



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT HUFFMAN, Vice Chairman
Governor's Appointment

ARLENE SOLVIN, 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

MEETING NOTICE

THERE WILL BE A MEETING OF THE
LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION
AT 6:00 P.M. WEDNESDAY, NOVEMBER 9 2005
AT THE COMMISSION OFFICE
6100 SOUTHPORT ROAD
PORTAGE, IN

WORK STUDY SESSION – 5:00 P.M.

A G E N D A

1. Call to order by Chairman Bill Biller
2. Pledge of Allegiance
3. Recognition of Visitors and Guests
4. Approval of Minutes of October 15, 2005 1-4
5. Chairman's Report
 - Election of Nominating Committee to select officers for 2006
 - Report on October 15 Work Study Session and van tour of project area
6. Executive Director's Report
 - Update on Burr Street Gary & Little Cal levee construction schedule
7. Outstanding Issues
 - Draft proposal received by Lawson-Fisher to do Phase I work scope on Griffith levee
 - > FEMA technical requirements 5-7

I missed
this mtg. I left
to go see
missing homes.

8. Standing Committees

A. Finance Committee – Report by Treasurer Arlene Colvin

- Financial status report
- Approval of claims for October 2005
- Approval of O&M claims for October 2005
- Issues for discussion

8
9-10
11

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

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

Land Management

- Commission approval for staff to pursue interest in Chase Street Produce
- INDOT request for real estate between Harrison & Broadway
- Ditch south of 35th between Chase & Grant
- Issues for discussion

C. Project Engineering Committee – Committee Chair Bob Huffman

- SHE presentation for CSO minimization
- Stage V-2 pipeline corridor update
- Meeting with Steve Enger on October 25
- Pre-construction meeting for Stage VI-1N held on November 1
- Landscaping II inspection held on October 25
- Issues for Discussion

D. Operation & Maintenance – Committee Chair Bob Huffman

- Action required for Resolutions for Stage III Remediation pump station turnover
- Status of bidding out Gary pump stations
- Issues for Discussion

E. Environmental Committee – Committee Chair Mark Reshkin

- Issues for Discussion

F. Legislative Committee – Committee Chair George Carlson

- Approval of \$1 million allocation by State Budget Agency at their meeting held on October 28 in Bloomington
- Issues for Discussion

G. Recreational Development Committee – Committee Chair Bob Huffman

- Issues for Discussion

H. Marina Development Committee – Committee Chair Charlie Ray

- Update on marina property transfer to city of Portage
- 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, OCTOBER 5, 2005
AT THE JEAN SHEPPERD COMMUNITY CENTER
3031 J. F. MAHONEY DRIVE
HAMMOND, INDIANA**

Development Commissioners:

William Biller
Robert Huffman
Arlene Colvin
George Carlson
Steve Davis

Staff:

Dan Gardner
Jim Pokrajac
Judy Varnos
Sandy Mordus
Mark Goodrich

Visitors:

Dennis Zebell – Lawson Fisher
John Fisher – Lawson Fisher
Imad Samara – Army Corps of Engineers
Elizabeth Johnson – Congressman's Office
Dan Repay – Hammond Councilman
John Gismondi – Hammond resident
Bryon K. Butala – Hammond resident

At 6:10 p.m. Chairman Biller announced that there was no quorum present for this meeting. No action items could be taken. He opened it up to the audience for general discussion.

General discussion ensued concerning the certification of the Griffith levee by FEMA. This portion of levee extends from the EJ&E RR west to Cline Avenue and then ties back to the south along the east side of Cline Avenue. When the levee was built, it was designed to IDNR 100 year protection standards. FEMA has since raised technical issues that need to be certified for the area to be eligible to be removed from floodplain designation. Lawson-Fisher presented a proposal for their engineering firm to complete a Phase 1 inspection and report of the current levee situation for a cost of \$9,700. Several other phases would be necessary; they were only seeking approval for Phase 1 at this time. Discussion ensued. No action was taken.

Several visitors expressed their concern and dismay about the length of time it is taking for the project construction to reach their area. A lengthy discussion was held updating them on the current status, and how areas north of the Borman Expressway could be considered in the floodplain of the Little Calumet River.

Hammond Councilman Dan Repay talked with the Board members about the project. He offered his assistance in any way that he could help move the project construction forward. Local share funding was identified as critical to achieving the expedited construction schedule.

A Work Study Session has already been scheduled for Saturday, October 15 at the Hammond Sanitary District. A regular Board meeting will be conducted at 8:30 a.m. first to take action on items needed. Media will be notified. Adjournment followed.

**MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
HELD AT 8:30 A.M. SATURDAY, OCTOBER 15, 2005
AT THE HAMMOND SANITARY DISTRICT
5100 COLUMBIA AVENUE
HAMMOND, INDIANA**

Chairman William Biller called the meeting to order at 8:30 a.m. Seven (7) Commissioners were present. Pledge of Allegiance was recited.

Development Commissioners:

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

Staff:

Dan Gardner
Jim Pokrajac
Judy Vamos
Lou Casale
Sandy Mordus

Chairman Biller thanked the Commissioners for attending this meeting on a Saturday, especially since we did not have a quorum at the regularly scheduled meeting on October 5.

A motion to approve the September 7, 2005 minutes was made by Bob Huffman; motion was seconded by George Carlson; motion passed unanimously.

A motion to approve the September financial status report and the claim sheet for a total of \$104,727.60 was made by Steve Davis; motion seconded by Charlie Ray; motion passed unanimously.

A motion to approve the O&M claim sheet for a total amount of \$7,339.78 was made by Charlie Ray; motion seconded by Steve Davis; motion passed unanimously.

Discussion was held on the proposal presented by Lawson-Fisher Associates, Inc. As it stands, FEMA will not certify that portion of the Griffith levee that was built by the town because it did not certify certain Federal standards. Lawson-Fisher was the firm that originally engineered the levee and was consultant to the town of Griffith and, therefore, the logical firm to do a scope of work for certification. The levee was approved by IDNR but FEMA says it will not certify the levee and declare the area out of the floodplain until it is brought up to Federal standards. Discussion was held on whether another firm's hourly rate would be more reasonable. Several Commissioners thought Lawson-Fisher hourly rates were high. They had originally given us a proposal as a lump sum and staff requested them to submit the proposal again with an hourly. The modified proposal indicated a cost "not to exceed" \$9,700, rather than the original proposal submitted as a "lump sum" of \$9,700. Staff was directed to get an exact work scope and check with other engineering firms to compare hourly rates. Mr. Gardner referred to a letter we received from the Corps in which FEMA spells out what is

needed to be able to come out of the floodplain. We will share that letter with Commissioners. At this point in time, the request was tabled until additional information was made available.

Discussion was held on the conditions that are listed in the IDNR permit. Commissioner Steve Davis and Jomary Crary, from IDNR, are checking out each condition and will get us a summary of what exactly has to be done before the remaining west reach permit is approved for construction.

A request letter was received from VIEW OUTDOOR asking for an extension of time until the end of the year to do sign construction on the property we will be leasing to them. They have received State and local permits and will pursue the construction of the signs but need to extend the agreement. A motion was made by Arlene Colvin to approve the extension of time through the end of the year; motion seconded by Bob Huffman; motion passed unanimously.

For information only, the Commissioners received a copy of the letter from the State increasing the Indiana state mileage reimbursement rate from 34 cents to 40 cents effective October 1, 2005.

Chairman Bill Biller and Dan Gardner talked about the meeting held on October 14, 2005 with the Hammond Economic Development and Planning Departments, the city engineer, the Congressman's office, American Consulting, and the Commission. He stated that it was a positive meeting. With Cabela buying the Woodmar Country Club, we are working with the city to determine the best way of proceeding ahead of schedule to address the floodplain designation. Cabela's goal is to be opened by early 2007. They want to come out of the floodplain and our project does impact them. The city has two development districts they are creating. One is an economic development plan and other is a re-development plan. Cabela's have retained American Consulting, Inc. as their consultant. They are doing some of the site work and will work with us. Mr. Gardner talked extensively on the prospects of their removal from the flood plain. He stated there were three options: (1) build up a pad and compensate for storage somewhere else; (2) build levees on three sides to remove the site; however, the Army Corps modeling would be a problem, plus they would need an IDNR permit, and there are downstream impacts so this is not a good solution; and (3) look at the total line of protection and do the levee and the back along Northcote as a single element so you can bring the entire area of Cline to Northcote out of the flood plain. This would not only bring Cabela's out of the floodplain but some residents as well. We have appraisals completed in that section and they are currently being reviewed. To complete all of Stage V-2 (which includes about 43 property owners and a massive utility corridor) and excluding Cabela's, the estimated cost is about \$3.7 million. Even obtaining most of the easements as donation, it is still a large sum of money that we do not have. We will be approaching the North Township Board members for the donation of their easements that we need on North Township property. The Army

Corps also has some re-engineering to do; originally it was engineered as a golf course and with it no longer being a golf course, they do expect design changes. The original engineering of V-2 was done about eight years ago; the Corps estimates it will need about 6-8 months to re-design the area. It was stressed by the Commission that our goal is to work with the city administration to provide flood protection and promote economic development at the earliest date which would benefit the greatest number of residents. City Council President Dan Repay understood the situation and committed to helping us in any way that he could. He asked the Commission for a dollar amount that he can take to his fellow councilmen and discuss how to be able to help finance this project. His comments were very positive and the Commissioners appreciated his commitment to helping us out. Discussion was also held on how to approach the legislators to engage their continued support for obtaining necessary funding, and to approach private developers and municipalities for property donations which would expedite in the completion of flood protection which would permit city and town infrastructure development.

Chairman Biller stated that he felt that meeting in the west reach area of the project was a positive thing and suggested that we would schedule a meeting again in either Hammond or Highland after the first of the year.

The meeting portion was adjourned and a van tour of the west reach area followed. Areas visited were the Griffith levee area; the ongoing construction in Stages VI-2 (Liable to Cline) and VI-1South (Kennedy to Liable, south of the river); viewed were sheet piling using the form liners; pump stations; Kennedy Industrial Park area; pipeline corridor in V-2; Wicker Park/Woodmar area; Hawthorne Drive levee stakeout area; areas of future construction in Stage VII and VIII in Munster and Hammond; and the Cabela's tie-back area east of Northcote. The tour was very informative by showing the members the actual areas for the upcoming acquisition and construction segments.

The next scheduled Board meeting will be November 9, 2005. Please note that this date is the second Wednesday of the month (normally we meet the first Wednesday of the month).

/sjm

"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.
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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

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
FINANCIAL STATEMENT
JANUARY 1, 2005 - SEPTEMBER 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
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	1,266,218.82

RECEIPTS - JANUARY 1, 2005 - SEPTEMBER 30, 2005

LEASE RENTS	33,450.22
LEL MONIES (SAVINGS)	
INTEREST INCOME(FROM CHECKING & FIRST NATL)	18,932.58
LAND ACQUISITION	1,775,755.26
ESCROW ACCOUNT INTEREST	6,930.70
MISC. RECEIPTS	20,469.97
STEWART TITLE	755.00
CLERK OF SUPERIOR COURT	5,593.00
CHICAGO TITLE	14,121.97
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE	1,299.46
TRANSFERRED FROM SAVINGS	269,186.42
PROCEEDS FROM VOIDED CHECKS	
TOTAL RECEIPTS	2,126,024.61

DISBURSEMENTS - JANUARY 1, 2005 - SEPTEMBER 30, 2005

ADMINISTRATIVE	
2004 EXPENSES PAID IN 2005	92,289.74
PER DIEM	6,150.00
LEGAL SERVICES	2,606.97
NIRPC	101,575.79
TRAVEL & MILEAGE	994.58
PRINTING & ADVERTISING	687.72
BONDS & INSURANCE	6,406.25
TELEPHONE EXPENSE	5,613.07
MEETING EXPENSE	179.10
LAND ACQUISITION	
LEGAL SERVICES	74,445.95
APPRAISAL SERVICES	33,750.00
ENGINEERING SERVICES	31,349.60
LAND PURCHASE CONTRACTUAL	30,965.00
FACILITIES/PROJECT MAINTENANCE SERVICES	
OPERATIONS SERVICES	
LAND MANGEMENT SERVICES	156,077.75
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	78.50
PASS THROUGH FOR SAVINGS	73,028.26
PAYBACK TO SAVINGS	104,150.00
TOTAL DISBURSEMENTS	2,078,580.54

CASH POSITION - SEPTEMBER 30, 2005

CHECKING ACCOUNT	
LAND ACQUISITION	139,998.52
GENERAL FUND	16,446.70
TAX FUND	0.00
TOTAL FUNDS IN CHECKING ACCOUNT	156,445.22

BANK ONE SAVINGS ACCOUNT BALANCE	746,513.13
(LAND ACQ IN HOUSE PROJECT FUNDS)	451,945.71
(O & M MONIES)	**279,283.61

*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	15,283.81
TOTAL SAVINGS	746,513.13
ESCROW ACCOUNT INTEREST AVAILABLE	8,882.56
	<hr/>
TOTAL OF ALL ACCOUNTS	911,840.91

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

MONTHLY BUDGET REPORT, OCTOBER 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	10,000.00	25.84	6.12	66.43	23.12	48.47	353.60	523.58	9,476.42
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	5,000.00	0.00	389.73	804.73	422.05	413.39	620.30	2,650.20	2,349.80
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			2,850.00	7,150.00
5811 LEGAL EXPENSES	8,500.00	283.33	283.33	283.33	283.33			2,861.80	5,638.20
5812 NIRPC SERVICES	130,000.00	11,412.61	11,435.66	11,164.23	11,305.56			112,980.36	17,019.64
5821 TRAVEL/MILEAGE	10,000.00	9.62	36.04	31.82	70.20			671.26	9,328.74
5822 PRINTING/ADVERTISING	2,500.00	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			6,406.25	1,593.75
5824 TELEPHONE EXPENSES	5,000.00	491.64	780.66	515.92	431.37			4,869.79	130.21
5825 MEETING EXPENSES	6,000.00	0.00	90.20	0.00	222.64			401.74	5,598.26
5840 PROFESSIONAL SERVICES	600,000.00	34,424.89	37,548.84	92,719.30	75,458.16			532,688.54	67,311.46
5860 PROJECT LAND PURCHASE EXP.	2,337,073.00	31,000.00	0.00	13.00	5,650.00			1,365,771.31	971,301.69
5882 UTILITY RELOCATION EXP.	100,000.00	270.00	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	5,000.00
5884 STRUCTURES CAP. IMPROV.	5,000.00	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				472,500.00
	3,227,073.00	77,892.09	50,174.73	104,727.60	93,421.26	0.00	0.00	2,032,927.04	1,194,145.96

CLAIMS PAYABLE FOR OCTOBER 2005

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5811	CASALE,WOODWARD & BULS LLP	283.33	MONTHLY RETAINER FOR MONTH OF SEPTEMBER2005
5812	NIRPC	11,305.56	SERVICES PERFORMED SEPTEMBER 2005
5821	SANDY MORDUS	70.20	MILEAGE 9/29/05-10/27/05
5824	AT & T	304.47	BILLING PERIOD 9/14/05-10/13/05(TOTAL BILL 319.98 KRBC 15.51)
5824	VERIZON NORTH	126.90	BILLING PERIOD 10/16/05-11/16/05(TOTAL BILL 239.04 KRBC 112.14)
5825	JEMCON INC	115.96	EXPENSES INCURRED FOR COMMISSIONERS RETREAT MEETING 10/15/05
5825	HERTZ	106.68	RENTAL OF VAN FOR COMMISSION TOUR OF PROJECT FEATURES 10/15/05
5841	HERITAGE APPRAISAL SERVICE	750.00	APPRAISAL FOR DC-128
5841	HERITAGE APPRAISAL SERVICE	2,250.00	APPRAISAL FOR DNR 6,DNR40, & DNR 308
5841	HERITAGE APPRAISAL SERVICE	6,750.00	APPRAISAL FOR DC-1124,1121,1128,1129,1125,1118,1119,1130 & 1127
5842	GARCIA CONSULTING	840.00	PROFESSIONAL SERVICES FOR DC-1174
5842	GARCIA CONSULTING	3,765.00	PROFESSIONAL SERVICES FOR DC-815
5842	GARCIA CONSULTING	2,750.00	PROFESSIONAL SERVICES FOR DC-1198
5842	R. W. ARMSTRONG	2,060.68	PROFESSIONAL SERVICES SVH-I
5842	R. W. ARMSTRONG	6,400.50	PROFESSIONAL SERVICES FOR PERIOD ENDED 9/16/05
5842	R. W. ARMSTRONG	2,810.00	PROFESSIONAL SERVICES FOR PERIOD ENDED 10/14/05
5843	STEWART TITLE SERVICES OF NORTHWEST	425.00	TITLE WORK FOR DC-87
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1218
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1221
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1226
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1227
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1230
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1231
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1233
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1234
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1235
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1237
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1240
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1243
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1244
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1245
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1246
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1247
5843	STEWART TITLE SERVICES OF NORTHWEST	400.00	TITLE WORK FOR DC-1250
5843	STEWART TITLE SERVICES OF NORTHWEST	550.00	TITLE WORK FOR DC-1252
5843	STEWART TITLE SERVICES OF NORTHWEST	100.00	TITLE WORK FOR DC-1172
5843	STEWART TITLE SERVICES OF NORTHWEST	100.00	TITLE WORK FOR DC-1173
5843	STEWART TITLE SERVICES OF NORTHWEST	100.00	TITLE WORK FOR DC-1174
5843	STEWART TITLE SERVICES OF NORTHWEST	100.00	TITLE WORK FOR DC-1177
5843	STEWART TITLE SERVICES OF NORTHWEST	1,095.00	TITLE WORK FOR DC-1182
5844	JAMES E POKRAJAC	5,116.80	ENGINEERING SERVICES 9/16/05-9/30/05
5844	JAMES E POKRAJAC	220.66	SEPTEMBER MILEAGE
5844	JAMES E POKRAJAC	4,210.70	ENGINEERING SERVICES 10/1/05-10/15/05
5844	JAMES E POKRAJAC	5,170.10	ENGINEERING SERVICES 10/16/05-10/31/05
5844	JAMES E POKRAJAC	278.40	OCTOBER MILEAGE
5844	JUDITH VAMOS	3,393.98	LAND ACQUISITION AGENT SERVICES 9/16/05-9/30/05
5844	JUDITH VAMOS	19.72	SEPTEMBER MILEAGE
5844	JUDITH VAMOS	3,489.85	LAND ACQUISITION AGENT SERVICES 10/1/05-10/15/05
5844	JUDITH VAMOS	3,643.25	LAND ACQUISITION AGENT SERVICES 10/16/05-10/31/05
5844	JUDITH VAMOS	20.00	OCTOBER MILEAGE
5844	LORRAINE KRAY	902.40	CREDITING TECHNICIAN/LAND ACQUISITION ASST 9/16/05-9/30/05
5844	LORRAINE KRAY	748.80	CREDITING TECHNICIAN/LAND ACQUISITION ASST 10/1/05-10/15/05
5844	LORRAINE KRAY	912.00	CREDITING TECHNICIAN/LAND ACQUISITION ASST 10/16/05-10/31/05
5844	SANDY MORDUS	25.00	CREDITING TECHNICIAN SERVICES 9/26/05
5844	SANDY MORDUS	187.50	CREDITING TECHNICIAN SERVICES 10/1/05-10/15/05
5844	SANDY MORDUS	275.00	CREDITING TECHNICIAN SERVICES 10/16/05-10/31/05
5849	CASALE.WOODWARD & BULS LLP	9,397.82	LAND ACQUISITION/LEGAL SERVICES FOR PERIOD ENDED 10/26/05
5861	ROBERT J. DAWSON	5,650.00	PURCHASE PRICE OF DC-831
	TOTAL	93,421.26	

**APPROVAL TO PAY THE FOLLOWING INVOICES
FROM O&M FUND
NOVEMBER 9 , 2005**

- **\$8.52 to NIPSCO for costs incurred for elec. & gas at 3120 Gerry Street in Gary**
- **\$380.00 to Casale, Woodward & Buls for additional legal costs incurred regarding the lawsuit filed by an individual who was in a car accident exiting the Carlson-OxBow park**
- **\$718.00 to R. W. Armstrong Company for services incurred on pump station O&M**

TOTAL \$ 1,106.52

Balance in O&M account after paying this invoice will be \$297,883.43

LAND ACQUISITION REPORT

For meeting on Wednesday, November 9, 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 September 30 – November 3, 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)
 - **Two offers sent to landowners in October have been returned. DC83 has accepted the offer of \$5,650. DC832 has rejected the offer of \$2,500. We will file condemnation.**
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 his property.
 - **Survey work was completed on October 14, 2005 showing elevations of the land as well as tower and down guy locations.**

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.**

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

1. **Appraisal reviews are coming in from our independent reviewer. We will order updated title work during the month of November and offers can be assembled and mailed afterwards. We are on schedule. We have 34 acquisitions with 20 appraisals approved.**
2. **Wicker Park is still under appraisal. COE is modifying the legals so appraiser can complete an economic analysis to compare present levee location against a proposed re-location closer to the ditch as requested by the Committee to Preserve Wicker Woods (CPWW)**
3. A meeting was held on August 24, 2005 at Munster Town Hall. The Committee to Preserve Wicker Woods (CPWW), Munster officials, LCRBDC, and the Corps were present to discuss possible solutions to preserving the area west of Hart Ditch along Hawthorne Drive.
 - A. **LCRBDC provided a staked, field survey showing the west toe of the levee relative to the current Army COE design. (Refer to Engineering report for status.)**
 - **A meeting was held with representatives from the CPWW on October 25 to review their concerns and suggestions. (Refer to Engineering Report)**
4. We sent a letter to Hammond on 8/22/05 requesting re-imbursement for the Woodmar appraisal cost (Ongoing)

1-4
5

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

1. Woodmar and Cabalas' 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 are currently having appraisals completed on Interstate Plaza with the expectation that owners may donate their compensation.

- 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 (See Item #1)
- Request was sent to the COE on the November 1, 2005 e-mail that we would still pursue the total acquisition from INDOT west of Indianapolis Blvd at the "K-Mart light" to the river, but use the north River Drive parcel for construction access and permanent easement for flood fighting, inspections, and maintenance. (See Item #2)

6-7

6-7

STATUS (Stage VI-Phase 1 South) – Kennedy to Liabe - 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 apparent low bidder, submitting a bid approximately 15% under the COE estimate (without profit).
2. A pre-construction meeting was held on November 1, 2005. Construction start anticipated in mid-December 2005.

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

Land Acquisition deadline April 15, 2005

1. Dyer Construction was awarded the contract on July 13.

STATUS (Stage VII) – Northcote to Columbia:

1. In compliance with the Congressman's request to complete the project by December, 2009, we will be re-identifying landowners and parcels, ordering title work and surveys in July 2005, according to our management plan.
 - All legals north of the river are completed except those portions on the north River Drive right-of-way. After confirming engineering intent in this area, GLE is finalizing these legals – Anticipate completion by November 9 (See Item #3)
 - We are two weeks behind our acquisition schedule but that time can be made up in the appraisal procedure. (Ongoing)

6-7

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

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.

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.**
Awaiting response and comments.

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.
 - **A conference call was held with the COE, LCRBDC, and the railroad on October 18, 2005. It appears design has now been agreed upon and the COE is currently working on this modified design to present to the railroad for final review.**

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.

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.**
 - **We received an estimate from the appraisal firm of Oetzel & Hartman for \$9,000 to complete the appraisal. We are requesting other appraisal estimates to use as a comparison.**

8-10

11-16

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 written to the court and are still waiting for a reply. (Ongoing)
3. **We received a request from INDOT to acquire their easements on our easements. It was forwarded; however, it was discussed with Keith Moberg, INDOT's new Land Acquisition representative, how to speed up the procedure we must follow when requesting our easements from them.**

17-22

23

U.S. Army Corps Of Engineers

Appraisal Review

Project: Little Calumet River Flood Control
And Recreation Project, Lake County, Indiana

Tract Number: DC 1125

Location: [REDACTED] North Drive
Highland, IN 46322

Owner: [REDACTED]

Estate (s) Appraised Fee simple subject to a permanent flood levee
easement of 871 square feet and no temporary work
area easement.

Appraisal Purpose: Acquisition of easement interests for project use

Property Appraised: A parcel of land known as [REDACTED] North Drive,
Highland, IN 46322

Highest And Best Use: Single family residential both before and after

Valuation Date: July 19, 2005

Report Date: October 5, 2005

Estimated Values:

Value Before the Taking	\$114,000
Value After the Taking	\$108,700
Total Just Compensation	\$3,600
(Value of the Perpetual Easements)	\$3,600
Includes landscaping	
(Severance Damages)	\$-0
(Offsetting Special Benefits)	\$-0
(Value of the Temporary Easement)	\$-0

Appraiser: Integra Realty Resources
566 West Lake Street Suite 310
Chicago, IL 60661

*EXAMPLE OF
APPRAISAL
REVIEW*

Reviewer:

Alan M Landing SRA
Heritage Appraisal Service
5982 W Johnson Road
LaPorte, IN 46360

Review Client/User:

Detroit District, USACE

Intended Use:

Confirmation of the appraisal, quality control and assurance

PURPOSE AND SCOPE OF REVIEW

The purpose of this review is to ensure data and analyses developed and reported in the appraisal process substantiate the estimated value and that compliance with the applicable governing regulations and standards is met. Adherence to the current editions of the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA) and the Uniform Standards of Professional Appraisal Practice (USPAP) are of special significance.

I have not inspected the interior of the subject property but have familiarized myself with the subject area and made an exterior inspection of the property. I have done my best to confirm all sales data and other supporting information through public disclosure, MLS files, and the Appraiser who wrote the report. The undersigned reviewer has performed a Technical Field Review.

General Comments

The report is a complete, summary appraisal report. Minor errors, omissions, and oversights exist but do not leave the report without merit in supporting the estimated market value. The report accurately establishes the appraisal problem and employs proper appraisal methods and techniques to support the analyses, opinions, and conclusions contained within. The report is considered to adhere to in most cases UASFLA and USPAP appraisal standards.

Special Assumptions

The appraisal has been completed with the special assumptions that the proposed easement will be legally impressed and provides legal authority for the location of the existing levee and access thereto for its maintenance.

Summary

The identified report, effective date of value is 7/19/05, the report was written 10/5/05 is approved for just compensation in the amount of \$3,600 as indicated on page 38 of the report.

REVIEWER COMMENTS

The reviewer will make some comments regarding the completed report:

#1. The market value definition utilized for Federal Land Projects states that no market or exposure time estimates are to be in the report. The appraisal has provided such commentary on page (4) of (31) the report.

2. There are no pictures of the affected landscaping provided.

3. On page 19 of the land valuation comments it is stated all sites are similar to the subject and there is no adjustment for zoning made. However in the adjustment grid #3 is adjusted downward which is in conflict with prior statements.

4. Appraisal states electric is supplied by COMED. It should state NIPSCO.

5. Square foot adjustment for sale #3 should be changed to negative

In the conclusion there areas of the report that the reviewer has developed additional opinions on however they do not impact the value conclusion and are retained in the reviewers work file.

Review Certification

This review accepts the assumptions and limiting conditions as set out in the appraisal.

I certify that, to the best of my knowledge and belief:

- the facts and data reported by the review appraiser and used in the review process are true and correct

- the analysis, opinions, and conclusions in this review are limited only by the assumptions and limiting conditions stated in this review report, and are my personal, unbiased professional analysis, opinions, and conclusions
- I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment
- my engagement in this assignment was not contingent upon developing or reporting predetermined results
- my compensation is not contingent on an action or event resulting from the analysis, opinions, or conclusions in, or the use of, this review
- my analysis, opinions, and conclusions were developed, and this review was prepared, in conformity with the Uniform Standards Of Professional Appraisal Practice
- I have made no exterior inspection of the property that is the subject of this review. This is considered a desk review
- no one provided significant professional assistance to the person signing this certification

Alan M Landing SRA
Review Appraiser
CG 40400480
Indiana License

Date October 14, 2005

Judy Vamos

From: "Judy Vamos" <jvamos@nirpc.org>
To: <snell53@aol.com>
Sent: Wednesday, October 19, 2005 4:39 PM
Subject: Notice to Proceed on Wicker Park Appraisal

DC
1198

19 October 2005

Dear Mr. Snell (John),

RE: DC 11198 (Wicker Park Golf Course), owner North Township

Please consider my e-mail today an official Notice to Proceed to complete an appraisal on the Wicker Park Golf Course. As we discussed today there has been a change of Trustee for North Township which owns the Park.

Greg Cvitkovich has resigned and the Township Board has assigned Mr. Dennis Simala as the Interim Trustee. My understanding is that the Board has 30 days from Greg's resignation to find a permanent replacement. Until I inform you of the change, please consider Mr. Simala your contact.

Also, the Corps is reviewing a possible design change to the levee on Hawthorn Drive which would affect the real estate takings. Is it acceptable under USPAP rules for you to complete the appraisal for the current plans and complete a second appraisal, or comparable appraisal, or addendum for a second value for new plans the Corps may design? When I know more from the Corps I will contact you.

Would you please check and let me know acceptable dates for completing the appraisal? Please reply to me if you have questions. 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

Mr. Snell
Called 10/20/05.
He can do an addendum
to the appraisal to show an
economic analysis on how
or he receive the new drawings!

Jr. 10/20/05

Called John Snell on
11/2/05 to relay information
that Interim Trustee is
done. New Trustee is
Frank Moran, Jr.

Jr.
11/2/05

5

10/19/05

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: <imad.samara@usace.army.mil>
Cc: <steven.j.petrucchi@lre02>; <imad.samara@usace.army.mil>;
 <victor.l.kotwicki@lre02.usace.army.mil>; "Louis M. Casale" <lcasale@cwblawfirm.com>; "Judy
 Vamos" <jvamos@nirpc.org>
Sent: Tuesday, November 01, 2005 9:09 AM
Subject: Real Estate meeting - Follow-ups

Imad:

The following are a list of several items that were discussed at the Real Estate meeting that need either an action or an update.

(1) Informational - The survey has been ordered from GLE to provide an easement along the south end of Cabela's that would allow us to construct a levee on their property north of where we are currently proposing to put an I-wall. We have also requested a modified legal description for North Township that would reflect a lesser easement on their property. Upon receipt of both of these legals, I will provide them to Judy Vamos in order that she may get supplementary appraisals that can be used as part of the comparative economic cost analysis.

I-3

(2) We discussed the current real estate for Stage ~~V-2~~ that show a permanent easement coming west off of Indianapolis Blvd, thence south and west parallel with Indianapolis Blvd to the Little Calumet River that was originally intended for access to construction of the Woodmar levee as well as to use to complete the recreational trail tie-in from the Hammond trail to the north. I would request that we would still get the same easement because final recreational trail locations in that area have not yet been determined but we could also use a revised construction entrance off of Indianapolis Blvd along the dedicated North River Drive (which is also currently part of our acquisition in this area).

- By using North River Drive during construction, it would avoid congestion between our construction traffic in the ingress/egress of Cabela's main entrance.

(3) Informational - We discussed the existing real estate that lies on the North River Drive right-of-way in Stage VII. I questioned whether or not all of these easements were intended to be on this right-of-way, particularly that area close to Columbia Avenue that extends out to the pavement of North River Drive. Upon investigating this situation, it appears that there will be no complication with getting the legals completed on North River Drive as is shown on the drawing and accordingly, I have ordered these legals to be done, which will then be coordinated with the city of Hammond. In the area closer to Columbia Avenue, it appears there will be a sheet pile wall that will be several feet south of the south pavement edge of North River Drive and that we will not be encroaching onto this pavement.

- In a previous design coordination meeting with the city of Hammond, Stan Dostatni (Hammond city engineer) expressed concern that this roadway will be kept open during construction and we need to reflect this when we finalize your engineering in this area.

OETSEL

(4) Informational - Griffith Golf Center survey: It was brought to my attention today that the appraisal will begin for the Griffith Golf Center and will be performed by Ted Edsel (?). It was also brought to my attention that Mr. Edsel has all the information he needs to complete this appraisal and a survey will not

OETSEL

6

11/1/2005

be needed.

I hope this information will be helpful in our future planning and if you have any questions regarding any of these items, please let me know.

Jim Pokrajac, Agent
Engineering/Land Management



DEPARTMENT OF THE ARMY
DETROIT DISTRICT, CORPS OF ENGINEERS
BOX 1027

RECEIVED OCT 11 2005

DETROIT, MICHIGAN 48231-1027

IN REPLY REFER TO

07 October 2005

Mr. Daniel Gardner
Land Acquisition Agent
Little Calumet River Basin Development Commission
6100 Southport Road
Portage, Indiana 46368

RE: Little Calumet River Flood Control Project
Stage IV - Phase 1(S)
Griffith Golf Center
Griffith, Indiana

Dear Mr. Gardner:

This letter concerns the real estate interest the Little Calumet River Basin Development Commission (LCRBDC) needs to secure for the Little Calumet River Flood Control Project, Stage IV - Phase 1 (S).

As required by the Project Cooperation Agreement, the Government has determined a Flowage Easement (Occasional Flooding) is required over the Griffith Golf Center, 1901 Cline Avenue, Griffith, Indiana (Lots 78, 96, 95, and 127), as depicted per the attached real estate drawing (Exhibit A) and Flowage Easement Estate (Exhibit B).

The Little Calumet River Basin Development Commission is directed to secure the Flowage Easement as required by the Agreement.

In acquiring the easement, the Project Cooperation Agreement requires the LCRBDC to comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 USC 4601, et. seq. and the uniform regulations contained in 49 CFR part 24. Information on the Act can be found at <http://www.fhwa.dot.gov/realestate/realprop>.

Please call if you have any questions regarding this matter.

Yours truly,

Victor L. Kotwicki
Chief of Real Estate
U.S. Army Corps of Engineers
Detroit District
477 Michigan Ave. 6th Floor
Detroit, Michigan 48226

cc: I. Samara

Judy Vamos

e-mail to Corps about a survey for Griffith Golf Center

From: "Kotwicki, Victor L LRE" <Victor.L.Kotwicki@lre02.usace.army.mil>
To: <jvamos@nirpc.org>
Sent: Tuesday, October 11, 2005 7:16 PM
Subject: Re: DC 836 Griffith Golf Center

I'll talk to Imad, I sure it is the whole piece.

② Vic

Sent from my BlackBerry Wireless Handheld

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

From: Judy Vamos <jvamos@nirpc.org>
To: Kotwicki, Victor L LRE <Victor.L.Kotwicki@lre02.usace.army.mil>; Samara, Imad LRC
 <Imad.Samara@lrc02.usace.army.mil>
Sent: Tue Oct 11 15:11:01 2005
Subject: DC 836 Griffith Golf Center

11 October 05

Dear Vic,

RE: new acquisition DC 836 Griffith Golf Center

Dan gave me your letter, the Corps directive you faxed to him on 10/7/05, to acquire a flowage easement on the Griffith Golf Center. I need a survey before I can assign an appraisal. I spoke with Imad and asked about real estate drawings to identify the area needed for the flowage easement on the property.

① Imad stated that to his knowledge there are no Corps real estate drawings for this area. He suggested that Jim and the surveyor could work together and produce a drawing.

I'm not comfortable with this - no real estate drawing - unless I have something in writing addressing that. Could you please call Imad and decide - a drawing or a letter advising us to produce our own drawing?

Please call me or reply. I send my thanks.

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

DC 836

Judy Vamos

From: "Kotwicki, Victor L LRE" <Victor.L.Kotwicki@lre02.usace.army.mil>
To: <jvamos@nirpc.org>
Cc: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; "Petrucchi, Steven J LRE" <Steven.J.Petrucchi@lre02.usace.army.mil>
Sent: Friday, October 14, 2005 11:22 AM
Subject: griffith Golf course

Judy; Since we are taking the entire golf course for a flowage easement I feel we do not need a boundary survey for the appraisal

③ process. Now, if a plan develops in which only a partial taking will be necessary then a survey will be required. That option

may develop if the petro company puts forward a plan that is acceptable from a flood control project standpoint.

Thanks

Vic



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



TERRELL R. OETZEL, MAI, CRE, SGA

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

*Received
11/1/05
gm.*

*Appraisal
estimate
with
scope of
work.*

October 27, 2005

*DC
836*

Ms. Judith Vamos
Land Acquisition Agent
Little Calumet River Basin Development Commission
6100 Southport Road
Portage, IN 46368

Re: Griffith Golf Course Appraisal (DC 836)

Dear Ms. Vamos:

Attached to this letter for your review are my business card, company brochure, and my qualifications as well as the qualifications of James T. Hartman, my partner. In addition, I have attached the Scope of Work concerning an appraisal of the above-mentioned property as you have provided to me.

Included in the Scope of Work is that the report is to be delivered 45 days after authorization to proceed with the assignment. This condition is acceptable. I have reviewed the Scope of Work, including the attached flowage easement. My fee is based upon this Scope of Work.

The appraisal will be based upon compliance with the Uniform Appraisal Standards for the Federal Land Acquisition and the Uniform Standards of Professional Appraisal Practice. I currently carry the general certified appraisal license with the State of Indiana.

As part of this contract, I will bill for additional hours spent in litigation time. My hourly rate is \$225 per hour for litigation time. This includes answering interrogatories, preparation for depositions, depositions, pre-trial, and trial time. This does not include the conference time as indicated in the Scope of Work, which deals with either telephone calls or additional meeting time for discussion of the appraisal once it is submitted to your office.

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

Ms. Judith Vamos

October 27, 2005

The fee to complete the appraisal is estimated as follows:

Terrell R. Oetzel:	Inspect subject property and area	8 hours
	Analysis of data	8 hours
	Writing report	12 hours
	Review final draft of report	<u>2 hours</u>
		30 hours
	30 hours @ \$225/hour = \$6,750	
Associate Appraisers:	Collect data from governmental agencies	2 hours
	Collection of area data	4 hours
	Collection of market data	<u>12 hours</u>
		18 hours
	18 hours @ \$125/hour = \$2,250	

Therefore, the estimated fee to complete the appraisal (not including litigation time) is \$9,000.

I had previously provided a letter to Mr. Victor Kotwicki and Mr. Steve Petrucci concerning the appraisal fee, which was higher than the fee I have estimated above. The reason for this is that you indicated that we would possibly be doing other jobs for you and that collection of some of the data could be used for these other jobs where they could not be used a second time were it a one-job contract.

If you should have any questions, please call.

Cordially yours,

THE OETZEL-HARTMAN GROUP



Terrell R. Oetzel, MAI, CRE, SGA
Certified General Real Estate Appraiser
State of Michigan, Number 1201000007
State of Indiana, Number CG49400226

TRO/paw

Scope of Work

SCOPE OF WORK
REAL ESTATE APPRAISAL
OF "GRIFFITH GOLF CENTER"

SCOPE: This is a solicitation for your bid to prepare a narrative appraisal report in compliance with the Uniform Appraisal Standards For Federal Land Acquisitions, (USAFLA), Washington, D.C. 2000 and the Uniform Standards of Professional Practice (USPAP). At a minimum, the appraisal must meet the USPAP requirements for a Complete Appraisal in a Self-Contained Appraisal Report Format.

The UASFLA is available via the Internet at <http://www.usdoj.gov/enrd/land-ack/>
The USPAP is also available via the Internet at <http://www.appraisalfoundation.org/uspap/toc.htm> The bid submitted is response to this request must incorporate the full scope of work as outlined herein. Failure to consider this scope will not relieve the appraiser of responsibility to comply with this contract.

PROPERTY LOCATION: Griffith Golf Center
ES Cline Avenue, S of 80/94 Borman Expressway
Griffith, Indiana

OWNER OF RECORD: Mr. Farag

PURPOSE OF APPRAISAL: The purpose of the appraisal is to provide an independent opinion of Real Estate market value to aid in the evaluation of the subject property for planning purposes.

BRIEF PROPERTY DESCRIPTION: Subject is a "par three" public golf course with club house and driving range, etc., occupying an area of approximately 64 acres. The subject has certain limitations, as it is located within a designated floodplain and subject to occasional flooding. A City-owned pumping station also occupies part of the site. The site contains an access road to the pumping station.

ASSIGNMENT: Prepare a Before & After appraisal in accordance with the described Scope and Purpose. The After analysis shall address any potential impact of a Permanent Occasional Flooding Easement which may be placed on the property.

DATE OF VALUATION: Determined as of the appraiser's last date of inspection.

VALUE REQUESTED: Fair Market Value as of the Date of Valuation.

The following definition of Market Value must be used in the appraisal:

Market value is the amount in cash, or on terms reasonably equivalent to cash, for which in all probability the property would have sold on the effective date of the appraisal, after a reasonable exposure time on the open competitive market, from a willing and reasonably knowledgeable seller to a willing and reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration, to all available economic uses of the property at the time of the appraisal*

*Uniform Appraisal Standards For Federal Land Acquisitions, Section B-2, Page 30.

INTEREST TO BE APPRAISED: 1) Fee Simple Estate (Provide Definition in Report), subject to existing restrictions (Before) and, 2) any Easement interest resulting from the imposition of Permanent Occasional Flooding Easement (After). See attached Easement.

All applicable approaches to value should be considered. The appraisal shall include a comprehensive analysis of the Highest and Best Use of the subject as vacant and as improved.

The Highest and Best Use analysis shall provide written reasoning to the extent and detail required to support opinions of value. The Highest and Best Use conclusion must be for an economic use. So called "public interest value", including but not limited to, preservation and conservation, or any non-economic highest and best use is not acceptable. Sales to and from public or quasi-public agencies are not acceptable as comparables unless the appraiser can demonstrate that the transfers were at arm's length, free from any threat of condemnation or inducement including, but not limited to, tax incentives not available to the general public. In order for the reviewer to understand the basis for all value conclusions, the report shall clearly and fully describe, define, or explain the basis for all analysis and conclusions.

The appraisal report must be so complete, consistent, and comprehensive that a reviewer can clearly understand the methodology used by the appraiser to arrive at value estimates.

The description of subject land and buildings shall include a discussion of any deficiencies or sufficiency's which affect value. By example, wetlands, drainage ways, any market stigma, etc. In the case of the subject, the appraisal shall assume that the subject is free of any structural or subsurface contaminants.

The report shall contain adequate color photographs of subject site and improvements. The report shall also contain adequate discussion of comparable sales with complete write-up, color photos, and location map.

Tangible personal property not defined as realty shall not be included in the value estimate.

INSPECTIONS: The appraiser is required to personally speak with the owner(s) or their agents or representatives. The appraiser will offer the owner or his designated representative the invitation to accompany him/her in the detailed inspection of the property and give careful, considerate attention to all the information and comments offered. The owner may be a prime source of detailed information of importance.

ORIGINALS/COPIES: One original with original signatures and photographs and six (6) copies with original signatures and photographs shall be furnished.

SUPPLIED MATERIALS: Upon Notice to Proceed, the following materials will be supplied:

- 1) Legal description (or property sketch) of the property to be appraised.
- 2) Name & phone number of contact for site inspection.

DELIVERY: The appraisal report and all copies shall be submitted on or before 45 days after Authorization to Proceed with the assignment.

PLACE OF DELIVERY: United States Engineer District, Detroit
ATTN: Victor L. Kotwicki, Chief, Real Estate Division
McNamara Federal Building, 6th Floor
477 Michigan Avenue, Detroit, Michigan 48226

APPRAISER LICENSING: The responsible appraiser must be the principal appraiser/owner of the appraisal company and licensed as a Certified General Appraiser in the State of Indiana. The responsible appraiser must also possess an MAI designation. The responsible appraiser shall be identified and a copy of the appraiser's qualifications and current license must be submitted with the bid proposal. The report will be certified and signed by the Principal Appraiser.

CONFERENCES: The appraiser shall be available for conferences, either by phone or at his/her office for no additional charge.

MODIFICATIONS OF DELIVERED APPRAISAL REPORT: The appraiser shall modify or supplement any appraisal report when additional data is discovered that was known or should have been known to be in existence prior to the delivery of the report. Where application of principles of law relating to real estate appraisals require the modification or supplementing of such appraisal report; the requirements of either the Uniforms Appraisal Standards For Federal Land Acquisitions or Uniform Standards of Professional Appraisal Practice have not been met. Corrections for errors (i.e. methodology, math, or typographical) discovered during the appraisal review process shall also be provided at the request of the Review Appraiser. This service shall be rendered without additional cost.

PAYMENT: The sum set out in the contract for the appraisal report shall constitute full payment to the appraiser and shall include all supplies, material, equipment and transportation incidental to preparing and delivering the report(s). The contract price

shall be due and payable for acceptable appraisal reports upon delivery and acceptance of such reports accompanied by a properly certified invoice.

The appraisal report will be reviewed by an authorized review appraiser. The appraiser will be required to clarify any issues. The work product will be accepted for review with payment authorized upon appraisal review approval.

The report, as reviewed and approved, will be submitted to the indicated Place of Delivery by 45 days after Date of Authorization to Proceed with the assignment.

APPRAISAL REPORTS TO BE CONFIDENTIAL: All information contained in the appraisal report to be made hereunder and all parts thereof are to be treated as strictly confidential. The appraiser shall take all necessary steps to ensure that no member of staff or organization divulge any information concerning such appraisal reports to any person other than a duly authorized representative of the United States Corps of Engineers.

The bid submitted must incorporate the full scope of work as outlined herein. Failure to consider this scope will not relieve the appraiser of responsibility to comply with this contract. A copy of this Scope of Work shall be included in the addendum of the appraisal.

Please address any questions to: Vic Kotwicki, Chief, Real Estate Division @ 313. 226.3480

Judy Vamos

From: "Judy Vamos" <jvamos@nirpc.org>
To: "Johnson, Elizabeth" <Elizabeth.Johnson@mail.house.gov>
Sent: Wednesday, September 28, 2005 11:06 AM
Subject: Re: Stage V-3 DC List

28 September 05

Dear Elizabeth,

As I mentioned in my letter, I am writing a DC List for Stage V-3 of which the most important acquisitions are the easements on the Woodmar Country Club. The appraisal is complete and we know the just compensation amount. Whether it goes to Woodmar or Cabelas's, whether it's a donation or payment is yet to be known.

The rest of V-3 are INDOT easements. We will work with INDOT, but it may take a little longer for acquisition.

Anyway, I'll send the DC List for Stage V-3 as soon as possible. Please call me if questions.
Thanks.

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

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

From: [Johnson, Elizabeth](#)
To: 'jvamos@nirpc.org'
Sent: Tuesday, September 27, 2005 2:13 PM
Subject: Stage V - Little Calumet River

Hi Judy,

Thanks for sending me the parcels for Stage V-2. Per your letter, you mention a new list for Stage V-3 - if you can send that list to me via USPS, or email if it is easiest, as soon as it is ready, I would appreciate it. Thanks for all your help.

Liz

Judy Vamos

From: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
To: "Judy Vamos" <jvamos@nirpc.org>
Sent: Thursday, September 29, 2005 11:33 AM
Subject: RE: Stage V-3 DC List

Thank you so much Judy...

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

From: Judy Vamos [mailto:jvamos@nirpc.org]
Sent: Thursday, September 29, 2005 11:19 AM
To: Johnson, Elizabeth
Cc: Samara, Imad LRC
Subject: Stage V-3 DC List

29 September 05

Dear Elizabeth,
cc: Imad

Attached is DC List for Stage V-3 as you requested. It is preliminary and I will update it as we identify any new acquisitions. Please note that we're working on the Woodmar/Cabela acquisition and we'll know more after the meeting with Hammond officials in mid-October.

I am mailing to you today a map of Stage V-3 which is basically the Woodmar acquisition. I've identified the Hammond-owned roadway area off of Indianapolis Boulevard so you can get a better idea of where a possible new entrance to Cabelas would be.

Please call me if you need any further information. Thanks.

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

*e-mailed
link to
Elizabeth
Jv.
9/29/05*

18

9/29/05

INTERNAL MEMORANDUM

TO: Elizabeth Johnson, Congressional Representative (Visclosky)
FROM: Judith (Judy) Vamos, Land Acquisition, LCRBDC
DATE: 17 October 2005
SUBJ: Chronological Update of DC 598
owner Norfolk Southern Railroad (NS RR)

*sent
Chronology
attached
to memo -
Jr.
10/17/05*

Attached is the chronology of the acquisition of DC 598, owner Norfolk Southern Railroad in the Burr Street Betterment Levee Area as you requested. Documents are in LCRBDC file DC 598 file and can be copied and mailed for your review, if necessary.

An explanation: In the past LCRBDC and the NS RR worked together on approving the design and engineering of the easement area before railroad real estate would review the proposed offer. Two areas of levee construction have already been erected this way.

This time after months of no cooperation from the railroad LCRBDC decided to send the offer to NS real estate and have real estate contact their own engineering staff in the hope of having them contact us. It seems like this situation goes on and on. We are striving to keep a dialogue open and negotiate, but we are now in condemnation with DC 598.

*sent support documents
to Elizabeth on 10/18/05.
Jr.
10/18/05*

Sent: Tuesday, October 18, 2005 11:18 AM
To: Johnson, Elizabeth
Subject: Reply Re: Little Cal - Stage V

18 October 2005

Dear Liz,

Yes, we still have to acquire easements on both sides of Hart Ditch, on the west side between the ditch and Hawthorne Drive and on the east side in Wicker Park. Both sides are owned by North Township. Dan spoke with Greg Cvitkovich two weeks ago about donating the easements and he was agreeable. Now with Greg's resignation and an Interim Trustee - ? We remain hopeful.

Also, I'm completing the timetable of acquisition for the NS Railroad and will e-mail it. I have letters and technical drawings. Do you want me to snail mail them to 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

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

From: Johnson, Elizabeth

To: 'Judy Vamos'

Sent: Tuesday, October 18, 2005 9:48 AM

Subject: Little Cal - Stage V

Good Morning Judy,

Quick Question - the easements along Hart Ditch, along both the Munster and Highland sides, and up to Northcote - do you still have to acquire access to those easements?

Thanks, Liz

DC 1198

Judy Vamos

From: "Judy Vamos" <jvamos@nirpc.org>
To: "Johnson, Elizabeth" <Elizabeth.Johnson@mail.house.gov>
Sent: Tuesday, October 18, 2005 12:37 PM
Subject: Re: Reply Re: Little Cal - Stage V

18 October 05

Dear Liz,

To clarify further about the North Township acquisition (DC 1198 Wicker Park):

- (H)
- 1.) The North Township (Wicker Park) appraisal update is being completed now. We will have a definite number for just compensation to North Township when the appraisal is reviewed and approved.
 - 2.) Dan's understanding is that the North Township Board has 30 days from Greg's resignation to appoint a new director. He will speak with Interim Trustee Dennis Simala about easement donations to the project and work with the new Trustee.

Hope this helps. Thanks.

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

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

(3)
From: Johnson, Elizabeth
To: 'Judy Vamos'
Sent: Tuesday, October 18, 2005 11:27 AM
Subject: RE: Reply Re: Little Cal - Stage V

Great, thanks for the clarification. Will you have to resubmit the request to North Township, once a new trustee is elected, or does the request still stand for approval?

Please go ahead and email the timetable, and the letters and technical drawings can be sent regular mail. I'll be looking forward to them!

Thanks, Liz

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

From: Judy Vamos [mailto:jvamos@nirpc.org]

Judy Vamos

From: "Judy Vamos" <jvamos@nirpc.org>
To: "Victor L. Kotwicki" <Victor.L.Kotwicki@lre02.usace.army.mil>; "Steven Petrucci" <Steven.J.Petrucci@lre02.usace.army.mil>; "Samara, Imad LRC" <Imad.Samara@lre02.usace.army.mil>; <Elizabeth.Johnson@mail.house.gov>
Sent: Friday, October 28, 2005 5:02 PM
Subject: Update on Stage V-2 Appraisals

Friday, 28 October 2005

Deer Vic, Steve, Imad, and Elizabeth,

RE: Update on Stage V-2 Kennedy to Northcote

On 26 October 05 I received from our Appraisal Reviewer Alan Landing the approvals for nine (9) residential properties in Stage V-2. There are 34 acquisitions in Stage V-2.

These are approved:

DC 1118
DC 1119
DC 1121
DC 1124
DC 1125
DC 1127
DC 1128
DC 1129
DC 1130

We need a title update on each (property in the West Reach does transfer ownership faster than the East Reach) and then Lou can start assembling and sending out offers. Any questions? Call me. Thanks.

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

LCRBDC MEMO

TO: Jim Pokrajac, Engineering
FROM: Judy Vamos, Land Acquisition *JW*
DATE: 10 October 05
SUBJ: Request for INDOT easement on LCRBDC property

*Give original
to Jim
10/11/05
JW*

On 10/5/05 I received a packet and personal call from Keith Moberg, Land Acquisition Specialist for INDOT, requesting an INDOT easement to be imposed on several lots owned by LCRBDC. I explained that we must review and approve the acquisition request for its impact on the flood control project. I am forwarding the packet to you for your review.

I called Mr. Moberg today and he said that once we approve their engineering it is not necessary for us to sign INDOT's Uniform Land Offer. He will send me the securing documents (easement agreements) to actually transfer the easement rights. Those documents must be signed.

In our conversation Mr. Moberg and I discussed INDOT's new procedure for obtaining LCRBDC easements on INDOT property. He explained that INDOT has been under a re-organization and land acquisition will soon be decentralized. INDOT will establish regional offices in various parts of the state. Each office will be a team effort of INDOT real estate representative, appraiser, engineer, etc. We will be working with INDOT's northwestern region for requests of LCRBDC easements on INDOT land. Before the new system is in place, however, he advised us to use him as a POC.

Please review the packet and call Keith if you have questions concerning the easements. Thanks.

*perhaps we
could get a new
quicker way
to have INDOT
process our
easements?*

*JW
10/10/05*

23

"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.

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



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 usage and other specialized equipment usage 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.

3. Other Provisions Concerning Payments:

3.1 If OWNER should fail to make any payment due ENGINEER for services and expenses within sixty (60) calendar days after receipt of ENGINEER's statement therefor, the amounts due ENGINEER will be increased at the rate of 1% per month from said sixtieth day, and in addition, ENGINEER may, after giving seven days written notice to OWNER, suspend services under this Agreement until ENGINEER has been paid in full all amounts due for services, expenses and charges.

3.2 In the event of termination by OWNER upon the completion of any phase of the Basic Services, progress payments due ENGINEER for services rendered through such phase shall constitute total payment for such services. In the event of such termination by OWNER during any phase of the Basic Services, ENGINEER also will be reimbursed for the charges of independent professional associates and consultants employed by ENGINEER to render Basic Services, and paid for services rendered during that phase on the basis of ENGINEER's Salary Costs times a factor of 2.37 for services rendered during that phase to date of termination by ENGINEER's principals and employees engaged directly on the Project. In the event of any such termination, ENGINEER will be paid for all unpaid Additional Services and unpaid Reimbursable Expenses, plus all termination expenses. Termination expenses mean additional Reimbursable Expenses directly attributable to termination, which, if termination is at Owner's convenience, shall include an amount computed as a percentage of total compensation for Basic Services earned by ENGINEER to the date of termination, as follows:

20% if termination occurs after commencement of the Preliminary Design Phase but prior to commencement of the Final Design Phase; or

10% if termination occurs after commencement of the Final Design Phase.

3.3 Records of ENGINEER's Salary Costs pertinent to ENGINEER's compensation under this Agreement will be kept in accordance with generally accepted accounting practices. Copies will be made available to OWNER at cost, if requested prior to final payment for ENGINEER's services.

3.4 Whenever a factor is applied to Salary Costs in determining compensation payable to ENGINEER, that factor may be adjusted periodically and equitably to reflect changes in the various elements that comprise such factor. All such adjustments will be in accordance with generally accepted accounting practices as applied on a consistent basis by ENGINEER and consistent with ENGINEER's overall compensation practices and procedures.

4. Definitions:

4.1 The Salary Costs used as a basis for payment mean salaries and wages (basic and incentive) paid to all ENGINEER's personnel engaged directly on the Project, including, but not limited to, engineers, architects, surveyors, designers, draftsmen, specification writers, estimators, other technical and business personnel; plus the cost of customary and statutory benefits including, but not limited to, social security contributions, unemployment, excise and payroll taxes, workers' compensation, health and retirement benefits, sick leave, vacation and holiday pay and other group benefits.

The amount of customary and statutory benefits of all personnel of ENGINEER will be considered to be equal to 33% of the salaries and wages, subject to equitable adjustment to reflect changes in ENGINEER's overall compensation procedures and practices.

4.2 Reimbursable Expenses mean the actual expenses incurred by ENGINEER or ENGINEER's independent professional associates or consultants directly or indirectly in connection with the Project, such as expenses for: transportation and subsistence incidental thereto; obtaining the bids or proposals from Contractor(s); providing and maintaining field office facilities including furnishings and utilities; subsistence and transportation of Resident Project Representatives and their assistants; toll telephone calls and telegrams; reproduction of Reports, Drawings, Specifications, Bidding Documents and similar Project-related items in addition to those required under Section 1; and if necessary, overtime work required higher than regular rates.



**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

Lawson-Fisher Associates P.C



HOURLY BILLING RATES

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

Rates Effective through December, 2005

TABLE 1

2005 NIES ENGINEERING PERSONNEL HOURLY RATES

<u>CLASSIFICATION</u>	<u>HOURLY RATE</u>
CLERICAL	\$30.00 TO \$50.00
JR. TECHNICIAN	\$32.00 TO \$60.00
SR. TECHNICIAN	\$65.00 TO \$90.00
JR. ENGINEER	\$55.00 TO \$80.00
ENGINEER	\$75.00 TO \$100.00
SR. ENGINEER OR PRINCIPAL	\$120.00 TO 135.00

SEH Hourly Billable Cost Range**Classification ⁽¹⁾****Billable Rate ⁽¹⁾****Office Staff**

Principal	\$130.30 - \$216.45
Project Manager	\$109.70 - \$206.55
Project Engineer/Architect/Planner/Scientist	\$89.05 - \$176.65
Staff Engineer/Architect/Planner/Scientist	\$77.70 - \$135.85
Lead Technician	\$76.70 - \$122.05
Senior Technician	\$73.45 - \$109.20
Technician	\$54.60 - \$94.90
Associate Technician	\$48.10 - \$71.00
Word Processor	\$53.60 - \$79.10
General Clerical	\$47.60 - \$79.10
Graphic Designers	\$67.90 - \$96.85

Field Staff

Lead Project Representative	\$82.90 - \$136.65
Sr. Project Representative	\$75.90 - \$106.10
Project Representative	\$58.80 - \$95.90
Survey Party Chief	\$69.90 - \$127.70
Survey Instrument Operator	\$59.80 - \$74.60
Survey Assistant	\$43.55 - \$68.25

⁽¹⁾ The actual rate charged is dependent upon the hourly rate of the employee assigned to the project. The rates shown are subject to change.

Effective: January 1, 2005
Expires: December 31, 2005

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CONFIDENTIAL
FOR USES BY
LCRBDC BOARD
ONLY AT 11/9/05
COMMISSIONERS MEETING

Dear Burton
SEH 11/8/05



WORK STUDY SESSION
NOVEMBER 9, 2005

LAND ACQUISITION COMMITTEE
Robert Marszalek, Chairman

1. There are no increased offers. There is one (1) condemnation

East Reach area – DC832 has rejected the offer of the appraised price of \$2,500 for a flowage easement. Action needed to approve the condemnation filing.

2. Stage V-2 (Kennedy to Northcote, north and south levees)

We are on schedule. There are a total of 34 acquisitions and 22 of them have been approved by our independent reviewer. The appraiser has indicated that he should have the remaining 12 approved and back to us by the end of November (except for Wicker Park and Tri-State). Offers can start to go out at that time.

3. Stage VII (Northcote to Columbia)

We are on schedule. We are all set to assign the appraisals in January. (Title work and surveys are substantially completed)

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

On October 7, 2005, we were directed by the Corps to obtain a flowage easement on the entire golf course property. We are in the process of interviewing the appraisal firm recommended by the Corps; the firm of Oetzel & Hartman submitted an estimate of \$9,000 to do the appraisal. We are requesting other appraisal estimates to use as a comparison.

PROCEDURE OF NOMINATING COMMITTEE
(Excerpted from the By-Laws)

A Nominating Committee is to be chosen by the full Commission at its November meeting. Each Commissioner can vote for three candidates (not more than one vote for any candidate) with the top three vote getters (plurality, not majority) from all Commissioner votes becoming the Nominating Committee. The Nominating Committee is to meet and, considering the reaffirmed Goals of Officer and Committee Rotation Policy, report to the full Commission at the January meeting a slate of candidates, with additional nominations available from the floor.

Please make your selection below:

and return to Sandy.

**WORK STUDY SESSION
LAND MANAGEMENT
NOVEMBER 9, 2005
Bob Marszalek, Committee Chairman**

1. Staff needs approval from the Commission to pursue interest in the "now vacant" Chase Street Produce building.
 - 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.
 - With the building vacant, an attempt was made to break into the storage facility. LCRBDC worked with Gary to move closure structures and hardware to the old Nike site, and the spare parts for all (4) completed Gary pump stations to the GSD storeroom.
 - Letters were sent to Dwain Bowie (United Water) and Jeff Kumorek (Gary Civil Defense) thanking them for their cooperation to re-locate this material.
 - The Gary Fire Department expressed interest in the use of this facility as part of their potential regional training area. They currently occupy the Nike site.
2. 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 details of what they propose to install to see if their construction impacts our current line of protection.
3. Ditch maintenance south of 35th Street between Chase and Grant is an ongoing problem.
 - An e-mail was sent to Gary on October 27, 2005 requesting they clean and maintain this ditch. LCRBDC and Berkheimers have been doing this for years at their expense.
 - Debris accumulates and dams up the ditch. The water table rises causing problems for Berkheimers, as well as the Lake County Association for the Retarded. When the debris is removed, it flushes through our control structure, culverts, and flap gate east of Chase. This causes the flap gate and sluice gate to not be operable and requires cleaning and removal of debris.

WORK STUDY SESSION ENGINEERING COMMITTEE

November 9, 2005
Bob Huffman, Committee Chairman

1. Discuss the proposal for certification of the Griffith levee by an engineering firm. Lawson-Fisher submitted a proposal of a cost not to exceed \$9,700.
 - At the October 15 Work Study Session, the acceptance of this proposal was tabled by the Board members.
 - Staff was requested to obtain fee schedules from several other engineering firms to make cost comparisons before procuring services. (Refer to handout)
2. SEH will make a presentation on behalf of the Hammond Sanitary District regarding CSO minimization.
3. Stage V-2 pipeline corridor update
 - Follow-up letters were sent to all the owners of the pipelines on October 18 & 19 requesting comments on design and to provide cost estimates.
 - The Corps is currently pursuing engineering for Stage VIII (Columbia to the State line), and the Betterment levee projects, and tentatively will begin V-2 engineering in March of 2006. (LCRBDC intends on providing as much engineering review and comments to the Corps ahead of time to help expedite the final design).
4. A meeting was held with Steve Enger and (2) neighbors on October 25 to review their concerns and discuss some suggestions for design modifications. (Refer to attachments 13-15 of the Engineering Report).
5. A pre-construction meeting was held with the Corps, the contractor, local municipalities, utility companies, and LCRBDC for Stage VI-1 North (Kennedy to Cline, North of the river) on November 1.
 - Notice to proceed was given on October 19, 2005; pending construction completion date July 21, 2007.
 - Anticipated construction start, clearing and grubbing in December 2005; sheet piling start late January 2006.
6. Inspection held for the Landscaping II project on October 25.
 - Inspection was satisfactory and included planting of trees, herbiciding of levees next spring to allow for ultimate planting of native grasses, and cleaning up and clearing miscellaneous collector ditches and rip-rap areas.

WORK STUDY SESSION
OPERATION AND MAINTENANCE
November 9, 2005
BOB HUFFMAN, Committee Chairman

1. Action required to pursue resolutions and agreement for the operation and maintenance of the two Stage III Remediation pump stations in order for Gary to accept O&M responsibility.
 - The Pump Station O&M agreements and resolutions are currently being finalized by staff.
 - These stations are 32nd and Cleveland (west of Grant Street) and Marshalltown.
2. Status of repairing the four (4) Gary pump stations to "as-built" condition.
 - The preliminary scope of work and plans are substantially complete and it is the goal of the staff to submit these to Gary for review and comment by Friday, November 11, 2005 (Refer to handout).
3. Burr Street Gary - Drainage ditch design addressing the water quality has been completed by J. F. New and they submitted a draft to the Army Corps for review on October 31, 2005.
 - This will be included as part of the bid package.



mark kiesling

times columnist

Whatever Dean wants, Dean will get

I once watched at the auto auction in Auburn as a man tried to outbid baseball slugger and auto collector Reggie Jackson on a 1956 Chevrolet Bel Air convertible.

Jackson, whose collection had recently been lost in a warehouse fire, came to the auction with a full checkbook and an empty garage. He wanted that Chevy, and his rival never stood a chance.

Dean White, Northwest Indiana's resident billionaire and the 283rd richest man in America, wants the property on Indianapolis Boulevard where a Kmart and Builder's Square once stood and which is right across from the proposed Cabela's development.

And likewise it's no secret that he's interested in the land at the next stop along the Borman Expressway on Kennedy Avenue where the River Park Apartments now stand - apartments bought by the city of Hammond and slated for demolition and retail development.

They'd be a nice pair of bookends for the White-owned lodging complex on the west side of Kennedy Avenue at the Borman, and would benefit enormously from traffic to Cabela's, whose Dundee, Mich., store is that state's number one tourist destination.

Hammond Mayor Tom McDermott Jr. said he knows Dean White is interested. "I say more power to him," McDermott said. "But he's not going to get the land unless he's the highest bidder. If it's Dean White, good for him. I think it's a show of confidence that Dean White wants to invest in Hammond."

If Dean White wants it, he's in the seat Reggie Jackson was in at that auction. The driver's seat.

The mayor's dad, Tom McDermott Sr., busted his keister to make the Cabela's deal happen, and he also happens to be Dean White's neighbor in the Morningside community in Crown Point, an area so exclusive that the million-dollar-plus homes cannot be seen except from the air.

Cabela's has fought hard to bring its store to Hammond, with an exit right on America's busiest expressway and a site less than half an hour from downtown Chicago. But it hasn't been without its bumps, including the extraction of promises of state incentives from the Indiana Economic Development Corp.

Although the IEDC traditionally uses such incentives to lure manufacturing jobs, Cabela's and its job creation and tax base have made the corporate officers reconsider.

One of the dozen IEDC officers has a personal stake in the development as well - Bruce White, Dean's son and chief executive officer of White Lodging Services Corp.

But this far Bruce White has been surprisingly circumspect on endorsing a tax break for Cabela's, saying such chains locate based on demographics and location, not economic incentives.

The players are all in place for some massive development in Hammond along the Borman Expressway corridor. Will the citizens of Hammond and the surrounding areas benefit? I'm hopeful, but only time will tell.

Will some Crown Point residents benefit? Bet on it.

The opinions of the writer are not necessarily those of The Times. Readers can reach Mark Kiesling at markk@nwitimes.com or (219) 933-4170.

STORY TIP OR COMMENTS?

Call West Lake Editor Sharon Ross at 219.852.4328 or e-mail sross@nwitimes.com

PROJECT ENGINEERING MONTHLY STATUS REPORT

For meeting on Wednesday, November 9, 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 September 30 – November 3, 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.

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.
 - First seeding is scheduled to be done in the Fall of 2005.
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 next spring, clean up growth in collector ditches, plant new native grasses on levees.**

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.
 - Awaiting as-built drawings. **(This is the last item that will be needed to turn over the (2) pump stations to Gary for O&M responsibility)**
 - A letter was sent to the Corps on August 16 indicating that the 32nd & Cleveland and Marshalltown pump stations cannot be turned over to Gary until drawings, training, and parts and warranties are available. (Refer to O&M Report).
 - 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, paid for, and coordinated by the City of Gary. The Army Corps will oversee the construction to assure compliance with federal specifications.
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 will be included as part of the bid package and the design will be provided to the Corps by J. F. New.
 - **LCRBDC received an e-mail from J.F.New on October 31, 2005 indicating that they have submitted a draft of everything for their portion of work to the COE for their review.**

- LCRBDC attorney currently working on Interlocal Agreement as part of overall agreement with the City of Gary for O&M turnover.

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 project cost.
2. The current schedule shows an October, 2005 construction start and a November, 2006 construction completion.

STATUS (Stage V Phase 2) Kennedy Avenue to Northcote

1. The current schedule projects a May, 2007 construction start and a November, 2008 completion. **Also engineering for plans and specs to begin April, 2006, and be completed April, 2007.**
2. LCRBDC received an e-mail from Siavash Beik to the COE dated January 4, 2005 regarding the Scheduling of our upcoming West Reach projects, and LCRBDC commitment to obtaining necessary real estate.
 - LCRBDC received a letter from Christopher Burke (Siavash Beik) sent to Hammond on January 21, 2005 indicating that Hammond could come out of the floodplain east of the NSRR when all construction is completed to Cline Avenue.
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.** **2-8**
 - B. With the engineering for plans and specs to re-start in March, 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.
 - **The COE responded to engineering concerns from Wolverine on October 27, 2005. These comments were forwarded to Wolverine on October 28.** **9-11**
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 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.** **12**

6. A meeting was held with representatives from The Committee to Preserve Wicker Woods (CPWW) on October 25 to review their concerns and suggestions. (Refer to Engineering Report).

- Preliminary concerns include design modification along the E/W portion adjacent to the river (use sheet piling instead of levee), working with COE/Munster/LCRBDC for landscaping, and the possibility of eliminating the recreation trail in this area.
- His letter, dated October 25, 2005, will be forwarded to the COE for review, comments, and consideration.

13-15

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

1. Refer to Land Acquisition report for status of appraisal.
 - The current schedule shows a September 2006 acquisition deadline. The schedule shows a February, 2009 construction start.
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 (See Item #1).
3. Request was sent to the COE on the November 1, 2005 e-mail that we would still pursue the total acquisition from INDOT west of Indianapolis Blvd. at the "K-Mart light" to the river, but use the north River Drive parcel for construction access and permanent easement for flood fighting, inspections, and maintenance (See Item #2)

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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) - \$6,503,093.70 (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. Received monthly Construction Status Report from the COE (Refer to Handout)
3. Army COE modified the design for levee installation North of Homestead Park from the 5th Ave. Pump Station to Parrish Ave. due to soil complications. Will install sheet piling – drawings sent to Highland on September 12th, 2005, with design modifications.

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 apparent 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 – We received an e-mail on October 3, 2005)
 - The bid is \$958,382 (or 14.7%) under the Federal estimate
2. 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.
 - 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.

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- 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.**
3. 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.
 4. **Received COE approval, and an agreement will be sent to NIPSCO (Site 2.1)**
 5. **Received monthly Construction Status Report from the COE. (Refer to Handout)**
 6. **A pre-construction meeting was held on November 1, 2005 at the Griffith COE office to review upcoming construction and coordinate with local municipalities and utilities.**

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

1. The COE estimate (without profit) was \$5,720,757 and the low bid from Dyer Construction if \$4,205,645.16 (\$1,515,112 under the estimate) This is approximately 26% under Corps estimate (without profit)
2. NIPSCO utility coordination
 - A. A request for the COE to review & approve utility re-locations West of Cline and new pole installations on Liable & Kleinman in the amount of \$25,907 was sent out on September 22nd, 2005.
 - B. **Approval was received from the COE on October 12, 2005 and an agreement was sent to NIPSCO on October 24, 2005.**
3. 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. The cost will be determined on T&M costs provided in previous NIPSCO estimates.
 - B. **Excavation started on November 1 – The 8” pipe will require (2) reinforcements, the 30” pipe will require one, and the 36” is yet to be determined.**
 - Contractor has 540 calendar days to complete construction. This projects to a February 2007 completion.
 - The construction start, after approval of submittals, is tentatively going to be end of September.
5. **Received monthly Construction Status Report from the COE (Refer to Handout)**

20-22

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 has been ordered. Anticipate completion by the **middle of November.**

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

1. Project currently on hold.
2. Some preliminary design has been completed by SEH. (Contract has been terminated at this point in time.)
3. A letter was sent to the Corps by Congressman Visclosky's office indicating they want a December 2009 construction completion date for the project.
4. **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.**

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.
 - A summarization of the inspection was received by the LCRBDC on June 4, 2004.
3. The 24 month monitoring period began on May 15, 2004 (Cost - \$3,000/month)

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. The COE sent Overstreet a cure letter on October 19, 2004 due to lack of progress.
4. Project currently on hold – Refer to construction status report.
5. **Received 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".

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.)

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 for enclosures)

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 is awaiting a letter from the Corps indicating that all of the flood control related features done as part of the INDOT construction will be creditable to the LCRBDC. (Ongoing as of July 29, 2005)

- LCRBDC had a call with INDOT on March 17 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 (See Item #1).

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Jim Pokrajac

From: "Sandy Mordus" <smordus@nirpc.org>
To: <jpokrajac@nirpc.org>
Sent: Monday, October 31, 2005 2:44 PM
Attach: 02821 PLANTING.doc; Ditch5_Bid_Schedule_adjustments.xls
Subject: Fw: USCOE Betterment Levee Project

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

From: Scott Dierks
To: Samara, Imad LRC ; Drew Bender
Cc: smordus@nirpc.org ; spike@garysan.com ; John Hutzler ; James B. Meyer ; Niec, Jay ; Don Smales
Sent: Monday, October 31, 2005 2:42 PM
Subject: RE: USCOE Betterment Levee Project

Here is our planting specification and an amended set of bid items for your review. Our planting spec is not too different from the one already in your bid package, but we do call out the use of 6-inches of topsoil rather than 3-inches. Your maintenance spec looks pretty good too and I am assuming it would include our Ditch 5 planting. I believe with this submission that I have submitted a draft of everything for our portion of the project. Please review and let me know what else you need from us.

Yours,

Scott Dierks, P.E.

Ann Arbor Manager

JFNew

POB 7780

Ann Arbor, Michigan 48107-7780

phone: 734-222-9690 fax: 734-222-9655

sdierks@jfnew.com www.jfnew.com



Little Calumet River Basin Development Commission

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E-mail: littlecal@nirpc.org

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CHARLIE RAY
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VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

October 18, 2005

Mr. Don Samala
BUCKEYE PARTNERS
5002 Buckeye Road
Emmaus, Pennsylvania 18049

Dear Mr. Samala:

I had sent you a letter on June 20, 2005 requesting your review and comments for the proposed Federal flood protection construction west of Kennedy Avenue and south of I-80/94. I also requested information regarding cost estimates for construction impacts to your pipelines due to the sheet pile installation, if any, regarding the lines of protection both north and south of the Little Calumet River in this area. In this letter, I also stated that the current Federal construction schedule was to award a contract in July 2007 with a construction start in the fall of 2007. It appears that since we have written that letter, the schedule will be accelerated and I need this information as soon as possible in order that the Army Corps of Engineers can preliminarily address design concerns.

I also sent you a follow-up memorandum on July 26, 2005 enclosing the location and depths of these pipelines and additional design information south of the Little Calumet River. With this letter, I have enclosed new information that is most current regarding the location and depths of these pipelines. I received an e-mail from Steven Schory representing STV Inc. regarding identification of the pipelines at that point in time. The question asked was whether there were one or two 8" pipelines side by side. It appears there are two pipelines and we will address that accordingly in the final design.

If you would require a conference call or a field meeting with your local representatives to clarify any of the information previously submitted to you in order that we may expedite this request, please contact me at 219/763-0696 or jpokrajac@nirpc.org. Thank you for your timely response.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

/sjm
encl.
cc:

Al Kosior, Buckeye
Imad Samara, Project Manager, ACOE
Eric Sampson, ACOE
William Biller, Chairman, LCRBDC
Bob Huffman, LCRBDC Engineering



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DAN GARDNER
Executive Director

LOU CASALE
Attorney

October 18, 2005

Ms. Marcie Foster
Right-of-Way Assistant
B. P. PIPELINES
18100 Torch Parkway
Warrenville, Illinois 60555

Dear Ms. Foster:

I had sent you a letter on July 5, 2005 requesting your review and comments for the proposed Federal flood protection construction west of Kennedy Avenue and south of I-80/94. I also requested information regarding cost estimates for construction impacts to your pipelines due to the sheet pile installation, if any, regarding the lines of protection both north and south of the Little Calumet River in this area and to provide any copies of subordinated agreements with NIPSCO for your pipelines being located on their right-of-way. In this letter, I also stated that the current Federal construction schedule was to award a contract in July 2007 with a construction start in the fall of 2007. It appears that since we have written that letter, the schedule will be accelerated and I need this information as soon as possible in order that the Army Corps of Engineers can preliminarily address design concerns.

I also sent you a follow-up memorandum on July 26, 2005 enclosing the location and depths of these pipelines and additional design information south of the Little Calumet River. With this letter, I have enclosed new information that is most current regarding the location and depths of these pipelines.

If you would require a conference call or a field meeting with your local representatives to clarify any of the information previously submitted to you in order that we may expedite this request, please contact me at 219/763-0696 or jpokrajac@nirpc.org. Thank you for your timely response.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

/sjm
encl.
cc:

Michael Nargang, B.P.Pipelines
Imad Samara, Project Manager, ACOE
Eric Sampson, ACOE
William Biller, Chairman, LCRBDC
Bob Huffman, LCRBDC Engineering



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October 19, 2005

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Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

Mr. Patrick Nwakoby
EXPLORER PIPELINE COMPANY
6846 S. Canton, Suite 300
Tulsa, Oklahoma 74136

Dear Mr. Nwakoby:

I had sent you a letter on July 7, 2005 requesting your review and comments for the proposed Federal flood protection construction west of Kennedy Avenue and south of I-80/94. I also requested information regarding cost estimates for construction impacts to your pipelines due to the sheet pile installation, if any, regarding the lines of protection both north and south of the Little Calumet River. Would you also provide any copies of subordinated agreements with NIPSCO for your pipelines being located on their right-of-way. In this letter, I also stated that the current Federal construction schedule was to award a contract in July 2007 with a construction start in the fall of 2007. It appears that since we have written that letter, the schedule will be accelerated and I need this information as soon as possible in order that the Army Corps of Engineers can preliminarily address design concerns.

I also sent you a follow-up memorandum on July 26, 2005 enclosing the location and depths of these pipelines and additional design information south of the Little Calumet River. With this letter, I have enclosed new information that is most current regarding the location and depths of these pipelines. Thank you for submitting pipeline location information; this has been included in the enclosed drawing.

If you would require a conference call or a field meeting with your local representatives to clarify any of the information previously submitted to you in order that we may expedite this request, please contact me at 219/763-0696 or jpokrajac@nirpc.org. Thank you for your timely response.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

/sjm
encl.
cc:

Alton Ryals, Explorer Pipeline
Imad Samara, Project Manager, ACOE
Eric Sampson, ACOE
William Biller, Chairman, LCRBDC
Bob Huffman, LCRBDC Engineering



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VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

October 19, 2005

Mr. Dave Woodsmall
MARATHON ASHLAND PIPELINES
277 Streamwood Drive
Valparaiso, Indiana 46383

Dear Dave:

I had sent you a letter on July 6, 2005 requesting your review and comments for the proposed Federal flood protection construction west of Kennedy Avenue and south of I-80/94. I also requested information regarding cost estimates for construction impacts to your pipelines due to the sheet pile installation, if any, for the lines of protection both north and south of the Little Calumet River, and to provide any copies of subordinated agreements with NIPSCO for your pipelines being located on their right-of-way. In this letter, I also stated that the current Federal construction schedule was to award a contract in July 2007 with a construction start in the fall of 2007. It appears that since we have written that letter, the schedule will be accelerated and I need this information as soon as possible in order that the Army Corps of Engineers can preliminarily address design concerns.

I also sent you a follow-up memorandum on July 26, 2005 enclosing the location and depths of these pipelines and additional design information south of the Little Calumet River. With this letter, I have enclosed new information that is most current regarding the location and depths of these pipelines.

If you would require a conference call or a field meeting with your local representatives to clarify any of the information previously submitted to you in order that we may expedite this request, please contact me at 219/763-0696 or jpokrajac@nirpc.org. Thank you for your timely response.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

/sjm
encl.
cc:

Steve Woods, Marathon
Imad Samara, Project Manager, ACOE
Eric Sampson, ACOE
William Biller, Chairman, LCRBDC
Bob Huffman, LCRBDC Engineering



Little Calumet River Basin Development Commission

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Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

October 19, 2005

Mr. Mark Pasyk
NIPSCO
801 East 86th Avenue
Merrillville, Indiana 46410

Dear Mark:

I had sent you a letter on July 6, 2005 requesting your review and comments for the proposed Federal flood protection construction west of Kennedy Avenue and south of I-80/94. Thank you for providing a cost estimate to complete the reinforcement sleeving for your welds for the 30", 12", and 8" gas mains both north and south of the river. This information was forwarded to the Army Corps on August 16. Could you also acknowledge if there are any engineering concerns, or comments, regarding the proposal for design submitted to you. It is our intent to have a coordination meeting with the pipeline companies, Army Corps, and the LCRBDC after we receive comments regarding the current design from all affected parties. We will then follow the normal Corps procedure for plan & spec review before advertising. I had also informed you that the current Federal construction schedule was to award a contract in July 2007 with a construction start in the fall of 2007. It appears that since we have written that letter, the schedule will be accelerated and I will inform you when we receive the modified schedule from the Army Corps.

I also sent you a follow-up memorandum on July 26, 2005 enclosing the location and depths of these pipelines and additional design information south of the Little Calumet River. With this letter, I have enclosed new information that is most current regarding the location and depths of these pipelines.

If you would require a conference call or a field meeting with your local representatives to clarify any of the information previously submitted to you in order that we may expedite this request, please contact me at 219/763-0696 or jpokrajac@nirpc.org. Thank you for your timely response.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

/sjm
encl.
cc:

John Henry, Real Estate, NIPSCO
Neil Arndt, NIPSCO
Imad Samara, Project Manager, ACOE
Eric Sampson, ACOE
William Biller, Chairman, LCRBDC
Bob Huffman, LCRBDC Engineering



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DAN GARDNER
Executive Director

LOU CASALE
Attorney

October 19, 2005

Mr. Fred Hipshire
WOLVERINE PIPELINE
8105 Valleywood
Portage, Michigan 49024

Dear Fred:

I had sent you a letter on July 7, 2005 requesting your review and comments for the proposed Federal flood protection construction west of Kennedy Avenue and south of I-80/94. I also requested information regarding cost estimates for construction impacts to your pipelines due to the sheet pile installation, if any, regarding the lines of protection both north and south of the Little Calumet River.

Thank you for providing copies of your subordinated agreements with NIPSCO allowing your pipelines on their right-of-way. Your engineering comments were received and were forwarded to the Army Corps on August 16th to be incorporated into the plans and specifications. Upon receipt of comments from the other pipeline companies, we intend to schedule a coordination meeting with the pipeline companies, the Army Corps, and the LCRBDC. The final design, plans, and specs will be derived from this meeting.

At this point in time, the only remaining item I need from Wolverine is a preliminary cost estimate for any projected expenditures to your company. It was our intent, by using this "bridging" technique, to minimize costs for utility re-locations. Cost information will be needed to help the LCRBDC with budgeting for other upcoming flood control segments.

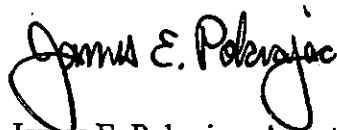
In the July 7th letter to you, I had also stated that the current Federal construction schedule was to award a contract in July 2007 with a construction start in the fall of 2007. It appears that since we have written that letter, the schedule will be accelerated. The final re-scheduling dates have not yet been determined, but we will notify you when we receive this information from the Army Corps.

Mr. Fred Hipshire
October 19, 2005
Page 2

I had also sent you a follow-up memorandum on July 26, 2005 enclosing the location and depths of these pipelines and additional design information south of the Little Calumet River. With this letter, I have enclosed new information that is most current regarding the location and depths of these pipelines.

If you would require a conference call or a field meeting with your local representatives to clarify any of the information previously submitted, in order that we may work with you to get a preliminary cost estimate, please contact me at 219/763-0696 or jpokrajac@nirpc.org. Thank you for your timely response.

Sincerely,



James E. Pokrajac, Agent
Engineering/Land Management

/sjm
encl.

cc: Imad Samara, Project Manager, ACOE
Eric Sampson, ACOE
William Biller, Chairman, LCRBDC
Bob Huffman, LCRBDC Engineering

Jim Pokrajac

From: "Little Calumet" <littlecal@nirpc.org>
To: <Fred_Hipshear@wplco.com>
Sent: Friday, October 28, 2005 11:33 AM
Attach: Little Cal. Project letter, Aug 10, 2005.doc
Subject: Fw: Responses to Questions - On 5-2 Utility Crossing

Fred:

I received the following e-mail from the Army Corps addressing your engineering concerns for your pipelines in the NIPSCO corridor west of Kennedy Avenue. I hope this information will allow you to provide me an approximate cost, if any, regarding the impact of our project on your pipelines. If you have any questions, please let me know.

Jim Pokrajac, Agent
 Engineering/Land Management

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

From: Samara, Imad LRC
To: James E Pokrajac (E-mail)
Cc: Little Calumet (E-mail)
Sent: Thursday, October 27, 2005 11:12 AM
Subject: Responses to Questions - On 5-2 Utility Crossing

Here are Eric Sampson (Structural Engineer) responses to Wolverine's comments (shown in italics):

1. *On drawing S-05 (south side of the river) it appears that the top of Wolverine's 16-inch pipeline will be only 10-inches from the bottom of the wall passing overhead. The American Society of Mechanical Engineers stipulates in Standard B31.4 that "...minimum clearance of 12 in. (0.3m) shall be provided between the outside of any buried pipe or component and the extremity of any other underground structures...", and Wolverine adheres to this guideline. Please show on the prints that this minimum clearance will be adhered to.*

The 16" Wolverine pipe shown on Sheet S-05 is almost 3.5 feet below the bottom of the piling not 10 inches. The top of the pipe, as surveyed, is at EL 587.55 and the bottom of the sheet pile is at EL 591.0 (see sheet S-03 for details) so $591.0 - 587.55 = 3.45$ feet. Therefore the ASME requirement has been met. However I can add a note on the drawings stating that a minimum of 12 inches is required just in case things don't go as planned.

2. *Drawing S-01 shows how the piling will be positioned around the pipelines, bridging overtop the pipelines and extending down full-depth between the pipelines, and it shows the distances between the pipelines and the piling that extends down full-depth. The clearances shown are acceptable to Wolverine Pipe Line Company, provided the sheet piling can be driven without excessive vibration which may damage the pipe. Please advise the manner in which this sheet piling will be driven.*

We can require in the contract that Vibratory hammers will not be allowed. So the contractor will have to use an impact hammer. Also, I believe they have a new class of "hammers" out there that actually push the piling in... I don't have any hard info on these hammers but I can look into it. I think our contractor on our 6-1 South job is using one.

3. *Drawing S-05 does not show the piling extending full-depth between the pipelines or the clearances*

as described in item 2 above. Please add this information to drawing S-05 in order that Wolverine's Engineer can determine its acceptability to Wolverine Pipe Line Company. Your phone conversation (I believe it was Jim Pokrajac on the phone not me) with Mr. Bill Keenan, Wolverine's Engineer, on August 2, 2005 indicated that there will be piling extending full-depth on the south side as there is indicated on the north side.

The sheet piling on Sheet S-05 for the south side crossing is shown at its full penetration (depth). Due to the higher ground elevation on the South side the piling will not have to be driven as deep as on the North side. Therefore there is no need on the South side to drive the piling between the pipes and bridge over them. The unsupported wall height on the South side is about 4.25 feet whereas on the North side its about 12.75 feet. On both sides of the river the wall is being built into several layers of stiff clay... the clay runs to about EL 570.0. If for some reason we have to drive the piling on the South side deeper I would implement a scheme similar to what is being done on the North side. If that were the case I would follow the guidance outlined by you in comments 1 & 2. At the moment I don't see the current design for the South side changing.

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: <imad.samara@usace.army.mil>
Sent: Wednesday, October 26, 2005 4:59 PM
Attach: Little Cal. Project letter, Aug 10, 2005.doc
Subject: Fw: Questions

Imad:

The following e-mail was received from the Wolverine Pipeline Company on October 25. They have complied with my request and do need additional information in order to provide a cost estimate for their participation on the NIPSCO pipeline corridor west of Kennedy Avenue in Stage V Phase 2. Although I realize you are concentrating on Stage VIII, I would appreciate if you could at least address these concerns in order to help the LCRBDC get utility relocation costs as part of our upcoming budgetary process.

Jim Pokrajac, Agent
Engineering/Land Management

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

From: Jim Pokrajac
To: smordus@nirpc.org
Sent: Wednesday, October 26, 2005 4:15 PM
Subject: Fw: Questions

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

From: Fred Hipshear@wplco.com
To: jpokrajac@nirpc.org
Cc: BKeenan@wplco.com ; Christine Himes@wplco.com
Sent: Tuesday, October 25, 2005 7:45 AM
Subject: Questions

Hello Jim:

I have received your letter dated October 19, 2005 requesting a preliminary cost estimate from Wolverine to protect our pipelines from the structures being built to control the Little Calumet River west of Kennedy Ave. and south of I-80/94. I have in my file your letter dated August 16, 2005 to Imad Samara requesting answers to the questions Wolverine's Engineer posed in my letter to you dated August 10, 2005.

I have not received an answer from Mr. Samara. Our costs to protect Wolverine's pipelines will depend upon the answers to the questions in my August 10 letter. If Mr. Samara needs to talk directly to Wolverine's Engineer, he may call Mr. Bill Keenan at 269-978-5140, or he may call me at 269-323-2491, ext. 24.

Thanks, Jim; if I have missed Mr. Samara's answer somehow, please let me know and arrange for it to be re-sent to my attention.

Fred W. Hipshear
Right-of-Way Agent
Wolverine Pipe Line Company
8105 Valleywood Lane
Portage, MI 49024-5251
269-323-2491, ext. 24

10/26/2005

//



Little Calumet River Basin Development Commission

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DAN GARDNER
Executive Director

LOU CASALE
Attorney

October 19, 2005

Mr. Gary Hanten
Conoco Phillips Pipe Line Company
400 E. Columbus Drive
East Chicago, Indiana 46312

Dear Mr. Hanten:

I sent you a letter on June 2, 2005 regarding the (2) 8" pipelines that are west of the NSRR that pass underneath the Little Calumet River. We requested updated cost estimates from 1996 (previously in the amount of \$430,000) in order to help the LCRBDC with budget planning, and the Army Corps of Engineers in their design. With an anticipated accelerated schedule, construction could start in this area as early as late 2006/early 2007. When we receive the modified schedule from the Corps, we will inform you accordingly.

The LCRBDC currently has budgetary constraints due to a lack of State funding, but need to move forward to complete the entire project to the Illinois state line by December 2009, as directed by Congressman Peter Visclosky. In order to save money, the Corps has modified their design for flood protection across the NIPSCO R/W directly east of your lines, east of the NSRR. For your information, I have enclosed a copy of their current proposal for design. Their design is referred to as a "bridging" technique, whereby sheetpiling is driven adjacent to your pipelines and a structural member will "bridge" over your lines. This would allow both lines to stay in place without any direct structural impact.

We would like this updated cost estimate from Conoco Phillips as soon as possible in order for us to facilitate required engineering, and to help the LCRBDC with budgetary planning, allowing us to proceed with available funds for other upcoming segments. If you require a field meeting or if we may provide any further information or assistance, please contact me at 219/763-0696 or jpokrajac@nirpc.org. Thank you for your cooperation.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

/sjm
encl.
cc:

Imad Samara, Project Manager, ACOE
Eric Sampson, ACOE
John Fornek, ACOE
William Biller, Chairman, LCRBDC
Bob Huffman, LCRBDC Engineering

TO: Dan Gardner – Executive Director, LCRBDC
Jim Pokrajac – Engineering, LCRBDC

From: Steve Enger – CPWW

Date: October 25, 2005

I wish to bring to your attention two topics; (1) an alternative plan to the proposed earthen berm and (2) information on cost analysis and environmental impact as provided by James Pokrajac on October 6, 2005.

1) Alternative plan to the proposed earthen berm

A few members of our Committee for the Preservation of Wicker Woods have used the stakes marking the western toe of the proposed berm along Hawthorne Drive and South River Drive in Munster, Indiana as a basis to develop an alternative plan to the one currently proposed.

We walked the site, made measurements, noted significant trees and other physical attributes of the area.

We wish to propose the use of steel sheet piling in place of the proposed earthen berm. The major drawback of an earthen berm is the very large footprint of the berm, ranging from 50 feet upwards to 70 feet in width. Indeed along much of the proposed berm this footprint is so large that it will eliminate more than half of the flat walking area now existing. The berm is pitched at a 2.5:1.0 ratio making it useless as a walking area. Walkers, dog owners, nature amateurs and children heavily use this area of the park on a daily basis.

The use of steel sheet piling would reduce the footprint of the flood control device from the proposed 50 to 70 feet width to a more economical footprint of 10 to 15 feet in width, (with 10-foot service road being included). This reduced foot print also allows the flood control device be moved further to the east resulting in additional reduction in confiscated park land.

From a cost estimate viewpoint, it is our opinion, confirmed by professional engineering advice, that the difference in cost between the earthen berm and a sheet pile berm is negligible. Indeed when the value of the land covered by the proposed earthen berm is properly accounted for, the steel sheet piling is less costly. Please see calculations below:

Earthen berm:

$(2,640 \text{ ft length}) \times (350 \text{ sq ft average cross sectional area}) / 27 \text{ ft}^3 \text{ per yd}^3 = 34,000 \text{ cubic yards of clay}$

$(34,000 \text{ yds}^3) \times (12 \text{ \$/yds}^3 \text{ of clay placed}) = \$410,000$

Steel Sheet Piling: assume average 10 ft height, 1.0 foot in ground per 1.0 foot above ground

$(2,640 \text{ ft length}) * (20 \text{ ft average height}) * (12 \text{ \$/ft}^2 \text{ driven sheet piles}) = \$630,000.$

Cost of land for berm:

The footprint of the proposed berm would cover additional land relative to the footprint of the steel sheet piling.

$(2,640 \text{ ft length}) * (50 \text{ ft width additional}) * (\$14,000,000 / 95 \text{ acre}) = \$450,000$

Diminution of Real Estate Values:

There are twelve houses along South River Drive that will have the physical appearance of their exterior surrounding drastically affected in a negative manner. Each of these houses has front picture windows looking out into the existing parkland. While being taken out of a flood plan would have a positive economic effect (by eliminating the need for flood insurance) the lost of the front window views of the parkland would have an even greater negative economic effect.

If the net economic impact was just \$10,000 per house, this total negative impact would be \$120,000. What makes it unacceptable is that only 12 houses would shoulder this lost while hundreds of other homes have a net economic gain.

This brings me to issue (2).

(2) Information on cost analysis and environmental impact

The information sent to me on October 6, 2005 pertaining to the cost analysis and the environmental impact is either a summary document or an analysis in need of much greater detail.

As noted in the provided information, while the total proposed flood plan may have a positive economic impact for the entire region, there are certain sub-regions, i.e.: neighborhoods, that are shouldering a much greater burden of this project. So great in some cases that the plan has an actual negative impact on them.

A similar argument can be made in regards to the environmental impact. The Final Supplemental Environmental Impact Statement of May 1995 throws a broad net

over the entire area of concern. Unless a sub-area had hazardous, toxic or radioactive waste concerns it appears there were only two types of land; wetlands and non-wetlands.

So, an acre of a wooded watershed in a heavily populated urban area such as Hart Ditch in Munster is the same as an acre of wooded watershed in the Cady March area.

Sometimes the average just doesn't apply. In this case the average doesn't fairly portray the significantly greater economic and societal value of a wooded watershed in an urban area versus that in a much less densely populated area. The wooded watershed of the Hart Ditch in Munster is definitely a wooded watershed where an effort must be made to protect its vegetation, wild life, aquatic life and natural beauty.

Summary:

We, the CPWW, recommend that the flood control device to be installed should be steel sheet piling driven into the existing earthen berm. This alternative would actually be less costly. It will achieve the desired flood protection while being minimally detrimental to the existing vegetation, topography and esthetics.

From: "Sandy Mordus" <smordus@nirpc.org>
To: <imad.samara@usace.army.mil>
Cc: <steven.j.petrucchi@lre02>; <imad.samara@usace.army.mil>;
<victor.l.kotwicki@lre02.usace.army.mil>; "Louis M. Casale" <lcasale@cwblawfirm.com>; "Judy
Vamos" <jvamos@nirpc.org>
Sent: Tuesday, November 01, 2005 9:09 AM
Subject: Real Estate meeting - Follow-ups

Imad:

The following are a list of several items that were discussed at the Real Estate meeting that need either an action or an update.

(1) Informational - The survey has been ordered from GLE to provide an easement along the south end of Cabela's that would allow us to construct a levee on their property north of where we are currently proposing to put an I-wall. We have also requested a modified legal description for North Township that would reflect a lesser easement on their property. Upon receipt of both of these legals, I will provide them to Judy Vamos in order that she may get supplementary appraisals that can be used as part of the comparative economic cost analysis.

(2) We discussed the current real estate for Stage ~~V-2~~^{V-3} that show a permanent easement coming west off of Indianapolis Blvd, thence south and west parallel with Indianapolis Blvd to the Little Calumet River that was originally intended for access to construction of the Woodmar levee as well as to use to complete the recreational trail tie-in from the Hammond trail to the north. I would request that we would still get the same easement because final recreational trail locations in that area have not yet been determined but we could also use a revised construction entrance off of Indianapolis Blvd along the dedicated North River Drive (which is also currently part of our acquisition in this area).

- By using North River Drive during construction, it would avoid congestion between our construction traffic in the ingress/egress of Cabela's main entrance.

(3) Informational - We discussed the existing real estate that lies on the North River Drive right-of-way in Stage VII. I questioned whether or not all of these easements were intended to be on this right-of-way, particularly that area close to Columbia Avenue that extends out to the pavement of North River Drive. Upon investigating this situation, it appears that there will be no complication with getting the legals completed on North River Drive as is shown on the drawing and accordingly, I have ordered these legals to be done, which will then be coordinated with the city of Hammond. In the area closer to Columbia Avenue, it appears there will be a sheet pile wall that will be several feet south of the south pavement edge of North River Drive and that we will not be encroaching onto this pavement.

- In a previous design coordination meeting with the city of Hammond, Stan Dostatni (Hammond city engineer) expressed concern that this roadway will be kept open during construction and we need to reflect this when we finalize your engineering in this area.

(4) Informational - Griffith Golf Center survey: It was brought to my attention today that the appraisal will begin for the Griffith Golf Center and will be performed by Ted ~~Easel~~^{OETSEL}. It was also brought to my attention that Mr. ~~Easel~~^{OETSEL} has all the information he needs to complete this appraisal and a survey will not be needed.

I hope this information will be helpful in our future planning and if you have any questions regarding any of these items, please let me know.

Jim Pokrajac, Agent
Engineering/Land Management

Jim Pokrajac

From: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
To: "James E Pokrajac (E-mail)" <jpokrajac@nirpc.org>; "Little Calumet (E-mail)" <littlecal@nirpc.org>
Sent: Monday, October 03, 2005 8:56 AM
Subject: FW: CONTRACT AWARD: Little Calumet River Local Flood Protection Stage VI-I North

FYI

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

From: Samara, Imad LRC
Sent: Friday, September 30, 2005 4:33 PM
To: Ackerson, Rick D LRC; Albert, Dick LRC; Anderson, Douglas M LRC; Blair, Regina G LRC; Burnsed, Mary J LRC; Desai, Jay C LRC; Fornek, John T LRC; Go, Ernesto T LRC; Groboski, John A LRC; Kotwicki, Victor L LRE; Montez, Andrew J LRC; Moore, Gregory LRC; Roach, Nicole L LRC; Sampson, Eric LRC; Shinbori, Yuki J LRC; Taylor, Elaine R LRC; Turner, Leon B LRC; Zamarocy, Linda L LRC
Cc: Little Calumet (E-mail)
Subject: FW: CONTRACT AWARD: Little Calumet River Local Flood Protection Stage VI-I North

Greetings,

The subject Project has been awarded in the following manners:

Contract Award No.: W912P6-05-C-0010
Date of Award: 30 September 2005
Contractor: Illinois Constructors Company
Award Amount: \$5,566,871.00
Funding at the time of Award: \$20,000.00
Performance Period: 640 Calendar Days

Note: IGE (without profit): \$6,525,253.00

Regina G. Blair

Chief, Contracting Branch
Department of the Army
Chicago District, Corps of Engineers
111 North Canal Street, Suite 600
Chicago, Illinois 60606-7206
Telephone: (312) 846-5371
Fax: (312) 886-5475



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

October 3, 2005

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

Dear Imad:

As a follow-up to my previous correspondence regarding coordination with the Lake County Highway Department, I received a letter from the Lake County Highway Department dated September 29, 2005 along with their bridge plans for the Kennedy Avenue bridge deck construction.

As this letter indicates, their plans do not include a pedestrian walkway or any closure structures for their project. Their engineering design is currently 90% complete. If you plan on including any of the Little Calumet River flood control features into their project, coordination should begin immediately. This would allow the Army Corps time to enter into an agreement with the Lake County Highway Department prior to their advertising for this project.

Please let me know what your intention is. If you have any questions, please call me.

Sincerely,


James E. Pokrajac, Agent
Engineering/Land Management

/sjm
encl.
cc:

Duane Alverson, LCHD
Bob Huffman, LCRBDC
Lou Casale, LCRBDC attorney

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: <mlpasyk@nisource.com>; <mhickey@sehinc.com>; <dostatnis@hmdin.com>;
 <TKonieczny@indot.state.in.us>; <JKHayward@NiSource.com>; <moorep@hmdin.com>;
 "Druzicki, David E LRC" <David.E.Druzicki@lrc02.usace.army.mil>; <dbutton@sehinc.com>
Cc: <mlpasyk@nisource.com>
Sent: Tuesday, October 25, 2005 2:57 PM
Subject: Stage VI-1N pre-construction meeting

This is to confirm that the pre-construction meeting for Stage VI - 1 North (Kennedy to Cline, north of the Little Calumet River) will be held on Tuesday, November 1st at 9:30 a.m. at the Griffith Army Corps office (directly west of the Post Office west of Broad Street and north of 45th Avenue).

The intent of this meeting is to familiarize the contractor (Illinois Constructors Inc.) with local affected parties and points of contact and to afford the opportunity to ask any questions regarding this construction segment. If you have any questions regarding this meeting, please let me know. See you on the 1st.

Jim Pokrajac, Agent
 Engineering/Land Management

Jim Pokrajac

SITE VI-2 (SITE 5)

From: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
To: "James E Pokrajac (E-mail)" <jpokrajac@nirpc.org>
Cc: "Little Calument (E-mail)" <littlecal@nirpc.org>
Sent: Wednesday, October 12, 2005 1:12 PM
Attach: Circuit 3471.xls
Subject: FW: Circuit 3471; Highland, Indiana

Jim this is in response to your September 22, 2005 letter regarding NIPSCO relocations. The email below findings that the relocation cost presented by NIPSCO for this relocation is fair and reasonable and will be creditable when the LCRBDC submits the actual cost paid to NIPSCO.

Imad Samara
Project Manager
U S Army Corps of Engineers
Suite 600
111 N Canal Street
Chicago IL 60606
(W) 312-846-5560
(Cel) 312-860-0123

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

From: Go, Ernesto T LRC
Sent: Tuesday, October 11, 2005 2:02 PM
To: Samara, Imad LRC
Subject: Circuit 3471; Highland, Indiana

The cost estimate to raise utility for levee is reasonable. See attached for details.

<<Circuit 3471.xls>>

Ernesto Go, EE
USACE, Chicago District
Suite 600, 111 N. Canal St.
Chicago, Illinois 60606

Tel. No. (312) 846-5441
Fax. No. (312) 353-2156
e-mail : ernesto.t.go@usace.army.mil

20

10/12/2005

**USACE CHICAGO DISTRICT
DESIGN BRANCH. MECH/ELEC SECTION**

CONSTRUCTION COST ESTIMATE
PREPARED BY:

DATE PREPARED:	10/11/2005	SHEET	1
----------------	------------	-------	---

PROJECT:	Raise Utility for Levee Circuit 3471
LOCATION:	Highland, Indiana H
ARCHITECT/ENGINEER:	

<input type="checkbox"/>	CODE A (No Design Completed)
<input type="checkbox"/>	CODE B (Preliminary Design)
<input type="checkbox"/>	CODE C (Final Design)
<input checked="" type="checkbox"/>	OTHER (Specify): Utility Dwg. By NIPSCO

NIPSCO DWG. No. DE21054-1, 3 of 3

ESTIMATOR: _____

	SUMMARY/DESCRIPTION: NIPSCO to replace one pole to raise 34KV abd 12KV conductors
--	--

NO.		UNIT		PER		TOTAL		TOTAL	
UNITS		MEAS.		UNIT		\$		COST	

TOTAL
COST

ITEMS	Descriptions
-------	--------------

3000 00

1000.00
100.00

100.00
400.00

400.00
800.00

800.00
000.00

000.00

€ 10.500,00

\$ 10,500.00

	\$	5 950 00
--	----	----------

\$ 25,350.00



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

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CHARLIE RAY
Porter County Commissioners'
Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

October 24, 2005

Mr. Mark Pasyk
NIPSCO
801 East 86th Avenue
Merrillville, Indiana 46410

Dear Mark:

Enclosed please find three (3) copies of the Agreement between NIPSCO and the Development Commission for the relocation of utilities referred to Site #5. This relocation work will be done for a cost not to exceed \$25,907, as stipulated in the agreement.

Please cause the agreement to be approved and signed, as well as a notary signature provided and return all three (3) copies back to our office. We will counter-sign, notarize, and return a copy back to you for your files. If you have any questions, please contact me at the address and phone listed above.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

/sjm
encl.
cc:

Jim Hayward, NIPSCO
Lou Casale, LCRBDC attorney

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: <gkicinski@indot.state.in.us>
Cc: <kmoberg@indot.state.in.us>; <allene@ucea.com>; <imad.samara@usace.army.mil>; "Judy Vamos" <jvamos@nirpc.org>
Sent: Thursday, October 27, 2005 4:14 PM
Subject: INDOT Miscellaneous Items

Greg:

Several outstanding issues remain between the LCRBDC and INDOT. They are as follows:

(1) I sent a letter to you on June 20, 2005, requesting that the LCRBDC would need a detailed breakdown of costs that were incurred on the Grant Street and Broadway interchanges that would be creditable to us as part of the flood protection. As we had discussed in the past, INDOT agreed to pay for this work with State funds and that the Army Corps agreed that we would be able to get credit for those items. It would be easier for the LCRBDC to coordinate the crediting with the Corps with this breakdown. Also, could you give me a rough idea when this construction will be completed because it is part of the FEMA requirement for Gary to come out of the floodplain.

(2) There have been several impacts to some of our flood control features due to your construction on I-80/94. One of the items involves the raising of some of the bridges over I-80/94 adjacent to our lines of protection. By raising some of these bridges, it steepened the slope on our access roads along the top of the levees that we use to do maintenance and inspections. We have requested that INDOT could lessen this slope by doing some additional earthwork to return the grade back to their original slope. Another item of concern would be a culvert and control structure west of Georgia Street, south of I-80/94. During your construction of the ditch work south of I-80/94, material has silted into our structure which will not allow us to close our sluice gates and has caused the flap gate to remain open. We would request that you would remediate this problem.

(3) Early in September of 2005, we received a request from the INDOT Land Acquisition Department for real estate between Harrison Street and Broadway, south of I-80/94. It appears that this request would be for approximately 10-12' of permanent easement on our property that would allow INDOT access adjacent to the drainage ditch. We received this request from D. Keith Moberg in the Land Acquisition Division, (phone # 317-232-5051). We indicated to him that we would be cooperative in providing these easements as long as it did not affect our existing flood control features. I made a field visit and it appeared to me that INDOT would be cutting into the toe of our existing levee in this area. I do need engineering information as to what INDOT is proposing in this area in order for the Army Corps to agree to any modifications, or impacts, to the flood control project.

I realize that these requests may not have been done in a timely manner but we do need to coordinate with you to provide answers to these concerns. If you have any questions regarding these issues, please let me know.

Jim Pokrajac, Agent
 Engineering/Land Acquisition
 Phone: 219/763-0696
 e-mail: jpokrajac@nirpc.org

OPERATION AND MAINTENANCE REPORT

For meeting on Wednesday, November 9, 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 September 30 – November 3, 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. A conference call was held with the Corps, LCRBDC, and representatives for Gary on May 6, 2005 to discuss the status of the closure structure east of Chase Street along the north line of protection. (27th and Chase)
 - LCRBDC received a memo from the COE dated July 11th, 2005, on August 10th, 2005, providing status and data regarding miscellaneous drainage problems.(Ongoing)
3. 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 portion, is an ongoing concern that Gary feels should be addressed as part of the bid package.
 - 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.
 - **The COE has agreed to include the ditch design which would accommodate water quality issues as part of the bid package for Burr Street-Gary**
 - **LCRBDC received an e-mail from J. F. New on October 31 indicating that they have submitted a draft of everything for their portion of work to the COE for their review.**

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.
 - A meeting will be scheduled with the city of Gary to formulate a method to transfer these lands. This will all be part of the process of entering into an interlocal agreement with Gary that is currently ongoing.

2. Inspections were held with the Corps, 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.
 - A memo was sent to representatives from Gary on September 15 regarding the draft punch list of items for the four (4) pump stations in Gary and requesting response by September 30, 2005. These items will form the scope of work when LCRBDC advertises.
 - **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.**
 - 3. 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.
 - Final sluice gate inspections were held on April 14, 2005 and April 21, 2005. The Corps participated on the 14th, but ran out of funds and could not attend on the 21st.
 - When the summarization is completed, it will be forwarded to the Corps. (ongoing)
 - 4. 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 are scheduled for the November 9, 2005 Board meeting to be approved to proceed with the agreements with Gary to accept O&M for both stations.**
 - **Agreements are being finalized by LCRBDC**
 - **Awaiting "as-built" drawings from the COE**
 - 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.
 - The COE has completed the initial survey work **and provided it to Lawson Fisher.**
 - 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.**
 - **Staff was requested to obtain fee schedules from several other engineering firms to make a cost comparison before procuring services.**
 - 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 (See Item #2)

2-5

6

Jim Pokrajac

From: "Sandy Mordus" <smordus@nirpc.org>
To: <jpokrajac@nirpc.org>
Sent: Monday, October 31, 2005 2:44 PM
Attach: 02821 PLANTING.doc; Ditch5_Bid_Schedule_adjustments.xls
Subject: Fw: USCOE Betterment Levee Project

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

From: Scott Dierks
To: Samara, Imad LRC ; Drew Bender
Cc: smordus@nirpc.org ; spike@garysan.com ; John Hutzler ; James B. Meyer ; Niec, Jay ; Don Smales
Sent: Monday, October 31, 2005 2:42 PM
Subject: RE: USCOE Betterment Levee Project

Here is our planting specification and an amended set of bid items for your review. Our planting spec is not too different from the one already in your bid package, but we do call out the use of 6-inches of topsoil rather than 3-inches. Your maintenance spec looks pretty good too and I am assuming it would include our Ditch 5 planting. I believe with this submission that I have submitted a draft of everything for our portion of the project. Please review and let me know what else you need from us.

Yours,
Scott Dierks, P.E.
Ann Arbor Manager

JFNew

POB 7780
Ann Arbor, Michigan 48107-7780
phone: 734-222-9690 fax: 734-222-9655
sdierks@jfnew.com www.jfnew.com

**LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
RESOLUTION NO. _____**

**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 empowered by the Interlocal Cooperation Act, as amended, 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 has presented an agreement which provides for the continued operation and maintenance by the City of Gary Sanitary District of the Marshalltown Stormwater Pumping Station; and,

WHEREAS, the Sanitary District of the City of Gary has authorized, approved and granted, and ratified a perpetual easement related to the operation and maintenance of the Marshalltown Stormwater Pumping Station; 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.

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

Section 1. That the Agreement for the Operation and Maintenance of the Marshalltown Stormwater Pumping Station between the Little Calumet River Basin Development Commission and the Sanitary District of the City of Gary is hereby authorized, approved, and adopted in all respects;

Section 2. That the Chairperson of the Little Calumet River Basin Development Commission is hereby authorized and permitted to evidence this adoption and execution of the Agreement by affixing his signature to the Agreement and any related documents in support of its carrying out its purposes; further, the Secretary is hereby authorized to attest the execution of said Agreement by the Chairperson;

Section 3. That a copy of the Agreement for the Operation and Maintenance of the Marshalltown Stormwater Pumping Station shall be attached to this Resolution and incorporated herein by reference;

Section 4. That this Resolution shall take effect and be in full force and effect from and after its passage by the Little Calumet River Basin Development Commission.

DULY PASSED, RESOLVED, AND ADOPTED by the Little Calumet River Basin Development Commission, this _____ day of _____, 200_____.

LITTLE CLAUMET RIVER BASIN
DEVELOPMENT COMMISSION

William Biller, Chairman

Attest:

Mark Reshkin, Secretary

**LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
RESOLUTION NO. _____**

**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 empowered by the Interlocal Cooperation Act, as amended, 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 has presented an agreement which provides for the continued operation and maintenance by the City of Gary Sanitary District of the 32nd and Cleveland Stormwater Pumping Station; and,

WHEREAS, the Sanitary District of the City of Gary has authorized, approved and granted, and ratified a perpetual easement related to the operation and maintenance of the 32nd and Cleveland Stormwater Pumping Station; 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.

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

Section 1. That the Agreement for the Operation and Maintenance of the 32nd and Cleveland Stormwater Pumping Station between the Little Calumet River Basin Development Commission and the Sanitary District of the City of Gary is hereby authorized, approved, and adopted in all respects;

Section 2. That the Chairperson of the Little Calumet River Basin Development Commission is hereby authorized and permitted to evidence this adoption and execution of the Agreement by affixing his signature to the Agreement and any related documents in support of its carrying out its purposes; further, the Secretary is hereby authorized to attest the execution of said Agreement by the Chairperson;

Section 3. That a copy of the Agreement for the Operation and Maintenance of the 32nd and Cleveland Stormwater Pumping Station shall be attached to this Resolution and incorporated herein by reference;

Section 4. That this Resolution shall take effect and be in full force and effect from and after its passage by the Little Calumet River Basin Development Commission.

DULY PASSED, RESOLVED, AND ADOPTED by the Little Calumet River Basin Development Commission, this _____ day of _____, 200____.

LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION

William Biller, Chairman

Attest:

Mark Reshkin, Secretary

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: <gkicinski@indot.state.in.us>
Cc: <kmoberg@indot.state.in.us>; <allene@ucea.com>; <imad.samara@usace.army.mil>; "Judy Vamos" <jvamos@nirpc.org>
Sent: Thursday, October 27, 2005 4:14 PM
Subject: INDOT Miscellaneous Items

Greg:

Several outstanding issues remain between the LCRBDC and INDOT. They are as follows:

(1) I sent a letter to you on June 20, 2005, requesting that the LCRBDC would need a detailed breakdown of costs that were incurred on the Grant Street and Broadway interchanges that would be creditable to us as part of the flood protection. As we had discussed in the past, INDOT agreed to pay for this work with State funds and that the Army Corps agreed that we would be able to get credit for those items. It would be easier for the LCRBDC to coordinate the crediting with the Corps with this breakdown. Also, could you give me a rough idea when this construction will be completed because it is part of the FEMA requirement for Gary to come out of the floodplain.

(2) There have been several impacts to some of our flood control features due to your construction on I-80/94. One of the items involves the raising of some of the bridges over I-80/94 adjacent to our lines of protection. By raising some of these bridges, it steepened the slope on our access roads along the top of the levees that we use to do maintenance and inspections. We have requested that INDOT could lessen this slope by doing some additional earthwork to return the grade back to their original slope. Another item of concern would be a culvert and control structure west of Georgia Street, south of I-80/94. During your construction of the ditch work south of I-80/94, material has silted into our structure which will not allow us to close our sluice gates and has caused the flap gate to remain open. We would request that you would remediate this problem.

(3) Early in September of 2005, we received a request from the INDOT Land Acquisition Department for real estate between Harrison Street and Broadway, south of I-80/94. It appears that this request would be for approximately 10-12' of permanent easement on our property that would allow INDOT access adjacent to the drainage ditch. We received this request from D. Keith Moberg in the Land Acquisition Division, (phone # 317-232-5051). We indicated to him that we would be cooperative in providing these easements as long as it did not affect our existing flood control features. I made a field visit and it appeared to me that INDOT would be cutting into the toe of our existing levee in this area. I do need engineering information as to what INDOT is proposing in this area in order for the Army Corps to agree to any modifications, or impacts, to the flood control project.

I realize that these requests may not have been done in a timely manner but we do need to coordinate with you to provide answers to these concerns. If you have any questions regarding these issues, please let me know.

Jim Pokrajac, Agent
 Engineering/Land Acquisition
 Phone: 219/763-0696
 e-mail: jpokrajac@nirpc.org

LAND MANAGEMENT REPORT

For meeting on Wednesday, November 9, 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 September 30 – November 3, 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
 - Increase from \$1400/month to \$1568/month.
 - The proposal from Stan Stann was agreed upon by the commissioners at the August 3rd, 2005 board meeting, to increase the monthly rent from \$1,400 to \$1568, based upon the current CPI.
 - An addendum to the License Agreement was sent to Stan Stann on September 27, 2005 increasing the rent accordingly.
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 needs to coordinate and negotiate, after receipt of information from Chicago Tower.

- B. Coordination of property use of 30 acres of land east of Clay Street (in Lake Station) and north of Burns Ditch is ongoing.

C. 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.
 - Received monthly rent end of September
 - Vacated due to vandalism and lack of business
2. With building vacant, an attempt was made to break into storage facility. LCRBDC worked with Gary to move closure structures and hardware to old Nike site, and spare parts for all (4) Gary pump stations to GSD storeroom.
 - Letters to Dwain Bowie (United Water) and Jeff Kumorek (Gary Civil Defense) thanking them for their cooperation to re-locate this material.
3. Building is now vacant – Staff would recommend turning this facility, and property, over to the city of Gary as part of our overall property transfer.

1-2

3-4

- Action needed at the November 9 Board meeting to pursue immediate transfer to avoid paying utility bills and leaving a vacant building
- The Gary Fire Department expressed interest as part of a potential regional training area. They currently occupy the Nike site.

D. 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.
- E-mail sent to INDOT on October 27, 2005 requesting this information (See Item #3)

5

E. Ditch maintenance south of 35th Street between Chase and Grant is an ongoing problem.

1. An e-mail was sent to Gary on October 27, 2005 requesting they clean and maintain this ditch. LCRBDC and Berkheimers have been doing this for years at their expense.

- Debris accumulates and dams up the ditch. The water table rises causing problems for Berkheimers. When the debris is removed, it flushes through our control structure east of Chase. This has forced the flap gate and sluice gate to not work.

6

F. VIEW OUTDOOR ADVERTISING

7-8

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.

- Met with VIEW representative in field to confirm staked out locations. Construction start early November 2005; construction completion mid-December 2005.

MR. POKRASAC,

10/27/05

DUE TO THE FACT THAT SEVERAL
BREAK-INS HAVE OCCURRED RECENTLY
AND IT IS NO LONGER PROFITABLE TO
CONTINUE BUSINESS AT 3499 CHASE
STREET, OCTOBER 15, 2005 WILL BE
THE FINAL DAY OF BUSINESS FOR
CHASE STREET FARMSTAND.

WE WILL VACATE THE PREMISES ON
OCTOBER 31, 2005, AT THAT LOCATION

Bert Witorek
OWNER CHASE ST. FARMSTAND.

A FINAL READING ON UTILITIES WILL
BE ON OCTOBER 31, 2005. IN ORDER FOR
A TRANSFER TO YOUR NAME TO TAKE
PLACE, A TWO DAY ADVANCE NOTICE IS
REQUIRED FROM YOU.

BERT WILL BE OUT OF TOWN UNTIL
OCT 31. IF YOU NEED TO CONTACT HIM,
HIS CELL PHONE # 219 718 7675.

2

PAGES 2
(INCLUDES COVER)

From: BERT WITVDET
VILLAGE FARM STAND
FAX # 708 339 3751

To: JAMES FOKRVA
FAX # 219 762 1853

10/27/2005



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 of Hammond Appointment

STEVE DAVIS
Dept. of Natural Resources Appointment

SAM DIMOPOULOS
Lake County Commissioners' Appointment

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JOHN MROCZKOWSKI
Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

October 28, 2005

Mr. Jeff Kumorek
Gary Civil Defense
555 Polk Street
Gary, Indiana 46402

Dear Jeff:

We would like to thank you for your help and cooperation in securing a location to store our closure structure material and parts for the emergency closures which will be installed during flood events at 35th Street and at Chase Street. I met with Sargent Ruzga and also with representatives from the Gary Fire Department on their site located on the north side of 35th Street approximately ½ mile east of Chase (old Nike site) on October 25. They were very cooperative in providing us a secure location at the north end of the property. The installation of these panels is part of the city of Gary emergency response plan and their installation will be implemented during a flood event.

Once again, we appreciate your cooperation and look forward to working with you to assure this plan is complete and up to date regarding actions for Gary during flood events of the Little Calumet River. If you have any questions, please let me know.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

/sjm
cc:

Dan Gardner, LCRBDC Executive Director
Arlene Colvin, City of Gary, LCRBDC
Imad Samara, Project Manager, ACOE
Sue Davis, ACOE



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6100 Southport Road
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Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

October 28, 2005

Mr. Dwain L. Bowie
United Water Services Indiana
3600 West Third Avenue
Gary, Indiana 46406

Dear Dwain:

Thank you for your cooperation in providing trucks and labor to relocate the closure structures and spare parts for the four pump stations in Gary to other, more secure, locations. This was done on October 26. All of the closure structures and closure structure hardware are currently stored at the old Nike site approximately ½ mile east of Chase Street. All of the spare parts for the four (4) pump stations in Gary, as provided to the Development Commission by the Army Corps of Engineers, will be stored on site at the Gary Sanitary District. I would like to also thank Debbie Harris for working with me to provide an inventory list of all these materials. I will be working with Debbie in the near future to finalize this list.

Once again, I would like to thank you for coordinating this with your personnel and will work with you, and the Gary Sanitary District, to turn over the operation and maintenance of the pump stations in Gary that are part of our flood control project. If you have any questions, please let me know.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

/sjm
cc:

Spike Peller, GSD
Debbie Harris, GSD
Dan Gardner, LCRBDC Executive Director
Arlene Colvin, City of Gary, LCRBDC
Imad Samara, Project Manager, ACOE
Sue Davis, ACOE

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: <gkicinski@indot.state.in.us>
Cc: <kmoberg@indot.state.in.us>; <allene@ucea.com>; <imad.samara@usace.army.mil>; "Judy Varnos" <jvamos@nirpc.org>
Sent: Thursday, October 27, 2005 4:14 PM
Subject: INDOT Miscellaneous Items

Greg:

Several outstanding issues remain between the LCRBDC and INDOT. They are as follows:

(1) I sent a letter to you on June 20, 2005, requesting that the LCRBDC would need a detailed breakdown of costs that were incurred on the Grant Street and Broadway interchanges that would be creditable to us as part of the flood protection. As we had discussed in the past, INDOT agreed to pay for this work with State funds and that the Army Corps agreed that we would be able to get credit for those items. It would be easier for the LCRBDC to coordinate the crediting with the Corps with this breakdown. Also, could you give me a rough idea when this construction will be completed because it is part of the FEMA requirement for Gary to come out of the floodplain.

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(3) Early in September of 2005, we received a request from the INDOT Land Acquisition Department for real estate between Harrison Street and Broadway, south of I-80/94. It appears that this request would be for approximately 10-12' of permanent easement on our property that would allow INDOT access adjacent to the drainage ditch. We received this request from D. Keith Moberg in the Land Acquisition Division, (phone # 317-232-5051). We indicated to him that we would be cooperative in providing these easements as long as it did not affect our existing flood control features. I made a field visit and it appeared to me that INDOT would be cutting into the toe of our existing levee in this area. I do need engineering information as to what INDOT is proposing in this area in order for the Army Corps to agree to any modifications, or impacts, to the flood control project.

I realize that these requests may not have been done in a timely manner but we do need to coordinate with you to provide answers to these concerns. If you have any questions regarding these issues, please let me know.

Jim Pokrajac, Agent
 Engineering/Land Acquisition
 Phone: 219/763-0696
 e-mail: jpokrajac@nirpc.org

Sandy Mordus

From: "Sandy Mordus" <smordus@nirpc.org>
To: "Spike Peller" <spike@garysan.com>
Cc: "James Meyer" <jmeyer@meyerwyattpc.com>; "Smales, Donald" <dsmales@greeley-hansen.com>; "Dwain Bowie (E-mail)" <dwain.bowie@unitedwater.com>; <markkonrady@gwberkheimer.com>; "Arlene Colvin" <acolvin@ci.gary.in.us>
Sent: Thursday, October 27, 2005 4:35 PM
Subject: Drainage Ditch between Chase and Grant, south of 35th Street

Spike:

Over the past many years, the existing drainage ditch south of 35th Avenue between Chase Street and Grant, has constantly required attention regarding the flow of water and obstructions that are continually accumulating and need to be removed. This ditch will be in the immediate vicinity of lands that we will be turning over to the city of Gary as part of our agreement to turn-over of operation and maintenance to the city of Gary which could be used for future development.

I had a field meeting this morning with the representative from the Berkheimer company that have provided cleaning in this ditch over this past 5-10 years at their own expense. When obstructions accumulate in this ditch, it will act as a dam that backs up water almost to the level of topping over onto 35th Avenue. It also creates an ongoing problem for Berkheimer because the water table in this area rises to the level where they cannot even drive vehicles on their stoned parking lot north of 35th. Currently, during our field meeting this morning, it was noted that one of these "dams" has accumulated adjacent to the Lake County Association for the Retarded. When these have been removed in the past, the rush of water has forced garbage and debris into our sluice gate/flap gate just east of Chase Street. The LCRBDC has had to clean these out several times as part of our current responsibility for O&M. This dam needs to be removed immediately and Berkheimer has agreed to do this. In the future, I am requesting on behalf of the Commission and several residents adjacent to the north side of 35th, that the city of Gary clean and clear this ditch in order to allow an unobstructed flow of water westward to Chase Street and ultimately to the Little Calumet River.

If you have any questions regarding this request or if I may assist you in any way, please let me know. Thank you for considering this request.

Jim Pokrajac, Agent
 Engineering/Land Management
 Phone 219/763-0696
 E-mail: jpokrajac@nirpc.org



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

(219) 763-0696 Fax (219) 762-1653
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Governor's Appointment

CHARLIE RAY
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

October 18, 2005

VIEW OUTDOOR ADVERTISING
Suite 700N
1000 East 8th Place
Merrillville, Indiana 46410

Dear Mr. Schroeder:

Enclosed please find the Commission's signature approval extending the length of the license agreements to the end of 2005. This applies to the license agreements for Sign No. IN-115, IN-116, and IN-120 that were signed and executed on the 10th day of May 2005.

As per our previous conversation, please let me know when the locations for all three signs have been staked out in order that I may visit the sites with you to assure there are no impacts to any of the features for the Little Calumet River flood control project.

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

Sincerely,

James E. Pokrajac, Agent
Land Management/Engineering

/s/m
encl.
cc:

Bill Biller, LCRBDC Chairman
Arlene Colvin, LCRBDC, city of Gary
Bob Marszalek, LCRBDC committee chairman
Lou Casale, LCRBDC attorney

View

Outdoor Advertising

October 12th, 2005

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

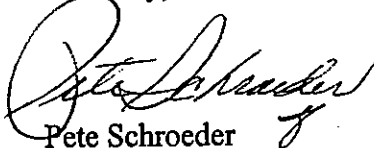
Re: License Agreements
Signs IN-115, IN116 and IN-120


Dear Mr. Pokrajac,

Thank you for the opportunity to introduce myself and discuss the three leases we have with your organization. As we discussed, with the delay we experienced in obtaining the State Permits for these structures, our timetable for completion has been extended.

It was agreed during our phone conversation that Little Calumet River Basin Development Commission would extend the dead line to erect these structures until the end of this year. We will do everything we can to complete the signs sooner. Please acknowledge your agreement to this extension by signing in the space provided at the bottom of this letter and mailing a copy back to me in the self-addressed postage paid envelope that is enclosed. Once again, thank you for this opportunity to work with you and your organization.

Sincerely,


Pete Schroeder
President


~~James E. Pokrajac, Agent Land Management/Engineering~~
Little Calumet River Basin Development Commission
DAN GARDNER, EXECUTIVE DIRECTOR

VI-1 South

CONTRACT NO.: W912P6-04-C-0007
 CONTRACTOR: Illinois Constructors Corporation
 DESCRIPTION: Local Flood Protection Little Calumet River, Indiana Stage VI-1 South Levee

TS-C-S
 D. Anderson
 Druzicki
 Waldrom

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	30-Sep-04	6,503,093.70
NTP DATE./CURRENT CONTRACT AMOUNT: Mods P00005& A00001	4-Nov-04	6,733,493.70
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	4-Dec-06	760
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	4-Dec-06	760
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	4-Dec-06	0

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No. 8	3,040,773.17
B. Estimated Earnings thru end of reporting period	300,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)	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	6,733,493.70
G. Current Value of Overruns/Underruns (+/-)	0.00
H. Directed, Pending Modifications	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:

- Levee seeded from Liabe to I-wall and Kennedy to N. 5th.
- Gatewell work continuing at Kennedy North I-wall.
- Modification in process for sheet pile wall through dump. Clay cap in place. Rec'd ICC's proposal for hauling off debris.
- I-wall complete at North Drive. Patching, repair pilaster, top in progress.
- Excavation started on new pump station.
- 401 Cretification received, Grimmer has started demucking.
- ICC will use river muck behind neww 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).

VI-1 NORTH

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

TS-C-S
 D. Anderson
 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.
- 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)	0.00
----------------------------------	------

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

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

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

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

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

- | | | |
|--|---|--------------|
| F. Current Contract Amount thru Mod. | 0 | 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	0	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%
--	-------

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 being scheduled.

CONTRACT NO.: W912P6-05-C-0006
 CONTRACTOR: Dyer Construction Company
 DESCRIPTION: Little Calumet River, Stage VI-Phase II

TS-C-S
 D. Anderson
 Druzicki
 Waldrom

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	29-Jul-05	4,205,644.17
NTP DATE/CURRENT CONTRACT AMOUNT: Mods P00001	11-Aug-05	4,205,644.17
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	2-Feb-07	540
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	2-Feb-07	540
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	2-Feb-07	0

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	60,027.00
B. Estimated Earnings thru end of reporting period	39,973.00
C. Value of work Performed on Directed Mods (Earnings not paid for)	0.00
TOTAL ESTIMATED PROGRESS (A+B+C)	100,000.00

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

TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D)	100,000.00
---	-------------------

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

FINANCIAL PROGRESS - (A+B+C+D-E)	100,000.00
---	-------------------

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

F. Current Contract Amount thru Mod. P00001	4,205,644.17
G. Current Value of Overruns/Underruns (+/-)	0.00
H. Directed, Pending Modifications	0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)	4,205,644.17

FUNDS OBLIGATED FOR PAYMENT: thru Modification P00001	100,000.00
---	------------

ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H)	2.38%
---	-------

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	2.00%
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TOTAL EARNINGS AT THE END OF FY05	100,000.00
--	-------------------

PROJECT STATUS/MAJOR ISSUES:

- Site work limits layed out
- 401 Certification received form IDEM
- NIPSCO will begin exploratory work and reinforce pipelines if necessary at new I-wall location on 11/1. Expected to take 2 weeks.
- Contractor working on schedule, expenditures shown are estimate prior to receiving schedule.

LANDSCAPING- PHASE II

CONTRACT NO.: W912P6-04-C-0003
 CONTRACTOR: Eubanks & Associates, Incorporated of Glenview, IL
 DESCRIPTION: Little Calumet River Landscaping, Phase 2

TS-C-S
 D. Anderson
 Druzicki
 Rundzaitis

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	30-Jun-04	648,995.25
NTP DATE/CURRENT CONTRACT AMOUNT: Mods No Mods Issued	29-Jul-04	648,995.25
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION	2-Oct-05	430
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	2-Oct-05	430
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS	2-Oct-05	0

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	20,000.00
B. Estimated Earnings thru end of reporting period	39,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)	0.00
TOTAL ESTIMATED PROGRESS (A+B+C)	59,000.00

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

TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D)	59,000.00
---	------------------

E. Potential Termination Costs (% of Remaining Costs){If Applicable}	0.00
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FINANCIAL PROGRESS - (A+B+C+D-E)	59,000.00
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TOTAL ESTIMATED FINAL CONTRACT AMOUNT

F. Current Contract Amount thru Mod.	No Mods Issued	648,995.25
G. Current Value of Overruns/Underruns (+/-)		0.00
H. Directed, Pending Modifications		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)		648,995.25

FUNDS OBLIGATED FOR PAYMENT: thru Modification	No Mods Issued	20,000.00
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ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H)	9.09%
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SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	10.00%
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TOTAL EARNINGS AT THE END OF FY05	20,000.00
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PROJECT STATUS/MAJOR ISSUES:

- Initial herbicide of woody invasive vegetation is complete. Eubanks is proposing to delay follow-up applications until spring 2006 due to drought conditions.
- Tree planting completed along with site debris removal.
- Office field site inspection (scheduled) made on 25 Oct 05 for progress payment.
- Mod will have to be processed to allow for planting of plugs in spring 2006. This would have had to be done in fall 2005 under existing contract which would not have given plugs a good survival rate.

Pump Sta. 1A

CONTRACT NO.: DACW27-01-C-0001
 CONTRACTOR: Overstreet Engineering and Construction, Inc.
 DESCRIPTION: Little Calumet River - Pump Station Rehabilitation Phase 1A

TS-C-S
 D. Anderson
 G. Anderson
 Craib

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	5-Oct-00	4,638,400.00
NTP DATE/CURRENT CONTRACT AMOUNT: Mods thru A00015 & P00019	7-Nov-00	4,974,280.67
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	8-Oct-02	700
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	21-Oct-04	1,444
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	11-Nov-04	21

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	30	4,239,286.58
B. Estimated Earnings thru end of reporting period		23,548.90
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		4,262,835.48

D. Work Paid for but not in Place (Materials in Storage)		0.00
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TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C+D)	4,262,835.48
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E. Potential Termination Costs (% of Remaining Costs){If Applicable}	Not Available
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FINANCIAL PROGRESS - (A+B+C+D-E)	4,262,835.48
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TOTAL ESTIMATED FINAL CONTRACT AMOUNT

F. Current Contract Amount thru Mod.	thru A00015 & P00019	4,974,280.67
G. Current Value of Overruns/Underruns (+/-)		0.00
H. Directed, Pending Modifications	(Thru RFP SS039)	-711,445.19
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)		4,262,835.48

FUNDS OBLIGATED FOR PAYMENT: thru Modification thru A00015 & P00019	4,382,627.09
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ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H)	85.70%
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SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	100.00%
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TOTAL EARNINGS AT THE END OF FY05	4,239,286.58
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PROJECT STATUS/MAJOR ISSUES:

- Corps sent Overstreet a "cure letter" on 19 OCT 2004 due to lack of progress. Overstreet submitted a number of partial responses. Overstreet unable to obtain a pump rebuilding subcontractor to complete the work.
- The Corps sent Overstreet and Overstreet's bonding company a "show-cause" letter on February 7, 2005 indicating the Government is considering terminating the Contract under the provisions for Default.
- On February 16, 2005, Overstreet responded with a preliminary plan on the remaining Contract work. Overstreet's still unable to finalize a pump rebuilding subcontract.
- On March 9, 2005, Overstreet provided the lone proposal received for completing the pump rehabilitation work. Overstreet has indicated that the price is unreasonable since the amount is \$500,000 more than the unpaid amount remaining with Viking.
- Overstreet's bonding company met with Overstreet on March 21 and 22, 2005 to collect information on the Contract. A conference call between the bonding company, the Corps, and Overstreet was supposed to be scheduled but never occurred.
- Contracting Officer issued a followup "show cause" notice on 30 MAR 2005. Overstreet has not formally responded and the CO is in the process of terminating them for default.
- It is estimated that only \$23,548.90 was earned by Overstreet between 22 OCT 2004 and 14 APR 2005. No work has been completed since 14 APR 2005.
- The Modification has been drafted in RMS and PD2 and is being reviewed by Contracting.
- A draft Termination of Default Memo was sent out for comment on 23 AUG 2005. Comments have been compiled and a revised version of the T4D memo was sent out for verification and signature on 21 OCT 2005.
- If the contract is terminated the majority of the remaining obligated funds will require accrual reversal and deobligation.