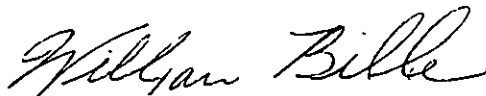
The Little Calumet River Basin Development Commission is currently drawing from remainder of the 2003-2005 appropriation and additionally has budgeted all administrative funds so as to exhaust all non-Federal funds to match Federal capability. This situation will rely heavily upon the 2005-2007 State Budget including new monies to continue the project. As you may know, the State Budget Agency administratively reverted \$2 million from the Development Commission's appropriation as a result of the State Budget shortfall. This action negatively impacted the Development Commission's ability to complete the Gary stretch and move further in Highland and Hammond.

The Development Commission has worked closely with Mayor McDermott, the Hammond administration and City Council, as well as the town of Highland officials in moving the project to construction, as well as their strong support for continued state project funding.

On behalf of the Development Commission and the over 8,800 owners of homes, businesses, and public structures in the Little Calumet River floodplain in Hammond, Gary, Highland, Griffith, and Munster that will be removed from the floodplain upon construction completion, we respectfully request your support of the \$5 million requested in the 2005-2007 State Biennial Budget. The Commission has coordinated the request and budget priorities with Congressman Visclosky and the Federal construction, and we are willing to meet with you and the area delegation to answer any questions you may have regarding our request. For your information, we have included a project map of the segments targeted for the needed State funds, as well as a copy of our budget request sent to the Budget Agency on August 12, 2004.

The Development Commission thanks you for your support in the past and we look forward to working with you in the upcoming session.

Sincerely,



William Biller
Chairman, LCRBDC

Sincerely,



Dan Gardner
Executive Director

LAND MANAGEMENT REPORT

For meeting on Wednesday, January 5, 2005

(Information in this report is from November 25 – December 28, 2004)

A. 3120 GERRY STREET (RENTAL HOUSE):

- LCRBDC advertised this property for sale on October 6th and October 13th. The bid opening was October 27th, 2004.
- One bid was received in the amount of \$7,502.00
- Being that the bid on the house was less than 90% of the appraisal, the sale needs to be approved by the Governor. Package sent to Dept. of Administration for coordination on November 16, 2004.
- Package went to the Governor's office on December 20th, 2004.
- Anticipate approval before the end of 2004 – before new administration.

B. FARM LEASES:

- Payment was received from Don Ewen on November 16, 2004 in the amount of \$7,700 for lands tilled and based upon his bid (No deductions for pumping)
- Payment from the Bult Brothers was received on December 6th, 2004. The total area farmed required a payment of \$14,800. A total of 358.5 hours of pumping were required at \$35/hour, or \$12,547.50. This left a net payment to LCRBDC of \$2,252.50.
- LCRBDC intends to advertise all four (4) farm areas between mid and late January, 2005.

1-2

C. BILLBOARDS:

- A. A letter was received from VIEW OUTDOOR ADVERTISING on July 28, 2004, requesting consideration for installing (3) advertising signs on LCRBDC property at the Southwest intersection of I- 80/94 and I-65.
 - The Board members agreed at the August 4, 2004 board meeting to allow VIEW Outdoor to proceed with their process to obtain permits.
 - A hearing was held on November 9, 2004 with the Gary Board of Zoning for approval. Approval was given to put this request on the December 14 public meeting which will be reviewed to be approved.
 - We received a letter from the DNR to view outdoor advertising on December 8th, 2004 indicating sign locations relative to the 100 year flood.

3-5

- D. A letter was sent to the Detroit Army Corps, indicating the mitigation area for the Lake Co. Highway Dept. for the Burr St. bridge, would be secured off to prevent dumping.

6

- A letter was sent to the Lake Co. Highway Department on December 3rd, 2004, providing executed "Declaration of Restriction on Land Use" for their mitigation site.

7

TIM BULT 10-87
4932 E. 157TH AVE. 996-6593
HEBRON, IN 46341


71-275/712
3146162

751

DATE DEC 6-04

PAY TO THE ORDER OF L.C.R.B. \$ 1126 ²⁵/₁₀₀

One thousand one hundred twenty six ²⁵/₁₀₀ DOLLARS

 **FIRST NATIONAL BANK**
VALPARAISO, IN

MEMO RENT Tim Bult MP

⑆071202756⑆ 0751⑈314⑈616⑈2⑈


EDWARD A BULT
FARM ACCOUNT
4504 E 153RD AVE
HEBRON, IN 46341-9043
PH: 219-996-5199

1031

Date 12-6-04 71-1373/719
749

Pay to the Order of Little Calumet River Basin Project \$ 1126 ²⁵/₁₀₀

One thousand one hundred twenty six ²⁵/₁₀₀ Dollars

 **SAND RIDGE BANK**
www.sandridgebank.com

For Land Edward Bult MP

⑆071913731⑆ 0010180325⑈ 1031

© 2004 American GREEN SHEPHERD WOODS

ED BULT FARM

4504 EAST 153 RD AVE
HEBRON, ID 46341

Sales Receipt

Date	Sale No.
12/6/2004	1

Sold To
LITTLE CALUMET RIVER BASIN

Check No.	Payment Method	Project

Description	Qty	Rate	Amount
APRIL 7 6AM-12 PM	18	35.00	630.00
APRIL 8 12 PM-12 PM	24	35.00	840.00
APRIL 9 12 PM-12 PM	24	35.00	840.00
APRIL 10 12 PM-12 PM	24	35.00	840.00
APRIL 11 12 PM-12 PM	24	35.00	840.00
APRIL 12 12 PM- 6 AM	6	35.00	210.00
MAY 10 7 AM- 4 PM	9	35.00	315.00
MAY 15 8 AM-12PM	16	35.00	560.00
MAY 16 12 PM- 7:30 AM	7.5	35.00	262.50
MAY 18 1 AM-8 PM	7	35.00	245.00
MAY 24 6 AM- 4 PM	10	35.00	350.00
MAY 27 10AM- 4 PM	6	35.00	210.00
MAY 28 6 AM-12 PM	6	35.00	210.00
JUNE 1 6 AM- 3 PM	9	35.00	315.00
JUNE 12 8 AM-12 AM	16	35.00	560.00
JUNE 13 12 PM- 7 PM	7	35.00	245.00
OCT. 18 9:30 AM- 12 PM	14	35.00	490.00
OCT. 19 12 PM-12 PM	24	35.00	840.00
OCT. 20 12 PM-10:30 AM	10.5	35.00	367.50
OCT. 23 9 AM-12 AM	15	35.00	525.00
OCT. 24 12 AM- 6 PM	18	35.00	630.00
OCT. 25 9 AM-11AM	2	35.00	70.00
OCT. 27 9 AM- 6 PM	9	35.00	315.00
NOV. 1 5 PM-12 PM	7	35.00	245.00
NOV. 2 12 AM- 5 PM	17	35.00	595.00
NOV. 4 5 PM- 12 PM	7	35.00	245.00
NOV. 5 12 PM- 2 PM	14	35.00	490.00
NOV. 7 8:30 AM- 2 PM	7.5	35.00	262.50
	358.5 HOURS		
Total			\$12,547.50



Indiana Department of Natural Resources

Joseph E. Kernan, Governor
John R. Goss, Director

Division of Water
402 W. Washington Street
Room W264
Indianapolis, IN 46204-2641
PH: (317) 232-416
Toll Free 877-928-3755
FAX: (317) 233-4579

December 8, 2004
GN-19830
Basin #1

View Outdoor Advertising
Dennis Sonntag
1000 East 80th Place
Suite 700
Merrillville, IN 46410-5676

Re: Lake County – Gary Quad
Deep River

Dear Mr. Sonntag:

Thank you for your September 21, 2004 request for information concerning the placement of three (3) billboards on a tract of land near the Deep River. Based on your description, the parcel is located in the SW¼, SE¼, Section 14, Township 36N, Range 8W, at Gary, Calumet Township, Lake County.

Site #1 (see enclosed Floodplain Map) lies in the floodway of Deep River. Until more detailed information becomes available, all portions of the site lying below the 100-year frequency flood elevation must be considered to be in the floodway of Deep River. No new residential construction is allowed in the floodway area and detailed plans for other types of work in the floodway should be submitted for formal approval by the Department of Natural Resources under IC-14-28-1. A permit application and instruction are enclosed for your convenience. Based on a flood insurance study the 100-year frequency flood is controlled by Deep River and would reach an elevation of about 595.16' National Geodetic Vertical Datum (NGVD) at this site.

Sites #2 and #3 are not located in the 100-year floodplain of any stream. Therefore, projects proposed at these sites do not require the approval of the Department of Natural Resources under IC 14-28-1.

You may have to obtain a permit from the Corps of Engineers under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act. Information relative to the Corps' of Engineers permits may be obtained from:

U.S. Army Corps of Engineers
Detroit District Office
P.O. Box 1027
Detroit Michigan 48231-1027
Telephone (313) 226-2218

You should not construe this letter to be a building permit, approval of the proposed project, or a waiver of the provisions of local building or zoning ordinances.

Letter to Mr Sonntag
December 8, 2004
REC-GN-19830
Page 2

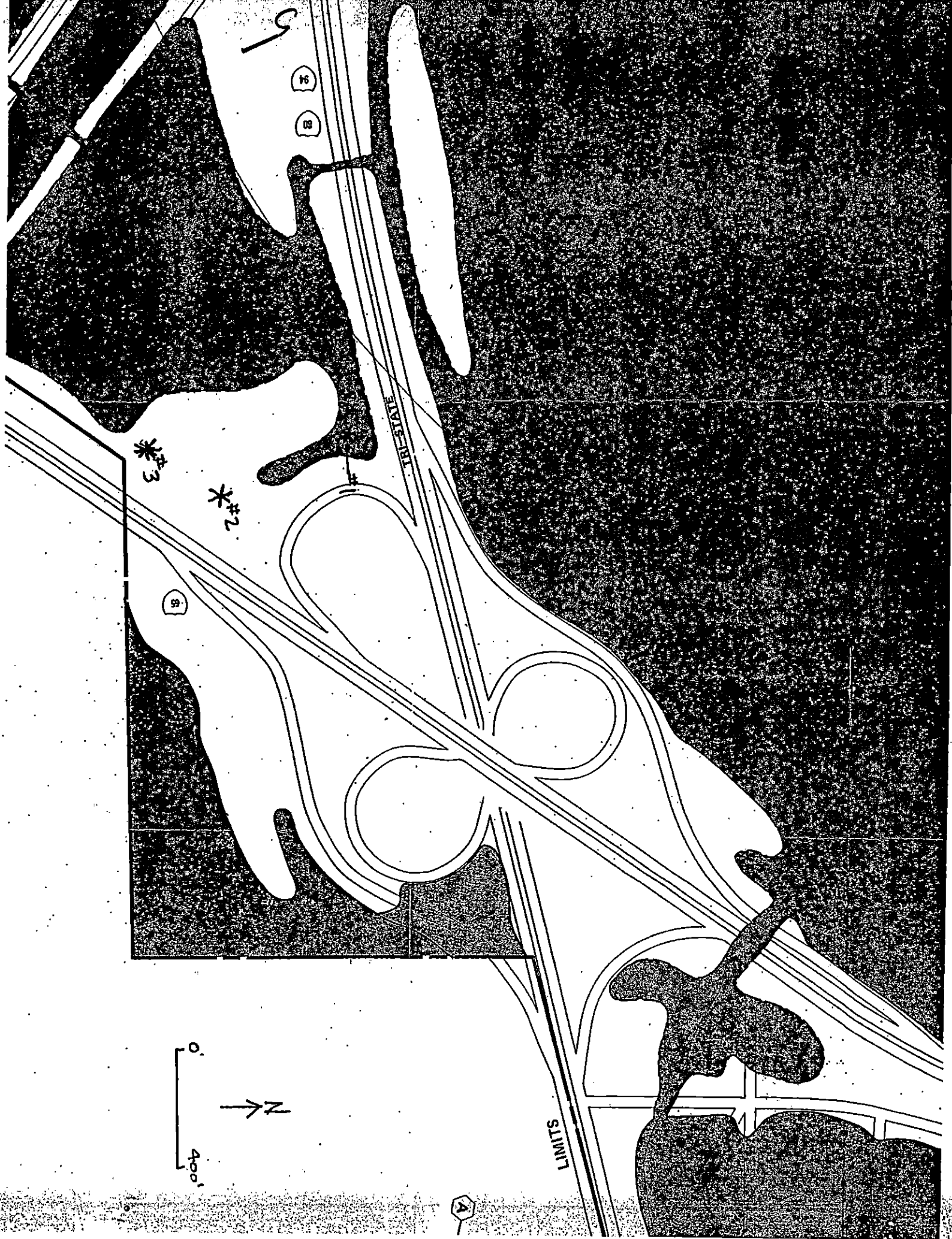
Thank you for this opportunity to be of assistance; your interest in providing safe floodplain development is appreciated. If you have any questions regarding this letter, please contact Becky Davis, Environmental Scientist, in our Technical Service Center, at (317) 232-4160 or toll free at (877) 928-3755.

Sincerely,

Beth L. Tallon

Beth L. Tallon
Environmental Scientist
Division of Water

BLT/BSO
pc: Lake County Plan Commission
Detroit District, Corps of Engineers
Little Calumet River Basin Development
Commission
Enclosure: Floodplain Map





Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson
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Governor's Appointment

VACANCY
Governor's Appointment

VACANCY
Lake County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

December 6, 2004

Mr. Robert M. Tucker
Chief, Enforcement Branch
Regulatory Office
U.S. Army Corps of Engineers
P. O. Box 1027
Detroit, Michigan 48231-1027

Dear Mr. Tucker:

In reference to your letter to Duane Alverson, Lake County Highway engineer, on November 5, 2004 (copy attached for easy reference) regarding a recent site inspection in the mitigation area east of Burr Street along the NIPSCO power lines, I would like to inform you of the following. You indicated in your letter that one of your representatives, who did a recent site inspection, noted that a crude bridge was installed north of the pond within the mitigation area and that trash surrounded this area proving that our site allows for easy access. We, as local sponsor for the flood control/recreation project for the Little Calumet River, have been responsible for securing this area. We have coordinated with NIPSCO to secure their tower line access road, which provides the only driveable access to this area, from traffic at Burr Street as well as at Clark Road. We have installed poles, cables, and locks that are only accessible to NIPSCO and/or Development Commission personnel. It is possible that during recent construction in this area, one of our contractors, doing work as part of our project, or NIPSCO, may have left one or both of these gates unlocked. We will assure that, in the future, our best effort will be made to assure that these will be locked and that we will clean up the existing trash in this area.

If you have any further questions regarding the isolation or security of this area, you may contact me at any time.

Sincerely,

James E. Pokrajac, Agent
Land Management/Engineering

/s/m
encl.
cc: Duane Alverson, Lake County Highway Dept.

6



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

ARLENE COLVIN, Chairperson
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VACANCY
Governor's Appointment

VACANCY
Lake County Commissioners'
Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

December 3, 2004

Mr. Duane Alverson
Lake County Highway Department
1100 East Monitor Street
Crown Point, Indiana 46307

Dear Duane:

Enclosed please find three (3) copies of the fully executed, notarized agreement for "Declaration of Restriction on Land Use" for the wetland mitigation site located between Clark and Burr Streets, north of the Norfolk Southern RR, in Gary, Indiana. This agreement was approved by our Board of Commissioners at their December 1st monthly board meeting.

Once you have this agreement recorded, kindly return a recorded copy back to us for our files. We will then forward a copy to our attorney. I apologize for the delay in returning this signed copy back to you. I hope this fulfills your requirements with the Detroit District U.S. Army Corps of Engineers office. If you need anything else from the Commission in this regard, please let us know. We appreciate having a good working relationship with the Lake County Highway Department.

Sincerely,

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.

cc: Lou Casale, LCRBDC attorney

**APPROVAL TO PAY THE FOLLOWING INVOICES
FROM O&M FUND (LEL MONIES)
JANUARY 12, 2005**

-
- **\$2,000.00 to C&H Mowing for 2004 levee spraying & brush cutting**
 - **\$86.57 to NIPSCO in payment of electric bill at 3120 Gerry Street, Gary**
 - **\$649 to CNA Insurance Company for renewal policy of 3499 Chase Street**

TOTAL \$2,735.57

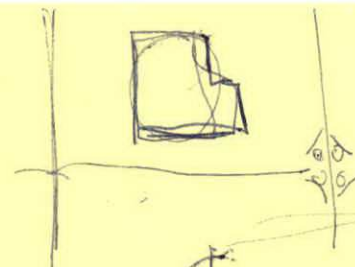
**RATIFICATION OF APPROVAL OF
CLAIMS PAID FROM
O&M FUND (LEL MONIES)**

- **\$1,380.00 to Congress Enterprise, Inc. for removal of debris in Ditchline Encloser of flap Gate at I-Wall – Chase Street in Gary**
- **\$4,680.00 to Congress enterprise, Inc. for removal of all trees, logs, brush and debris located west of MLK Drive and under the Chicago, Ft. Wayne, and Eastern RR in Gary**

TOTAL \$6,060.00

Balance in O&M account (LEL monies) after paying these invoices will be \$77,927

Gary Commitments
\$500,000 vs. -



\$ + 14.2m

WORK STUDY SESSION
5 January 2005

LAND ACQUISITION COMMITTEE
Arlene Colvin, Chairperson

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

1436
825

- 2.) Year-end update for calendar year 2004:
- **Properties (DC Numbers) closed: 42**
(for Stages VI-1 North & South, VI-2, Burr St., Mitigation, East Reach)
 - **Landowners condemned: 12**
(5 were friendly condemnations because of the re-assessment)
 - **Properties involved in the acquisition procedure: 80**
(each property requires survey, title work, appraisals, etc.)

- 3.) Update on current condemnations:

- Court appraisers to return Friday 1/7/05 with court award for Hammond
- Appraisers on Thursday 6 January 05 will inspect the:
 - DC 617- (Cline Avenue and the frontage road)
 - DC 1009 - (3323 Liable Road in Highland)
 - DC 210 and 211 - (east of Chase and 35th Street)
- Court hearing on 20 January 05 for DC 1002 (Liable Rd and NIPSCo R/W)

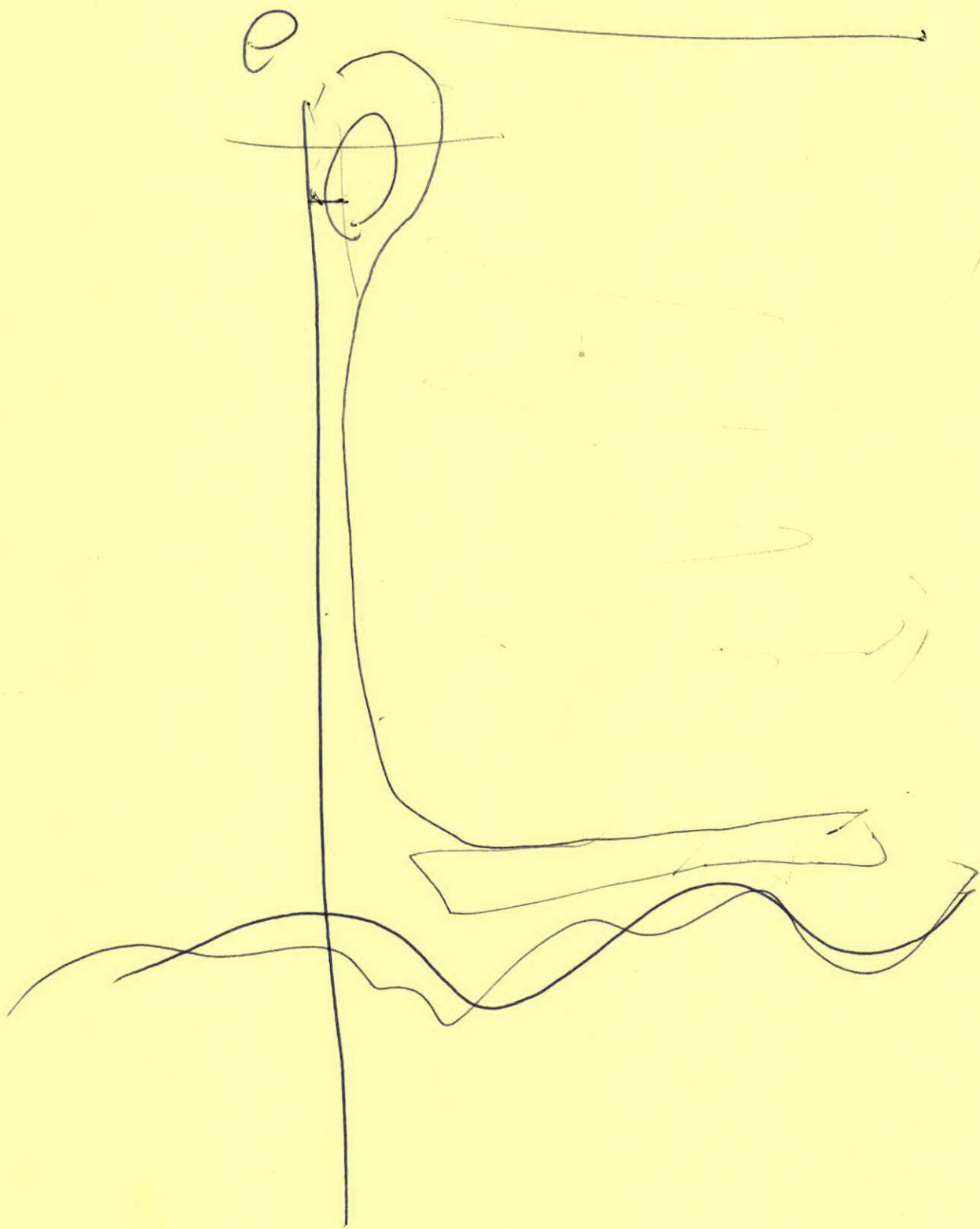
\$ 29,000
329,400

- 4.) Update on Motel 6:

A survey was completed on the parking lot area of Motel 6 indicating the three (3) parking spaces are impacted by the flood project, not five (5) as counted by the court-appointed appraisers. The inclusion of the five spaces figured heavily into the court award of \$154,000. The money was paid into court on 11/30/04 and we have possession of the land. The landowner has filed exceptions to the court award, however, that does not interfere with our deadline of April 05.

- 5) 30 acres

put in





Little Calumet River Basin Development Commission

WORK STUDY SESSION

5 January 2005

ENVIRONMENTAL COMMITTEE

Dr. Mark Reshkin, Chairperson

1.) Mitigation Update for Hobart Marsh:

As of tonight we have 309 acres toward the 437 needed to have our West Reach construction permit modified.

Trust for Public Land has new information about the acreages and purchase price of properties needed to meet our mitigation requirements.

The three final properties total 137 acres (instead of 145 as reported last meeting) bringing our total to 446 (instead of the 454 acres reported last month). We would have nine acres more than needed (instead of the 17 acres reported last meeting). The nine acres could be used a cushion against a loss of acreage in hydric soils.

The properties will be purchased within the next three months at a cost of \$1,056,494 (instead of \$1,098,900 as reported last meeting).

Kim - now 62 acres (not 70)	= \$ 471,000
Nozrik - 50 acres	= \$ 358,175
<u>Bundalo - 25 acres</u>	<u>= \$ 187,500</u>
Total = 137 acres	= \$1,016,675
Transaction/ <u>Holding costs</u>	= \$ 39,819 (based on \$1,016,675)

GRAND TOTAL 446 acres = \$1,056,494
(instead of \$1,143,365 as reported last month)

CONFIDENTIAL (revised 12/15/04)**Hobart Marsh Mitigation Funding Needs 2004-2005**

436 total mitigation requirement - 89 project area; 173 Bailey and 46 Quail

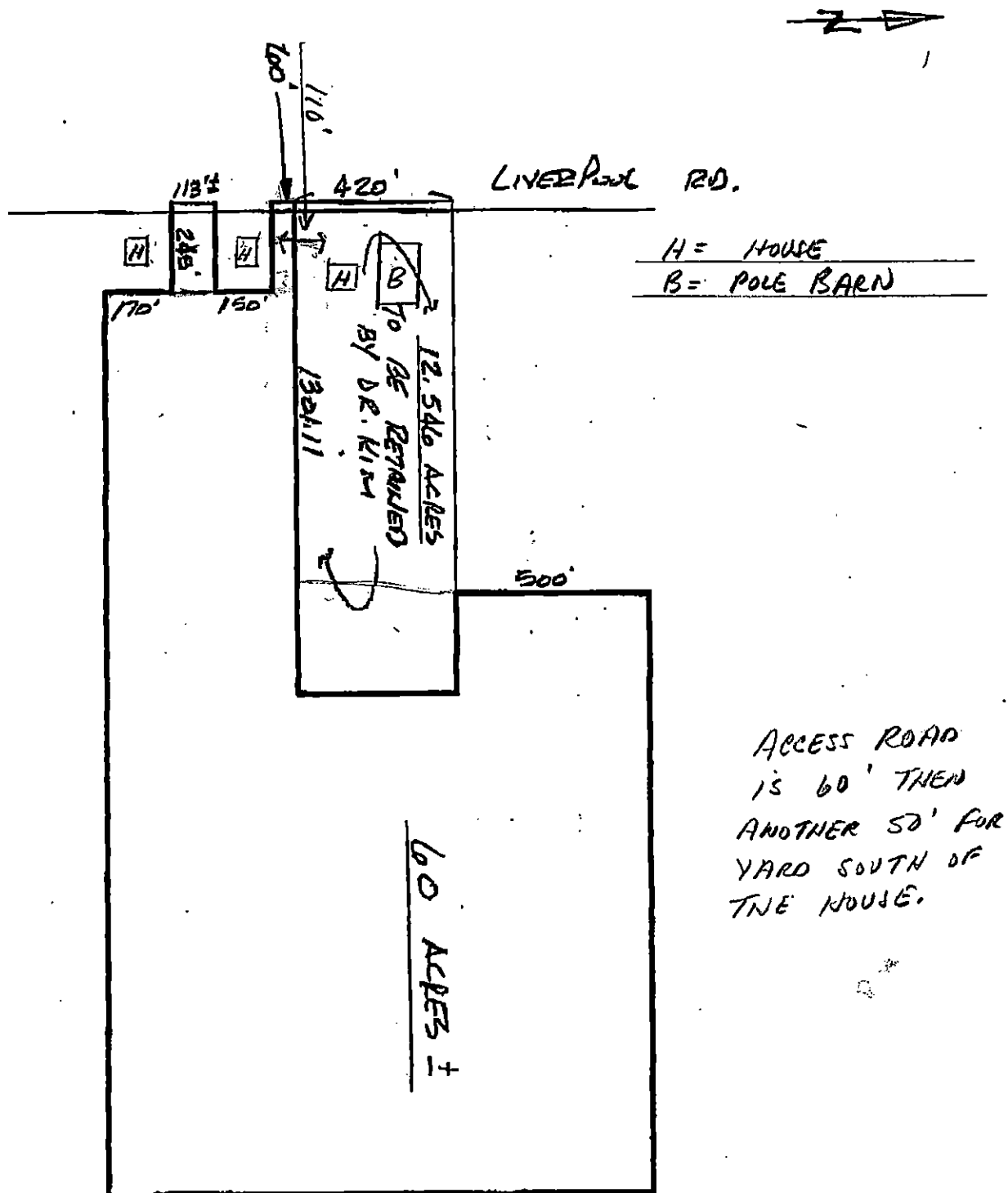
Acres Needed

128 Hollow acres

		Estimated Cost	Estimated Land	Estimated	Estimated	Professional
	tract Acres	Per Acre	Cost	Transaction	Hard Costs	Services Fee
Priority Acquisitions				Costs	(note 4)	(note 5)
Bundalo (note 1)	25	\$7,500	\$187,500	\$5,250	\$5,250	0
Nozrik-parcels 1, 3 & 4 (note 3)	51.7	\$7,000	\$361,900	\$0		
Kim (note 2)	60	\$7,850	\$471,000	\$9,250	\$9,250	\$0
Subtotal Land Area	136.7					
Subtotal Land Cost			\$1,020,400			
Transaction Cost				\$14,500		
Total Acquisition Cost			\$1,034,900			
Less Funds Available for Mitigation (note 6)			\$1,018,721			
Estimated Funding Gap (Surplus)			-\$16,179			

NOTES:

1. Option signed; FMV subject to survey. Subdivision approval may be required.
2. Contract execution expected by Dec. 22 after survey and legal description completed.
3. Contract execution expected by Dec. 22 after survey and legal description completed.
4. Appraisal cost = \$3500; survey cost = \$1,500 - \$4,500; environmental = \$250; title = \$500 - \$1,000; misc. closing/recording fees = \$500.
5. Subject to professional services agreement with Little Calumet River Basin Development Commission.
6. Per Dan Gardner as of Dec. 2, 2004.



OPERATION AND MAINTENANCE REPORT
For meeting on Wednesday, January 5, 2005
(Information in this report is from November 25 – December 28, 2004)

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.(Ongoing)
 - 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.
 - LCRBDC received a letter from United Water regarding the maintenance of pump stations on June 9, 2004.
 - 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.
 - **LCRBDC received an e-mail from United Water on December 17 referring to the June 9 letter and their proposal. In a conference call with Dwain Bowie on December 14 (Dan Gardner, Jim Pokrajac, Dwain Bowie), WREP indicated they would do no maintenance, or any diagnostics, without a signed agreement.**
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.
 - A meeting needs to be scheduled with the City of Gary to formulate a method to transfer these lands. **(Ongoing)**
 - B. An inspection with the COE, LCRBDC, and representatives from Gary was held for the (4) pump stations in Gary on September 13th. The sluice gates were inspected on September 14th and 22nd, 2004.

1-3

- All four pump stations in Gary were inspected on September 13 (these included Burr St. North, Grant, Broadway, and Ironwood). Representatives from the COE, Greeley & Hansen, United Water, and the LCRBDC attended.
 - Sluice gates were inspected on September 14 and Sept. 22 with representatives from the COE, Greeley & Hansen, United Water (provided the compressor), and LCRBDC.
 - Levee inspections were held September 24, 28, and 29. (Commissioner Bob Huffman attended in Jim Pokrajac's absence.)
 - The COE will comprise a punch list which will then be reviewed to see who has what responsibility to correct the deficiency.
- C. A request was submitted to the COE on October 5th, 2004, to provide a punch list of all facilities currently inspected and to schedule the remaining uninspected features as soon as possible in order to help us facilitate coordination with Gary to take over O&M responsibilities.
- Received a response from the COE on October 6, 2004 indicating they will get us a list of deficiencies when completed, and they would do remaining inspections when funding is available.
 - **A letter was written to the COE on November 29, 2004, indicating the importance of completing the entire inspection and comprising a punch list.** 4-5
 - Gary has indicated they will not accept O&M until these deficiencies are corrected.
- D. **The COE sent a letter to LCRBDC on December 16, 2004 with inspection results from the pump stations.** 6-8
- COE indicated remaining inspections will resume in July, 2005.
- E. **High water levels have caused the detention pond at Burr Street to have high levels because the pumps are not operating automatically.**
- The COE will visit the site frequently to operate the pumps manually to keep the water level down.
 - COE letter of December 16 said, as per the LCA, that the LCRBDC has 30 days to correct this problem.
 - **LCRBDC got a quote from AUSTGEN ELECTRIC to do diagnostics to determine problems of the pump station in an amount not to exceed \$3,120.** 9
 - **AUSTGEN was the COE contractor that installed the electric for this station.**
3. 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.
- **Four (4) copies of an O&M agreement with the Hammond Sanitary District for the Southeast Hessville pump station were approved & signed at the HSD Board meeting on December 14, 2004. We will counter-sign at the January 5 LCRBDC Board meeting.**

4. Sent a letter to the COE on October 5th, 2004, requesting "as-build" drawings not previously submitted in order that we could provide these to Gary as part of the O&M turnover process. **(Ongoing)**
5. As part of the request from Gary with ongoing concerns not finalized is the modification of our existing control structure east of Chase St., along the north line of protection.
 - The invert elevation of the culvert needs to be lowered approx. 3' to match the drainage ditch elevation.
 - The COE sent an e-mail on October 4th, 2004, indicating they could do this design modification in-house, rather than contracting it out to an A/E.
6. Bids are being obtained from three (3) contractors to clear the logjam west of Martin Luther King Drive from the four (4) 6' diameter culverts.
 - **The low bid was CONGRESS ENTERPRISES, INC. in the amount of \$4,680. Approval was given at the December 1, 2004 Board meeting to award the contract to Congress.**
 - **The logjam was removed, and the inspection was satisfactory on December 17, 2004.**
7. **A letter was sent to the town of Griffith on December 20, 2004 requesting them to take over O&M between the EJ&E RR and Colfax Avenue (Burr St. Betterment Phase 1).**

10

11-12

Sandy Mordus

From: "Bowie, Dwain" <Dwain.Bowie@UnitedWater.com>
To: <LITTLECAL@NIRPC.ORG>
Sent: Friday, December 17, 2004 5:09 PM
Attach: Pokrajac Little Cal River - v35.doc; Little Calumet - 4 lift station OM Agreement - v33.doc
Subject: 4 STORMWATER STATION PROPOSAL

Per your request the proposals for the 4 storm water station including a monthly fee and a one time catch up fee.

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

United Water



June 9, 2004

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

Subject: Maintenance of Pump Stations

Dear James,

As previously discussed by telephone, it is United Water/White River Environmental Partnership's understanding that the Little Calumet River Basin Development Commission (LCRBDC) owns four storm water lift stations, originally designed by the Army Corps of Engineers and specifically identified as and located at 3151 Broadway, 2901 Grant Street, 2455 Ironwood Circle and 3215 Burr Street in the City of Gary, Indiana.

United Water has performed operations and maintenance services for these four pump stations for several years now, with the understanding that funding would be allocated from one of the three entities concerned with their operations (namely the Gary Sanitary District, the Army Corps of Engineers and LCRBDC) and a legal framework would be put in place for such services. To date, this has not happened. We therefore have no choice but to stop performing such services until a legal and financial solution is collectively found.

However, in an effort to resolve the matter and given United Water's first-hand knowledge of said facilities, United Water is attaching a proposal in the form of a draft contract that incorporates a one-time compensation for all past operation and

2

Mr. James Pokrajac, Agent

Page Two

June 9, 2004

maintenance activities and a formal scope of work for United Water to continue performing such services in the future.

Kindly contact me with your questions and comments, and to discuss the matter. I can be reached at 219-944-1211, ext 1205.

Sincerely



Dwain L. Bowie

General Project Manager

CC: Charles Peller, Director, Gary Sanitary District
Silas Wilkerson, III, President/GSD Board of Commissioners
James B. Meyer, GSD Attorney
Maria Laurino, UW Attorney
Greeley and Hansen, LLC
File



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

November 29, 2004

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

ROBERT MARSZALEK, Vice Chairman
Governor's Appointment

ROBERT HUFFMAN, Treasurer
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DR. MARK RESHKIN
Governor's Appointment

VACANCY
Governor's Appointment

VACANCY
*Lake 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:

I received an e-mail from Ric Witkowski on October 6, 2004 regarding the remaining east reach flood protection inspections. In his e-mail, he indicated that it is his intent to complete the remaining inspection when funding for his team would be available. He also indicated that they will intergrade our inspection as part of their inspection schedule. We need to have these inspections completed as soon as possible.

With winter weather coming, it will make it more difficult to complete these inspections for the remaining features that have not been addressed. As you are aware, we are in the process of coordinating with the city of Gary to have them accept responsibility for all operation & maintenance of our project. Gary has indicated that they will not accept this responsibility until all deficiencies are corrected and/or addressed. We feel it is fair on their part to request that when they take over O&M, it should be in an "as-built" condition. The longer we wait to complete this inspection and get a list of these deficiencies, the more difficult it will be to coordinate with them. Certain deficiencies exist now with pump stations that could result in flooding of adjacent lands if the stations are not brought up to as-built condition. Currently, we are manually operating pumps at the Burr Street station because only one pump is operational and the other can only be operated manually. Some sluice gates currently cannot be operated. This also creates a problem in the event of a flood. We are hoping that funding can be found in order that these inspections can be completed as soon as possible.

Mr. Imad Samara
November 29, 2004
Page 2

We appreciate whatever help you could give us to facilitate this action. Once again, it is very critical for Gary to take over operation & maintenance and this cannot be done until the inspection and punch list have been completed. Once the punch list is completed, the Development Commission will have to coordinate with the Corps to determine who has what responsibility to correct these deficiencies. You have indicated to us that the Corps would assume responsibility for addressing any deficiencies that were caused by engineering or construction inadequacies. If we may be of any assistance in helping to promote the completion of the inspection, please let us know.

Sincerely,


Dan Gardner
Executive Director

/sjm

cc: Congressman's office
Roy Deda, Shamel Abou-El-Seoud, Ric Witkowski, Corps
Jim Meyer, Spike Peller, representing city of Gary
Arlene Colvin, Bob Huffman, LCRBDC



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

December 16, 2004

Construction Operations Branch

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

Dear Mr. Gardner:

This letter provides the results of the Little Calumet River Flood Protection and Recreation project pump station inspections conducted in Gary, IN on September 13, 2004. Representatives from the Corps of Engineers: Reric Witowski, Jan Plachta, Bharat Shah, Ernesto Go and Robert Craib. Representatives from LCRBDC: James Pokrajac and Robert Huffman. Representatives from United Water: Dwain L. Bowie and Adrienne Fancher. Representatives from Greeley and Hansen: Jay Niec and Don Smales. The inspection report is enclosed. The following comments are provided to address noted deficiencies.

Burr Street Pump Station (Unsatisfactory Rating):

- Pump #1: Pump is operational only in manual mode.
- Pump #2: Pump is not operational.
- Sump Pump: Pump is not operational. We lifted the pump-float to energize sump pump but it was non responsive.
- Upon switching all pumps to auto mode and manually lifting the float switches in the wet well, none of the pumps start. The problems seem to be in the motor starters and pump controller (Direct Logic DL205). Suggest to investigate the problems and repair before the next big storm occurs.
- No O&M manual in the pump station for immediate reference during maintenance.
- Suggest keeping a logbook to record the inspection and maintenance works including the date, purpose and what have been work-on, repaired or replaced.
- None of the pumps operated in automatic mode. Such deficiencies result from inadequate maintenance procedures. In accordance with the Local Cooperation Agreement you must correct these deficiencies within 30 days.

Heating and Ventilation System:

- Wall mounted unit heater did not stop at temperature setting indicated on the wall thermostat.
- Fan was operated on manual mode to check interlock with intake louver damper. Fan and louver damper operated as required.
- Check heating and ventilation control system and adjust as necessary to control building temperature.

Grant Street Pump Station (Marginal Rating)

Pumping System:

- Remove trash from pump station intake area.
- Both main pumps are working. Pump no. 1 and 2 run smoothly.
- Sump Pump discharge pipe is disconnected. Not clear why the discharge pipe is disconnected. Did not operate the sump pump.
- Keep O&M manual at the pump station site.
- Suggest keeping a logbook in the pump station to records the inspection and maintenance work including the date, purpose and what has been serviced, repaired, or replaced.

Sluice Gates:

- Sluice Gate Located on the right side is broken.
- Incorporate gate travel limit on all sluice gate stem. Currently, the gate travel indicator dial does not reflect actual position of gate. Adjust existing gate travel indicator dial.

Broadway Avenue Pump Station: (Unsatisfactory Rating)

Pumping System:

- No water was available for running the pump so pump was just bumped.
- **Pump #1 ran, Pump #2 did not run (just a humming sound).**
- Suggest replacing a rusted junction box near the top of the sump area to a NEMA 4X stainless steel junction box.
- Keep O&M manual at the pump station site.
- Suggest keeping a logbook in the pump station to record the inspection and maintenance work including the date, purpose and what has been serviced, repaired, or replaced.

Sluice Gates:

- Sluice Gate functions as intended.
- Incorporate gate travel limit on all sluice gate stem. Currently gate travel indicator dial does not reflect actual position of gate. Adjust existing gate travel indicator dial.

Ironwood Pump Station: (Satisfactory Rating)

Pumping System:

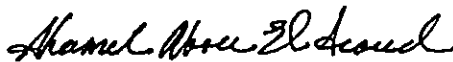
- Pump #1 & #2 run as intended.
- Grounding cable to fence needs to be tightened.
- Keep O&M manual at the pump station site.
- Suggest keeping a logbook in the pump station to records the inspections and maintenance works including the date, purpose and what have been work-on, repaired or replaced.

Sluice Gates:

- Sluice Gate function as intended.
- Incorporate gate travel limit on all sluice gate stem. Currently gate travel indicator dial does not reflect actual position of gate. Adjust existing gate travel indicator dial.

If you have questions, please contact Mr. Witowski at (312) 846-5476. We look forward to conducting the 2005 inspections in July, 2005.

Sincerely,



Shamel Abou-El-Seoud, P.E.
Chief, Construction Operations Branch

Enclosure

801 East Main Street
Griffith, IN 46319
Ph. 219-924-7528
Fax 219-922-8409
austgen.com
austgen.net



AUSTGEN ELECTRIC INC.

Since 1945

Engineering
Process Control
Network Service
Equipment Rental
Fleet Service
Tegg Service

12/28/04

Little Calumet River Basin Development
6100 Southport
Portage, IN 46368

Jim Pokrajac

Re: Burr Street Pump Station Repair Proposal.

Furnish one service technician to inspect and determine cause of pump failures. Including service van and test equipment. I would anticipate one - two 8 hour days.

\$85.00 per hour

*
1,360.00

Furnish one programmer to inspect and determine cause of control system failures. Including service van, computer and software. If required I would anticipate one 8 hour day.

\$95.00 per hour

*
760.00

Furnish principal technical review of any major problems and advise proper course of action.
I would anticipate one 8 hour day.

\$125.00 per hour

*
1,000.00

total *
3,120.00

Mike Austgen



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

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*Lake County Commissioners'
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DAN GARDNER
Executive Director

LOU CASALE
Attorney

December 3, 2004

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

Dear Fred:

Enclosed please find two (2) copies of the proposed agreement between yourself and the Development Commission for removal of all existing trees, logs, brush, and debris that are cumulated on the south side of the concrete headwall for four (4) 6' diameter culverts located west of MLK Drive and under the Chicago, Ft. Wayne, and Eastern Railway in Gary, Indiana. This agreement is based upon your original proposal dated November 28, 2004, and stipulates the cost to be \$4,680.00.

Please sign both agreements, keeping one for yourself and returning one copy to our office. Upon receipt of your signed copy, you can proceed with the work. If you have any questions, please call me.

Sincerely,

James E. Pokrajac, Agent
Land Management/Engineering

/sjm
encl.



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
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VACANCY
*Lake County Commissioners'
Appointment*

DAN GARDNER
Executive Director

LOU CASALE
Attorney

December 20, 2004

Mr. James Reyome
Director of Public Works
Town of Griffith
111 N. Broad Street
Griffith, Indiana 46319

Dear Jim:

The Little Calumet River Basin Development Commission is obligated in our Local Cooperation Agreement with the Army Corps of Engineers to assume the responsibility for assurance of operation and maintenance for the flood protection features once construction is completed. The town of Griffith has flood protection along the NIPSCO right-of-way between the EJ&E RR and Colfax Avenue. There is a levee north of the NIPSCO right-of-way and a drainage ditch south of the NIPSCO right-of-way.

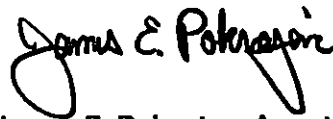
Recently, it has been brought to our attention that a drainage ditch that extends northward west of the Mansards across the NIPSCO right-of-way has had recent problems with debris building up in the ditch adjacent to one of our sluice gates. This could cause overflow in the ditch which could affect adjacent residents. After the holidays (maybe the second week of January), we would like to have a meeting with you and any representatives you feel are appropriate from the town of Griffith, to discuss operation and maintenance in the Colfax to EJ&E RR area.

In addition, we will be proposing the installation of a recreational trail along the top of your levee between Cline Avenue and the EJ&E RR north of your Industrial Park, north of River Road. We will be needing to enter into an easement agreement with the town of Griffith whereby we could use the top of this levee for our recreational trail.

Mr. James Reyome
December 20, 2004
Page 2

Please contact me to discuss the possibility of having a meeting and also to address or answer any questions or concerns you may have regarding these issues. It has always been a pleasure working with the town of Griffith in the past and we look forward to working with you again in these upcoming issues.

Sincerely,



James E. Pokrajac, Agent
Land Management/Engineering
Phone: 219/763-0696
E-mail: jpokrajac@nirpc.org

/sjm

cc; Dennis Zebell, Lawson-Fisher
Imad Samara, ACOE