MEETING NOTICE

THERE WILL BE A MEETING OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION AT 6:00 P.M. WEDNESDAY, NOVEMBER 7, 2007 AT THE COMMISSION OFFICE 6100 SOUTHPORT ROAD PORTAGE, IN

ONE-HALF HOUR WORK STUDY SESSION – 5:30 P.M.

AGENDA

1. Call to order by Chairman Bill Biller
2. Pledge of Allegiance
3. Recognition of Visitors and Guests
4. Approval of Minutes of October 3, 2007
5. Chairman's Report
   - Election of Nominating Committee to select officers for 2008 (Bylaws attached)
   - Schedule of Finance Policy meeting for preparation of 2008 Operating Capital Budget

6. Action Required:
   Finance:  • Approval of claims for October 2007
             • Approval of O&M claims for October 2007
             • Approval of Stage VII claims
   Land Acq.:  • Any Action?

7. Executive Director's Report
   • Report on RDA meeting of October 16 – Approval of consideration of Little Calumet River project funding
   - RDA working group meeting/Little Cal presentation Nov. 13
   - Letters of support for project funding by Senator Frank Mrvan

1-5  6-9  10-11  12  13  14-18  19-20
8. Standing Committees
   A. Finance Committee – Report by Treasurer Kent Gurley
      • Financial status report for end of October 2007
      • Issues for discussion

   B. Land Acquisition/Land Management Committee – Committee Chair Bob Marszalek
      Land Acquisition
      • Appraisals, offers, acquisitions
      • Status of activity for Stages V-2, VII and VIII
        ➢ Significant progress on resolving 2 remaining options on Stage V-2 ROE
          (NSRR and NIPSCO)
        ➢ Received payment funding for 19 signed offers for Stage VII Munster
        ➢ Status of appraisals for Stage VIII
      Land Management
      • RFP update for 32 acres east of Clay Street
      • Issues for discussion

   C. Project Engineering Committee – Committee Chair Bob Huffman
      • Stage V-2 construction segment awarded to Dyer Construction –
        Pre-construction meeting held October 30, 2007
      • Status of Stage V-2 pipeline corridor
      • Meeting held with Southmoor residents on October 20, 2007
      • Stage VI-1S final inspection held on October 12, 2007
      • Issues for discussion

   D. Operation & Maintenance – Committee Chair Bob Huffman
      • Gary sluice gate/flap gate inspections completed October 10 & 11, 2007
      • Griffith/Highland/INDOT sluice gate inspections held on October 25, 2007
      • DNR denial notice for 30" water main west of Grant Street
      • Gary O&M – features remediation costs
      • INDOT flooding coordination
      • Issues for discussion

   E. Legislative Committee – Committee Chair
      • Issues for discussion

   F. Environmental Committee – Committee Chair Mark Reshkin
      • Report on status of Little Cal watershed planning committee
      • Issues for discussion

   G. Recreational Development Committee – Committee Chair Bob Huffman
      • Kennedy Avenue bridge/Highland options
      • Issues for discussion

   H. 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 3, 2007
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairman William Biller called the meeting to order at 6:00 p.m. Six (6) Commissioners were present. Pledge of Allegiance was recited. Guests were recognized.

Development Commissioners:
William Biller
Robert Huffman
Steve Davis
Bob Marszalek
Mark Reshkin
Mark Gordish

Visitors:
Jim Wolf – Post Tribune
Imad Samara – Project Manager, Corps of Engineers
Elizabeth Johnson – Congressman
Visclosky’s Office

Staff:
Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos

Chairman Biller introduced the newest member to the Commission, Mark Gordish, who is the Mayor of Hammond’s appointment replacing George Carlson, who has retired after serving 24 years on the Commission. Mr. Gordish is the assistant city engineer for the city of Hammond.

The minutes of the meeting held on September 5, 2007 were approved by a motion from Bob Marszalek; motion seconded by Robert Huffman; motion passed unanimously.

Chairman’s Report – Additional discussion took place on the flooding that happened on August 24-26. Chairman Biller was out of town so he did not see first hand the impact of the closing of the Borman Expressway. Mr. Gardner referred to the news articles. He reported that INDOT has hired Earth Tech to do an independent study of what happened and what can be done so it will never happen again. They will identify where the flap gates/sluice gates are located that impact or are designed to help I-80/94 drainage, where they drain to, and whose responsibility it is to close them/open them during rain events. Several meetings have taken place already. INDOT has not been an active player in our local emergency management meetings but they will be included from now on. All understand that the coordination of all jurisdictions is necessary. Mr. Gardner stated that the INDOT Commissioner has committed publicly that it is being addressed by independent assessment. The Lake County Surveyor’s Office is also doing a study as to the internal drainage and tributary areas upstream on Hart Ditch. Mr. Gardner stated that everyone needs to allow the studies be completed; then we will go forward from there. Commissioner Mark Reshkin asked if the Army Corps emergency response plan worked the way it was supposed to in Highland and Munster. Mr. Gardner replied that it did work; nothing failed; the Cady Marsh project in Griffith helped to lower river stage elevations. Mr. Pokrajac added that
three immediate actions will be taken: (1) sluice gate inspections are scheduled for next week and INDOT will accompany them for the first time; (2) an emergency management meeting will be scheduled before the end of the year with INDOT and all the municipalities; and (3) and we will work with Earth Tech to establish a benchmark on the flap gate at Kennedy Avenue interchange that when water reaches that level, the sluice gate will be closed.

- Chairman Biller inquired about the letter we received from North Township regarding silting of their golf course from Hart Ditch overflow. Mr. Gardner replied that it was a request letter to the Army Corps for technical assistance. They received so much silt in addition to extensive water on the golf course that it destroyed a large number of fairways, six greens, and six tees. Their request was to get information from the Corps to prevent this from happening again before our construction is completed in this area. Mr. Gardner will be contacting the Corps. He also stated that North Township has excess clay that they will make available, as an option, to the contractor. Some has already been tested for Corps suitability.

*Action Required* – In Treasurer Kent Gurley’s absence, Mr. Gardner presented items for action. He referred to the Monthly Budget Report where $2,000,000 of allocated funds from the 2007/09 biennium was added into the budget figures, as well as the $302,000 that is being appropriated to the Commission from the town of Munster for land acquisition purposes within their town. Bob Marszalek made a motion to approve the adjustment of the budget report; motion seconded by Bob Huffman; motion passed unanimously.

- Mr. Huffman made a motion to approve the monthly claims of $46,723.83; the motion was seconded by Steve Davis; motion passed unanimously.
- Mr. Huffman then made a motion to approve the O&M claims in the amount of $59,081.70; motion seconded by Steve Davis; motion passed unanimously.
- Mark Reshkin proceeded to make a motion to approve the claim payout for Munster residents in Stage VII, utilizing Munster funds, for 15 property owners who have signed the easement agreements in the amount of $149,108; motion seconded by Bob Huffman; motion passed unanimously.
- Mark Reshkin made a motion to approve the funding of the USGS agreement for the funding of the Hart Ditch gage station in Munster for a cost of $6,000; motion seconded by Bob Huffman; motion passed unanimously.

*Land Acquisition/Management action*: Bob Marszalek made a motion to approve an increased offer for DC1131 from $392 to $410; motion seconded by Bob Huffman; motion passed unanimously.

- Bob Marszalek proceeded to make a motion authorizing the condemnation (if needed) as a last resort on DC-1229, DC-1236, DC-1245, and DC-1248.

*Executive Director’s Report* – Mr. Gardner reported that Colonel John Drolet, accompanied by District Director Roy Deda and project manager Imad Samara, visited the office on September 10. Several Commissioners were able to meet with them. In attendance were Charlie Ray, Arlene Colvin, Steve Davis, Bob Huffman, John Mroczkowski, and Mark Reshkin. Discussion topics included construction scheduling for remainder of project, efforts to get funding to complete construction, recent flooding issues, operation & maintenance of project and emergency response issues. Mr. Gardner stressed to the Colonel
that it is important for the Commission not to have to change any real estate because of design change. Appraisals are already complete for Stage VII and property owners are signing the easements. In Stage VIII, staff has had several meetings with residents and have showed them the staked out easement lines and the center line of the line of protection. Mr. Gardner stressed the need for real estate not to change to keep to the project schedule.

• Mr. Gardner talked about the need for $6 million for the LCRBDC to meet their funding needs to complete the project to the state line. Mr. Gardner referred to an extremely positive and supportive letter from Congressman Visclosky and Governor Daniels addressed to John Clark (Governor's appointment to the RDA Board) requesting the RDA to “loan” the Commission the needed $6 million. Senator Frank Mrvan is also writing a support letter. Mr. Gardner has met with the RDA Executive Director Tim Sanders and it appears that things are progressing to make those funds available. Without any additional funding, Stage VIII will not get built. Staff will be meeting with the RDA Board within the next month. No formal request has been made to them at this point in time. Mr. Gardner and the Board thanked Elizabeth Johnson from Congressman Visclosky’s office.

Finance Committee – Finance action was already taken. The financial statement for end of August can be found on page 23 of the agenda packet. The Burr Street Phase II Gary account has been closed. That project is complete.

Land Acquisition/Land Management Committee – Committee Chairman Bob Marszalek stated action has already been taken. He referred to Judy Vamos to give the report. Ms. Vamos distributed a real estate report to all members. In V-2, there are only two remaining options to the right-of-entry, those being NIPSCO and NSRR. Staff would work diligently to resolve these.

• Ms. Vamos reported that we have received 20 signed offers for easements in Stage VII in Munster. Munster has approved up to $302,000 to finance those offers being made to Munster residents. We expect Munster to donate the easements they hold to the LCRBDC. There may be a few condemnations because all current owners cannot be located.

• In Stage VIII, we have seven appraisers currently doing over 90 appraisals; those appraisals are being turned into the review appraisal firm as they are completed. Staff has met with some residents on Southmoor Road who have significant questions; we will continue to meet with them to try to resolve some of the issues. We have had some survey staking done in their backyards so the owners can see exactly where the floodwall and the permanent easement lines are located.

• Mr. Gardner is working on an RFP for the 32 acres east of Clay Street.

• Mr. Gardner is also hopeful that some of the property we own between the levees can be put into a wetland reserve program with the Soil Conservation Service. He has met with Bill Moran and it appears to be a good program. They will create wetlands and pay us to dedicate these lands for their use and purpose at no cost to the Commission. We will continue to pursue this coordination with them.

Project Engineering Committee – Committee Chairman Bob Huffman announced that Dyer Construction was the low bidder on Stage V-2. Imad Samara added that the contract was officially awarded to Dyer. Discussion ensued on the length of the allowable construction days (750 days). There is an urgency to complete V-2 before then so future development can
take place. The Corps contract does not allow for them to provide “incentive to finish early”. Options will be explored to see what can be done. A pre-construction meeting will be held shortly.

• Mr. Pokrajac stated that he has been working with Huntington District for coordination of the pipelines. Six out of eleven have submitted cost re-location estimates that is being reviewed by Huntington to see if they are “fair and reasonable”. We also have to obtain subordinated agreements with the individual pipeline companies. As soon as we have received the additional cost estimates from the pipelines and written concurrence acknowledging the costs to be fair and reasonable, Mr. Gardner will request the remaining $1,250,000 from IEDC.

• Discussion was held on FEMA coordination. We need to work with them so that when construction is complete, it will not be a lengthy process to complete the re-mapping and eliminate the flood insurance requirement. We have also learned that additional information has to be submitted to keep Wicker Park Manor (Indianapolis Blvd. to the NSRR, south of the river) out of the floodplain. Mr. Gardner is talking to Slavash Biek from Christopher Burke Engineering, who was instrumental in getting that segment originally removed from the floodplain.

• Mr. Gardner hopes to have more information by the next meeting regarding the Griffith levee. Instead of going out for a RFP in this area, he is considering a RFQ. Additional information will be given once it is available. A greater Corps role than first thought may be possible.

• Discussion was held about the pump station that INDOT is scheduled to construct as part of their last phase of Indianapolis Blvd construction from Ridge Road to 81st Street. It appears they have delayed this contract. Once the Corps contract is let for the V-2 levee, it is hoped that INDOT will revisit the importance of completing the construction of their pump station. The LCRBDC will send them a request letter to urge their re-engagement.

**Operation & Maintenance Committee** – Committee Chairman Bob Huffman stated that a committee meeting was held on October 1. There will be sluice gate inspections on October 10 and 11. INDOT will be invited.

• A letter was sent to the Gary Sanitary District requesting O&M turnover coordination.

• O&M manuals were sent out to locals. Comments were due by October 1; none were received.

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

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

**Recreation Committee** – Committee Chairman Bob Huffman reported that the trail was finally graded and stoned between Cline and Kennedy in Highland.

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

**Other Business** – Jim Pokrajac added that Stage VI-1 South is basically complete. Final inspection is scheduled for October 10.
LCRBDC Minutes
October 3, 2007
Page 5

- Chairman Biller added that the grand opening for Cabela’s is October 19, with the pre-opening being October 18.

Statements from the Floor – There were none.

There being no further business, the meeting was adjourned. The next scheduled Board meeting is set for 6:00 p.m. on Wednesday, November 7, 2007.
BY LAWS
FOR THE
LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
ADOPTED June 6, 2002

LEGISLATION CREATING COMMISSION

The Enabling Act of 1980 (IC 14-6-29.5) created the Little Calumet River Basin Development Commission and that is the crucial document which sets forth the powers and authority of the Commission. Nothing in the Bylaws can override the language, spirit or intent of the Enabling Act.

BY LAWS ESTABLISHMENT


OFFICERS

Officers of the Commission are Chairman, Vice Chairman, Treasurer & Secretary.

CHAIRMAN

The Chairman is a member of the Commission and as such, has the right to full participation in the proceedings, including the right to vote.
The Chairman can speak in discussion without leaving the Chair.
The Chairman need not rise when putting a question to vote.
The form of taking a vote shall be “Those in favor, say “aye”; those opposed, say “no”.

MEMBERS

Any member shall abstain if he has a direct pecuniary interest or may abstain for any other reason.
Six (6) members constitute a quorum. A majority vote of those present is necessary to take action.
A member may discuss business or make a motion while seated.
Motions need to be seconded with the exception of nominations, which do not require a second.
There is no limit as to the number of times a member can speak to a question.
Informal discussion of a subject is permitted while no motion is pending.

COMMITTEES

Committees shall be either standing committees, which have a continuing existence, or special committees, which go out of existence as soon as they complete a specific task.
Committee assignments will be chosen by the Chairperson from the preferences indicated by individual Commissioners and then committee members will choose their own committee chairman.
The policy of this Commission shall be that the Presiding Officer, or Chairperson, is a non-voting ex-officio member of all committees. Furthermore, salary per diems for committee meetings shall be allowed only for voting members of committees.

**PROCEDURE OF NOMINATING COMMITTEE**

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.

**MEETINGS**

Regular meetings shall be held once a month at 6100 Southport Road in Portage, Indiana, or at any other such location as designated by the Commission. The meeting date is fixed at the previous meeting and normally will be on the first Thursday of each month at 6:00 p.m. A Work Study Session may precede the regular meeting at 5:00 p.m. The public may attend both these meetings.

The order of business (agenda) generally will be as follows:
- Call to order by Chairman
- Pledge of Allegiance
- Recognition of Visitors and Guests
- Approval of Minutes
- Chairman's Report
- Executive Director's Report
- Pending Business
- Standing Committees
- Other Issues
- Statements to the Board from the floor
- Set date for next meeting

The order of business may be suspended by a majority of the members present.

**TRAVEL**

It is understood that final approval of all claims related to travel are subject to approval of the full Commission, as are all claims, per the 1980 State enabling Act as amended, authorizing and empowering this Commission.

**Definitions**
1. Area Business – automobile travel, no overnight stay.
2. Indianapolis Business – for pertinent State legislative, executive or regulatory business; overnight stay not required but may be allowed.
3. Annual Conferences – as authorized by a majority vote of the Commission at a public meeting.
4. Emergency Travel – overnight travel, as needed, to be used only in situations where other authorization scenarios cannot apply for reasons of time.
5. Special Travel – travel not covered by other categories, as determined by a majority vote of the Commission at a public meeting.
Authorization to Travel (Staff includes contract employees)
1. Staff shall be authorized to travel on Area Business as deemed necessary by the Executive Director. Commissioners are authorized to travel on Area Business that is pertinent to their Committee work, as directed by Committee Chairperson.
2. Staff shall be authorized to travel on Indianapolis Business as deemed necessary by the Executive Director. Commissioners are authorized to travel on Indianapolis Business as pertinent to their Committee work, as directed by Committee Chairperson.
3. Staff and Commissioners shall be authorized to travel to Annual Conference as determined by a majority vote of the Commission at a public meeting.
4. Staff and Commissioners shall be authorized for Special Travel as determined by a majority vote of the Commission at a public meeting.
5. Staff and Commissioners shall be authorized for overnight Emergency Travel as determined through polled approval of at least six (6) Commissioners.

Authorization for Reimbursement
Reimbursable expenses shall be subject to State law and the following guidelines:
1. For Area Business – State law on mileage reimbursement shall apply to Area Travel directed by the Executive Director. Commissioners shall be reimbursed pursuant to State law for Area Travel only if related to Committee work as directed by Committee Chairperson.
2. For Indianapolis Business – State law on mileage shall apply. Other expenses of staff and any Commissioners related to meals, entertainment and/or salary per diem shall be governed by appropriate State law and Commission policy. Overnight stay for staff allowed upon determination by Executive Director.
3. For Annual Conferences – State law and Commission policy as enumerated in this policy or subsequent policies.
4. For Special Travel and Emergencies – As authorized by State law and the Commission as enumerated in this policy or subsequent policies.

Particular Travel-Related Expenses
Other travel related expenses are to be reimbursed in accordance with State law and Commission policy as enumerated in this and subsequent Commission policies.
1. Registration fees which have not been prepaid by the Commission for attendance at events related to authorized travel shall be reimbursed when supported by receipts. If staff or Commissioner fails, without valid reason as determined by a majority of the Commission at a public meeting, to attend an event at which pre-registration fee was paid, that Commissioner or staff shall be liable for any non-refundable portion of the fee.
2. Airline, bus, rail or other travel fees for Authorized Travel which have not been prepaid, will be reimbursed at prevailing “coach” or “tourist” rate when supported by receipts. If pre-paid travel is cancelled without a valid reason, as determined by a majority vote of the Commission at a public meeting, the staff or Commissioner will be liable for the non-refundable portion of the pre-paid fee.
3. Local transportation costs, parking, and/or tolls as related to Authorized Travel will be reimbursed when supported by receipts.
4. Automobile travel for Authorized Travel will be reimbursed at the current State-authorized rate.
5. Rental car expenses for Authorized Travel will be reimbursed when supported by receipts upon the approval of a majority of the Commission at a public meeting.
6. Lodging expenses at the Single Occupancy rate for Authorized Travel that are not prepaid will be reimbursed when supported by receipts. Lodging costs shall include room costs, taxes, and reasonable phone charges.
7. Meal expenses relating to Authorized Travel will be reimbursed at the maximum allowable rate as determined by State law.
8. In addition to allowable meal and travel expenses, Commissioners shall receive a salary per diem as enumerated in applicable State law, as amended.
**AMENDING BYLAWS**

These Bylaws may be amended by a 2/3rd vote and notice shall be given at the previous meeting.
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<td>5844</td>
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<td>NIPSCO</td>
<td>28,024.33</td>
<td>UTILITY RELOCATION SERVICES FOR SV-AIS</td>
<td></td>
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</table>

TOTAL: 89,122.73
APPROVAL TO PAY THE FOLLOWING INVOICES
FROM O&M FUND
November 7, 2007

- $52.88 to T-Mobile for costs incurred for cell phone for engineer field work; monthly service 9/11/07 – 10/10/07
- $2,500.00 to Tallgrass Restoration for weed control, herbicide application to weeds growing within ditch control structure
- $66,640.00 to Austgen Electric Inc. for cleaning various flap gates and sluice gates
- $800.00 to Austgen Electric Inc. for inspection of sluice gates in Griffith

TOTAL $ 69,992.88
STAGE VII – MUNSTER  
(Northcote to Columbia, south of the river)

CLAIMS PAYABLE FOR NOVEMBER 2007  
TO BE DRAWN FROM MUNSTER – UP TO $302,000

<table>
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<tr>
<th>Budget Code</th>
<th>DC Number</th>
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<td>DC-1237</td>
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<tr>
<td>5860</td>
<td>DC-1241</td>
<td>$16,868</td>
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<td>DC-1244</td>
<td>$ 7,897</td>
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<tr>
<td>5860</td>
<td>DC-1245</td>
<td>$10,009</td>
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</table>

TOTAL $42,799
October 12, 2007

Mr. Tim Sanders  
Executive Director  
Northwest IN Regional Development Authority  
9800 Connecticut  
Crown Point, Indiana  46307

Dear Mr. Sanders:

The Little Calumet River Basin Development Commission respectfully submits an application form and supporting documentation for a $6 million loan request from the RDA Board to be used for the completion of the construction of the Little Calumet River flood control/recreation project in Lake County, Indiana.

I am available to meet with you and your Board members at any time for a presentation of this request. If you have any questions on any of the submitted items, please let me know.

Thank you for your consideration.

Sincerely,

[Signature]

Dan Gardner  
Executive Director

/sjm

encl.

cc: Governor Mitch Daniels  
Congressman Peter Visclosky  
Senator Frank Mrvan, member Budget Committee  
Christopher Ruhl, State Budget Director  
Tony Armstrong, State Budget Agency  
Lt. Col. John Drolet, USACOE
Northwest Indiana Regional Development Authority  
Application for Financial Support  

Date of Filing: October 12, 2007  
Applicant: Little Calumet River Basin Development Commission  
Contact Person: Dan Gardner, Executive Director  
Mailing address: 6100 Southport Road, Portage IN 46368  
Phone: 219-763-0696  
Email: dgardner@nirpc.org  

Applicant's legal status: State legislatively-created development commission for the purpose of acting as the U. S. Army Corps of Engineers' non-Federal local sponsor.  

(Enclosure  1-A: State Enabling Act 1980  
1-B: Commission bylaws  
1-C: Local Cooperation Agreement with Corps of Engineers)  

Project Description:  

The Little Calumet River project is a Federally-authorized local flood control/recreation project. The total cost for construction is ± $200 million, of which 75% is Federally funded through Congressional appropriations to the U. S. Army Corps of Engineers. The remaining 25% of commitments must be non-Federal funding sources. The project was authorized for Federal construction in the 1986 Water Resources Development Act. Indiana General Assembly appropriations date back to 1975 and have been included in each State budget since. The project was authorized on the basis of a Federal benefit cost study addressing the 9,500 acres along the river in Gary, Griffith, Hammond, Highland, and Munster that were subject to major floods. The average annual damages, as calculated by the Corps of Engineers, are over $12 million a year. Over 8,600 structures will be protected by the project; over $6 million in flood insurance payments by individuals and businesses will be saved by removal from the floodplain; over 3,500 acres of urban land along the I-80/94 Borman corridor will be made available for taxable new construction; and over 1,500 acres will be preserved and developed as a
linear recreation system tying together with recreation trails, six major county and municipal parks, as well as preserving and restoring 750 acres of wetlands.

The non-Federal sponsor agency (Little Calumet River Basin Development Commission), as part of its 25% share, is responsible for acquiring the needed lands, easements, and rights-of-way for the project, providing for needed highway bridge improvements and utility relocations, as well as providing a 7% cash match for all Federal construction contracts. It is important to note that the non Federal project commitments must be performed in advance of the Federal construction, as the Corps of Engineers cannot construct on private property. Additionally, the need for non Federal funds is magnified by the state of Indiana's biennial budget process covering nearly three years of Federal construction appropriations. The lack of requested State funding has severely constrained Congressman Visclosky from completing the Federal construction as quickly as desired. A copy of our most recent biennial capital budget request is included (Enclosure 2) along with the documentation of the breakdown of the requested $8 million (Enclosure 3) to meet Congressman Visclosky's directive to complete the Federal flood protection by the end of calendar year 2009.

Economic Impact Statement:

The project has three principal categories of justification for Federal funding and regional economic benefits for northwest Indiana. The first category is the Federal benefit cost ratio to obtain eligibility for Federal funding (listed as Benefit 1 on Enclosure 4). The second benefit is individual economic benefits and savings to the property owners along the Little Calumet River — roughly 8,000 homes, 500 businesses, and 100 public buildings (listed as Benefit 2 on Enclosure 4). The third economic benefit is the development potential along the Little Calumet River/I-80/94 corridor in Gary, Griffith, Hammond, Highland, and Munster (listed as Benefit 3 on Enclosure 4). In total, 5,000 acres of existing development will be protected, and ± 3,000 acres of land will be made available for new taxable development. (Enclosure 4 - “Little Calumet River Flood Control/Recreation Project Economic Benefits Estimate”).

Quality of Life Impact Statement:

The Little Calumet River project is at its heart an urban re-investment project. The project is investing over $200 million of Federal and local resources along northwest Indiana's “main street” I-80/94. The investment will provide needed flood protection to not only homes and businesses, but also to the interstate highway itself and to both regional commuter campuses of I.U. Northwest and Purdue Calumet. The investment will allow significant acreage and existing structures to be removed from the floodplain designation; thereby, saving over $6 million of annual flood insurance payments by area residents in this time of property tax challenges. Individual homeowners are paying between $900 - $1,500 annually with businesses paying significantly more. The project also opens up over 3,500 acres of presently marginal land for urban investment and re-investment adding to the tax base of Gary, Griffith, Hammond, Highland, and Munster. In addition to the physical and economic development improvements, the project reclaims a river for functional flood protection, active and passive recreation, and environmental restoration. The Little Calumet River project will construct a lineal recreation trail and
facilities connecting the communities and six of their major parks. The flood control improvements through added pumping stations and river channel cleaning will lend itself to other water quality improvements not directly paid for by this project. Finally, the project will enhance the natural environment through preservation and restoration over 750 acres of wetland and natural areas. This regionally benefiting project has also been coordinated with local municipal redevelopments and quality of life improvements. The most notable recent investment is the commitment by Cabela’s Inc. to developing the 110 acres for their store and related out lots in Hammond. This is only possible because of assured flood protection by the Little Calumet River project. The Commission was part of the negotiations along with the State and city of Hammond to secure their commitment and removal from the floodplain by committing to finish their levee segment by the end of 2008. As a result, the Indiana Economic Development Corporation allotted $6 million to the LCRBDC to accelerate the schedule. This development alone will produce over 400 jobs and over $78 million of private investment by the store.

Funding Request and Financial Analysis:

<table>
<thead>
<tr>
<th>Total Project Cost:</th>
<th>± $200 million</th>
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</thead>
<tbody>
<tr>
<td>Funds requested from RDA:</td>
<td>$6 million</td>
</tr>
<tr>
<td>Total Funds from other sources, both received and requested:</td>
<td></td>
</tr>
<tr>
<td>Federal:</td>
<td>± $150 million</td>
</tr>
<tr>
<td>State:</td>
<td>$48,300,000 (IN General Assembly, IDNR, IEDC, INDOT)</td>
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<tr>
<td>Local: County (Lake)</td>
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<td>Township: North</td>
<td>$430,000</td>
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<td>Municipals:</td>
<td>$4,470,000</td>
</tr>
<tr>
<td>Private Developments/Not-for-Profit:</td>
<td>$3,597,000</td>
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</tbody>
</table>

(Enclosure 6 - “Non Federal Project Contributions – State, County, Township, Municipal, Local Sanitary Districts, Private Donations”)

The LCRBDC’s request from the RDA Board is for $6 million to serve as the required non-Federal items of cooperation needed to allow the Federal construction appropriations by Congressman Visclosky to be included in the next several Federal budgets and utilized to complete the construction of the flood protection project by the end of calendar year 2009. Our request number is based upon the gap of funding created by the Indiana General Assembly only funding $2 million of our requested and required $8 million to finish the project on the Congressman’s schedule. The use of the $8 million is detailed in Enclosure 3. Enclosure 5 is a letter from Governor Daniels and Congressman Visclosky initiating the request and the benefits accrued by the RDA’s funding.

The LCRBDC clearly recognizes the legislation creating the RDA Board spells out the four initial capital projects that are eligible to deserve RDA funding and the statement that future regional significant economic development projects may be considered. While we understand that the RDA Board has not had the time to define what would specifically qualify outside the four named projects, we believe this submission meets the test for regional economic significance. Based on that, we are
submitting it because of the critical nature to finish the project which required the $6 million of non-Federal funds.

Equally significant is the written statements by Governor Daniels and Congressman Visclosky to utilize the requested funding as a mechanism to complete the project and not a specific grant of funding. Their commitment to work with area legislators to secure these appropriated funds in future State budgets is an important distinction (Enclosure 6).

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**Project Timeline:**

The project timeline shown is driven by the project schedule Congressman Visclosky has required of the Army Corps and the LCRBDC (Enclosure 7 is the letter from Congressman Visclosky and Enclosure 8 is the Project Time Schedule). (Enclosure 9 is the overall project map showing construction sequence).

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**Supporting Materials**

The Corps of Engineers background documentation and economic justification for Federal participation studies are all available upon request at the:

U. S. Army Corps of Engineers  
Chicago District  
111 N. Canal Street  
Chicago, Illinois 60606-7206  
(Phone 312-846-5560)

With respect to participation by minority business enterprises and local contractors and labor, the LCRBDC worked diligently with the Corps of Engineers at the beginning of the construction in the early 1990's to secure an aggressive goal and performance standard for all contracts let by the Corps. I am including a copy of the agreed-to commitment by the Corps of Engineers for a 40% goal for minority participation and local labor preference. (Enclosure 10 – Corps of Engineers letter signed by Lt. Col. David Reed)
October 4, 2007

Mr. John Clark, Chairman
Northwest Indiana Regional Development Authority
101 West Ohio Street
Suite 1250
Indianapolis, IN 46204

Dear Mr. Clark:

I write to you today in strong support of a recent request by Governor Mitchell Daniels and Congressman Peter Visclosky for your assistance in providing funding for the Little Calumet River Flood Control and Recreation project. The Governor and Congressman Visclosky delivered a letter to you dated September 24, 2007, with details of a $6 million loan from the Northwest Indiana Regional Development Authority for this purpose.

This project is a priority for the welfare of the residents of Northwest Indiana. Major floods along this corridor have raised grave concerns for the safety of homeowners and their families. In fact, the floods have been so severe that the State of Indiana has twice requested Federal disaster funds for repair and improvements in this area.

Future consequences of this central flood project are many. Nearly 10,000 houses will no longer need flood insurance, resulting in millions of dollars in savings for homeowners living in the area. Additionally, economic development will be stimulated because approximately 4,000 acres will be out of the floodplain and available for business growth and much needed jobs.

The $6 million dollars requested would be repaid and would not have an impact on the Authority's long term future goals.

Your prompt action would result in many positive results.

1. The protection of thousands of Hoosier homeowners from floods.
2. Millions of dollars saved by homeowners who no longer must purchase flood insurance.
3. A tremendous advantage for economic development by removing thousands of acres of land from the flood plains for business growth and the creation of much needed jobs.
4. Early positive contribution by the Authority for the benefit of our residents.

In closing, I assure you that the Indiana General Assembly's intent was for the Northwest Indiana Regional Development Authority to be used as an economic development tool.

Please help complete this flood control project for the safety of our people and the opportunity of economic growth.

Sincerely,

Frank Mrvan
State Senator, District 1
Ranking Minority Member, State Budget Committee
RDA MAY GO INTO FLOOD CONTROL

South Shore promoters also receive $30,000 to market rail line extension

BY KEITH GEMAN
keigen@lwtimes.com
292-5362

Key members of the Northwest Indiana Regional Development Authority expressed support Tuesday for a $50 million request for flood control, acknowledging the idea was "unusual." But it also was difficult to refuse.

"I would observe this is an extraordinary request. And for just because it comes from Congressman (Pete) Visclosky and the governor, who are two of the founders of this organization's style," RDA chairman John Clark said.

The request has stirred controversy because it falls outside what the RDA often refers to as the four corners of its legislative mandate: Those are airport, buses, South Shore and interfront development.

The Little Calumet River Basin Commission is making a $2 million request to work on flood control, extending from Gary to the Indiana state line.

See RDA, D2

RDA

Continued from D1

In Hammond, the $50 million would leverage $25 million in federal funds.

Visclosky, Deluca, Gov. Mitch Daniels and Clark, among others, have pledged to work to get the General Assembly to pass an appropriation to pay back the $50 million.

Clark and Harry Snyder, a Hammond alderman appointed to the RDA by the governor, questioned the group's strategy for whether the projects were to be approved by the board of directors, which is often referred to as a working group for the project.

The RDA also approved a Northwest Indiana forum for a $100,000 request for a marketing effort to promote the area as a destination.

The forum was approved by a board member, Carl Loder, and the group's executive director, John Clark.

This was necessary to get buying support for the project and support for the project from the local community.

The group has states it would support the project, which is a working group for the project.

The forum wants to raise $1 million in the campaign, according to a document filed with the RDA.

In addition to the $130,000 from the RDA, the forum will be able to raise $700,000 in the campaign, according to a document filed with the RDA.

A proposal for a $35 million gate to project in Gary was accepted and recommended for the South Shore development, and the council accepted a working group to get funding for the project.

The project would be built on the site of the old Gary, Indiana, train station, and retail stores are already under way. The project was accepted by a working group and is being considered by the RDA board.

The project includes extending the Lake Street South Shore station in Gary as well as the South Shore station at the downtown Gary Metro Center.
### Cash Position - January 1, 2007

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<td>Tax Fund</td>
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<td>Savings</td>
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<td>Escrow Account Interest</td>
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| Total Receipts   | 997,128.66 |

| Disbursements - January 1, 2007 - September 30, 2007

#### Administrative

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<tr>
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<td>Printing &amp; Advertising</td>
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<td>Bonds &amp; Insurance</td>
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<td>Meeting Expense</td>
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| Land Acquisition                   | 87,826.20 |
| Appraisal Services                 | 128,650.00|
| Engineering Services               | 31,066.25 |
| Land Purchase Contractual          | 55,285.00 |
| Facilities/Project Maintenance     | 44,603.90 |
| Operations Services                | 169,974.72|
| Land Management Services           | 166,652.30|

| Miscellaneous Expenses             |         |
| Economic/Marketing Sources         | 287,885.06|
| Property & Structure Costs         | 1,605,322.06|

| Total Disbursements                | 1,605,322.06|

### Cash Position - September 30, 2007

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| Total Funds In Checking Account | 478,093.34 |

### Chase Savings Account Balance

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*Note: Original $700,000 note
**Note: O & M Fund comprised of remaining L & E. Money, $185,000 Interest Money, and $133,721.49 Marina Sand Money
Savings Interest               | 4,129.15 |
***Note: Income deposited from Savings 25,700; Escrow Interest 6,418; Burt St Interest 5,220

| Total Savings                | 88,743.92 |
| Escrow Account Interest Avail | 6,172.32 |

| Total Of All Accounts        | 565,009.58 |
Dyer Construction gets $13.34M flood control contract

October 17, 2007

Post-Tribune staff report

HAMMOND — Dyer Construction Co. has been awarded a $13.34 million federal contract to complete the fifth phase of a flood control project along the Little Calumet River.

Earthen levees and flood walls will be erected along the river between Kennedy Avenue in Hammond and Northcote Avenue in Munster south of Interstate 94, said Imad Samara, project manager for the U.S. Army Corp of Engineers.

The low-bid contract was awarded to Dyer Construction earlier this month. Samara said the levee work will begin early next year.

He said the Indiana Department of Transportation has been given details on the flood control measures.

Two months ago, flood water shut down the Borman Expressway at Kennedy Avenue after the highway's stormwater drainage system failed.

Meanwhile, Samara said two more phases of the river's flood control project still have to be designed.

Contracts for that work are expected to be awarded by June, Samara said.

He said the entire project is scheduled to be completed by December 2009.
PORTAGE — With the immediate causes of the Aug. 24 flooding of Interstates 80-94 identified and the long-term solution identified as completion of construction, officials have turned their attention to prevention.

The Indiana Department of Transportation has hired Earthtech consulting of Indianapolis to identify where runoff from Kennedy Avenue and Indianapolis Boulevard drains, where all runoff from the Borman Expressway drains and what kind of plan INDOT should use to avoid flooding.

The Aug. 24 flooding shut the expressway down for three days.

"Stay tuned. INDOT does not want to let this languish — and that's a good thing," said Dan Gardner, executive director of the Little Calumet River Basin Development Commission.

The federal highway commission has pressured INDOT "not to ever let this happen again," Gardner said.

The Northwestern Indiana Regional Planning Commission approved spending $250,000 in federal funds for the engineering at its Sept. 20 meeting, he said.

Money for construction won't be earmarked until the consultant's reports are submitted.

The flooding, caused by an open flap gate that let water cycle back, had its source east of Kennedy Avenue on a Hammond easement. "Nobody felt it was obligated to do anything about it," Gardner said.

"Duck bill" flaps could replace the flat flaps that end up stuck open too easily, Gardner said.

Other problems occurred because the ditches along 80-94 that once handled overflow have been paved, according to an Army Corps of Engineers report.

Mark Gerdish, the new Hammond appointee to the commission, said there were also problems with INDOT not wanting to use the assistance of local experts on the Little Calumet River.
October 8, 2007

Hammond Board of Public Works and Safety
Hammond City Hall
5925 Calumet Avenue
Hammond, IN 46320

RE: Authorization for Access and Construction
Replacement of Existing 54-inch Waterman F-10 Flap Gate
With Tide Flex TF-1 “Duckbill”
City of Hammond, Lake County, Indiana

Dear Sirs/Madams:

The Indiana Department of Transportation respectfully requests your permission and authorization to gain access and to perform the following construction work at the outlet of an existing 54-inch diameter RCP pipe which drains to the Little Calumet River and is located approximately 70 feet east of the centerline of Kennedy Avenue: remove and haul away existing Waterman (F-10, 54-inch) flap gate, install thimble plate, and install Tideflex TF-1 “Duckbill” gate. This outlet is identified as Structure No. 63 (Project IR-80-HH013) and drains an area which includes the southeast quadrant of the Borman Expressway (I-80/I-94) and Kennedy Avenue Interchange. Property information obtained indicates that the property at which this outlet is located is owned by the City of Hammond.

This work is necessary since the existing flap gate is subject to interference by debris and could remain open during flood events, as occurred during the recent flooding of August 23 - 26, 2007. The Tide Flex gate is much less susceptible to interference by debris and will provide a higher level of protection against backwater from the Little Calumet River.

The construction work is planned to be carried out by INDOT workers from the LaPorte District office. Prior to removing the existing flap gate, and until after the Tideflex gate is successfully installed and inspected, the existing sluice gate located upstream of the outlet will be closed to prevent any possibility of backflow from the Little Calumet River during construction activities, which are anticipated to take several days. We do not anticipate any disruption to traffic along Kennedy Avenue during this time. A small staging area will be required for equipment and materials, and all disturbed areas will be cleaned and re-seeded as necessary prior to leaving the site.

Due to the nature of flooding conditions on the Little Calumet River which could impact the Borman Expressway, we request your permission for requested access and construction as soon as possible. We anticipate starting the work sometime in late November or early December, of course depending on river and weather conditions. We will provide a copy of the construction plans to the City Engineer prior to start of the project and notify him of the construction schedule as soon as it is determined. We will coordinate all construction activities with him.

In the meantime, if you have any questions or require additional information, please contact John Pangallo (317-234-5602), the INDOT Project Manager for this project, or Rick Rampone, Earth Tech, the design consultant (317-712-2900).

www.in.gov/dot/
An Equal Opportunity Employer
Thank you for your consideration of our request.

Sincerely,

INDOT

[Signature]

Mike Monahan
Director, Laporte District Office

Copy: Stan Dostatni, Hammond City Engineer
Dan Gardner, Little Calumet River Development Commission
Imad Samara, U.S. Army Corps of Engineers, Chicago District
John Pangallo, INDOT
Rick Rampone, Earth Tech
REQUEST FOR PROPOSALS

The Little Calumet River Basin Development Commission (LCRBDC) is seeking proposals from experienced wetland banking entities for the establishment of a wetland restoration development that would qualify, be developed, and managed as a wetland bank for the sale of wetland credits to development entities. The LCRBDC is a state of Indiana legislatively-created development commission with powers and specific authority along the main stem of the Little Calumet River in Lake and Porter counties in Indiana. The LCRBDC is seeking proposals for the establishment of a wetland bank on a 32 acre site which it owns in Lake Station, Indiana, located directly north of the Little Calumet River/Burns Ditch and immediately east of Clay Street. The responding successful entity, when selected, will enter into a contractual agreement with the LCRBDC for the site design, creation, and required five (5) year maintenance/restoration period to assure wetland banking eligibility with permitting agencies. The successful developer would solely be responsible for these costs, and in addition, be required to pay an initial per acre use/rental fee and a specified percentage of the sale of wetland credits once the bank is permitted and operating and credits are sold. The financial details are to be provided in the proposal.

The proposal must include: (1) a description of the proposing entity/joint ventures as to type of business/incorporation; (2) a history of operations; (3) a listing of officers/directors of the entity; (4) a financial overview of the entity including bank references and finances to assure the ability to successfully carry out such a development; (5) a description of the entities experience in developing wetland banks, including references; (6) a statement of any relationships between the developer and any parent companies or subsidiaries that might take part in the design, development, or operations; (7) a listing/description of any consultants/contractors to be utilized for the project; and (8) the designation of a principal point of contact of the proposer with name, position, address, phone, email, and any other pertinent information.

It is the intent of the LCRBDC to move as expeditiously as possible in the pursuance of this project. The 32 acres is currently owned by the LCRBDC and has had preliminary environmental site assessment indicating the site is suitable for wetland development. The site is currently being farmed on a yearly rental basis.
The site's topographic, legal description, soils and any other existing information is available by request to the LCRBDC at no cost. Any further studies or added details of this information is solely the responsibility and cost of the proposed developer.

The site is available for viewing/field inspection by contacting the LCRBDC at its business address/phone during business hours of 8:30 – 4:30 p.m. weekdays. The contact should be to the LCRBDC Executive Director Dan Gardner. Any questions or clarification can be directed to Dan Gardner.

Proposals must be submitted in writing to the LCRBDC office. Proposals shall be delivered in a sealed envelope to the:

Little Calumet River Basin
Development Commission
6100 Southport Road
Portage, Indiana 46368
Attn. Dan Gardner
(phone 219-763-0696)
(littlecal@nirpc.org)

Sealed proposals will be opened by the LCRBDC staff publicly at 4:00 p.m. on ________________ in the LCRBDC office in Portage.

The LCRBDC reserves the right to accept or reject any or all and any/or any combination of proposals or to negotiate with any one or more of the bidders.

Dated this 7th day of November 2007.
RECREATION REPORT

For meeting on Wednesday, November 7, 2007
(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 June 1 – October 31, 2007)

RECREATION – PHASE I
(This contract included recreational facilities for Lake Etta, Gleason Park, Stage III (trails) and the OxBow area in Hammond.)

A. CARLSON OXBOW (Hammond)
   1. October 28th, 1998 was the date that this facility was turned over to the city of Hammond.

B. GLEASON PARK (Gary Parks & Recreation)
   1. October 28th, 1998 was the date this facility was turned over to the Gary Parks & Recreation Department.

C. LAKE ETTA (Lake County Parks)
   1. October 27th, 1998 was the date that this facility was turned over to the Lake County Parks Department.

D. CHASE STREET TRAIL (City of Gary)
   1. October 27th, 1998 was the date that this facility was turned over to the City of Gary.

EAST REACH RECREATION

A. At this point in time, the existing construction contracts in the East Reach are almost all completed. The only remaining area of construction is the Burr Street Phase 2 East and the Griffith levee. (Scheduled completion July 20, 2008)

B. Currently, the joint recreation venture with the Army Corps is completed; 90% of the completed East Reach levees have stoned trails completed; the remainder of East Reach trails will be included in the upcoming Recreation Phase II contract.

C. Recreation trail re-alignments will be required in the East Reach due to heavy traffic in the proposed crossings at Grant Street and Broadway.
   1. Broadway to Harrison Crossing – Stage II-3B – Crossing at Broadway (currently on hold until the Recreation Phase II contract.)
      • Additional land, and some construction, will be required to extend a recreation trail along both the sidewalks East and West of Broadway to allow recreation trail continuation.
      • Upon completion of I.U. Northwest modifications on, and adjacent to, Broadway, we may be able to install a permanent trail crossing south of the river and along the line of flood protection, as originally proposed by the COE

   2. Harrison to Grant Street Crossing – Stage II-3C – Crossing at Grant (currently on hold until the Recreation Phase II contract.)
      • In the Corps letter dated February 7th, 2002, they indicated, under the “remaining East Reach recreation features” response, that these remaining features will be incorporated into the next Recreation Phase II contract.
3. **EJ&E at-grade crossing – East of Cline Avenue**

   A. A letter was sent to the EJ&E RR on March 11, 2005 requesting them to revisit their requirements which would allow the LCRBDC to install a new at-grade crossing for a recreational trail.
   - A letter was received from the EJ&E RR on April 6, 2005 indicating they will not allow an at-grade crossing in this area. They suggest the topography would be most ideal for an under grade crossing.
   - It is currently being reviewed by the Corps. Above grade is restricted by real estate and cost, and the nearest at grade crossings are too far away. This could be done as part of the final Recreation Phase II contract. (The re-engineering will be coordinated prior to the release of the Recreation Phase II project).
   - A letter will be sent out enclosing a September 1, 1999 letter from the EJ&E RR notifying us we could be permitted to construct an at-grade crossing. We would then request coordination to work with them to get an easement agreement.

**WEST REACH RECREATION**

*Cline Avenue Crossing:*

1. LCRBDC has contracted First Group Engineering (Dennis Cobb) to coordinate crossing Cline Avenue at the NIPSCO right-of-way.
   - A letter was received from INDOT on March 4, 2005 (dated March 1) indicating they had no objection to this crossing.
   - At the March 15, 2005 Real Estate meeting, the COE indicated that this crossing, and the trail from Cline east to the EJ&E RR will be done as part of the upcoming construction contract.
   - The Corps indicated that this crossing will be coordinated with the upcoming Recreation Phase II project. The construction contract in this area is now completed and current priorities are directed at new flood protection contracts to the state line.

**Stage VI-2 (Rec. trail tie-in):**

1. LCRBDC received a request from the COE on October 13, 2006 regarding the raising of the recreation trail ramp east of the NIPSCO substation east of Liable Road and north of the NIPSCO R/W.
   - This area allowed water to pass over the NIPSCO substation during recent heavy rains. COE wants to raise this ramp and extend it to the north NIPSCO R/W (the extent of LCRBDC work limits).
   - Meeting held with LCRBDC, NIPSCO, COE, and Highland Parks on October 18 – Highland to work with NIPSCO to extend their existing trail from west of Liable to our ramp extension.
   - An email was sent to the Highland Parks & Recreation Dept. on December 18, 2006 requesting the status of their real estate, funding, and scheduling.
   - Highland currently working on easement agreements with NIPSCO, and have contracted out to have design completed. (Refer to Engineering Report)
Kennedy Avenue Bridge area – Tie in for Stage VI-1 South and Stage V-2

A. An article was written in the April 15 Times with a preliminary opinion of the town of highland regarding the Army Corps recreational bridge proposals as submitted to Highland as part of the 90% review set submitted to them on April 3, 2007.

B. Several coordination meetings were held with the Corps, Hammond and Highland Redevelopment Commissions, and the LCRBDC to discuss the current proposal.

_April 16_ – Met with Highland Redevelopment. Highland proposes formed concrete bridge (similar to Naperville) in lieu of the Army corps “link pedestrian truss type” bridge.
- Corps presented preliminary cost estimates for both the bridges east and west of Kennedy and indicated any costs in excess of the estimates would be a betterment and would be the responsibility of the locals to make up the incremental difference.

_April 19_ – Met with both Hammond and Highland Redevelopment Commissions, and their Boards.
- Hammond was brought up to speed on the previous discussions
- Locations of both bridges were discussed, type of bridge design, costs involved and who would pay what share. West of Kennedy did not appear to be a problem – all agreed a Work Study Session was needed.

_April 25_ – A Work Study Session was held to do a review.
- All agreed the bridge west of Kennedy (near NIPSCO R/W) was OK and could use truss-type design. (This is included in V-2 plans and specs)
- All agreed to have trail north of the river instead of south behind the houses.
- Bridge east of Kennedy will be part of this stage and be installed nearer to existing bridge with ramps
- Corps provided some options & costs from bridge company to consider as upgrades on October 3, 2007 that would have to be considered as a betterment by the town of Highland.

> Highland replied on October 25 that they do not want to participate in any cost enhancements to the bridge.

C. An email was sent to the Corps on April 28 (See Item #3) indicating the LCRBDC did not want to acquire additional real estate or they would not meet the June 30 deadline.
- The Corps modified real estate east of the NIPSCO R/W, south of the river, to accommodate the new location of the pedestrian bridge west of Kennedy Avenue (Refer to Land Acquisition Report).

D. After investigation, it was found Highland had not obtained any rights from the NSRR at Grand Avenue.
- It was suggested by the Corps to not confuse other ongoing issues with the NSRR and to pursue it later in the Recreation Phase 2 contract.
Stage VIII Trails:
1. The trail alignment in this area has been re-visited by the Buffalo Army Corps and will be coordinated through the review process.
   • The Chicago Corps contracted out the Buffalo District to do the Stage VIII design in October 2006. (See Engineering Report)
2. Coordination with NICTD for trail along their R/W under I-80/94
   • We received a letter from NICTD on October 15th, 2001 (dated October 9th) indicating problems with the location of our trail on their R/W under I-80/94
   • They feel it is a safety concern and suggested we re-route our trail along their R/W to 173rd Street.
   • A meeting was held with NICTD on March 11th, 2002, to review recreation trail realignment, review hydraulic information, and discuss other local and COE concerns.
   • It appears we may be doing our construction in this area before the railroad would be proceeding. It is our intent to use our current design and when they proceed, we can work together accordingly. (Buffalo Corps is coordinating)
   • A conference call is being scheduled with NICTD to review our upcoming construction on their right-of-way, which includes new discussion about an at-grade crossing.

GENERAL:
A. At a coordination meeting with the Army Corps on May 24, 2005 to review the scheduling and funding for the rest of the project, it was agreed that the line of protection should be the focus of first available money.
   • Recreation, river clean-up, and landscaping would be done secondarily.
   • This would allow the municipalities to come out of the floodplain at an earlier date.
September 1, 1999

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

SUBJECT: At-Grade Recreation Trail Crossing

Dear Mr. Pokrajac:

This letter serves as notification that the EJ&E will permit the proposed, at-grade recreation trail crossing that is to be constructed in conjunction with the Burr Street Betterment Levee Project within Griffith, Indiana.

Prior to actual construction, the at-grade crossing is subject to a fully executed license agreement between the EJ&E and the trail owner. The trail owner is expected to indemnify the railroad for any and all liability associated with the trail's use. Find attached a copy of a sample license agreement that can be used for reference purposes.

Be advised that the proposed crossing location will be blocked for extended periods, 15 minutes and beyond dependent upon operating requirements, due to its proximity to the interchange between the EJ&E and Norfolk Southern (NS). It is imperative that the trail users do not attempt to cross a stopped train and signs should be installed to make the users aware of this condition.

If I can be of further assistance, please contact me.

Sincerely,

Mark A. Paull

cc: KLH
    DRO
    DMS
    MST
TRACK SPECIFICS:
1. 131# AND 132# RAIL: HEIGHT = 7 1/8".
2. TIE PLATES 7/8" TO 23/32" HIGH AT RAIL SEAT x 14" LONG.
3. BEARING (TIE) PADS REQUIRED; PADS TO BE PROVIDED BY CROSSING MANUFACTURER.
4. TIMBER TIES 7" x 9" x 8’-6", SPACING PER CROSSING MANUFACTURER SPECIFICATIONS.
5. TRACK IS TANGENT AND CONTINUOUS THROUGH CROSSING.
6. TRAIL CENTERLINE MUST BE ON A 90° SKEW WITH TRACK CENTERLINES.
7. TIES TO HAVE FOUR SPIKES PER TIE PLATE.
8. TIES TO BE FULLY BOX ANCHORED THROUGH CROSSING AND AT THE APPROACHES.

CROSSING SPECIFICS:
1. CONSTRUCTION TO BE PRECAST CONCRETE, LAG TYPE.
2. CROSS SECTION TO CONSIST OF A SINGLE GAUGE PAD.
3. END DRAG PROTECTION TO BE PROVIDED BY MANUFACTURER.
4. MANUFACTURER TO PROVIDE ALL FASTENERS.
5. RUBBER FLANGEWAY FILLERS TO BE PROVIDED BY MANUFACTURER.
NOTE:
An additional sign is to be mounted on the crossbuck post below the number of tracks sign. The sign shall read "Stop, look and listen. Trains travel at high speeds."

CROSSBUCK ELEVATION VIEW

ELGIN, JOLIET & EASTERN RAILWAY COMPANY
SPECIFICATIONS
FOR
PRECAST CONCRETE CROSSING TRACK AND PROTECTION DETAILS

THE J

SHT 2 OF 2

DRAWN BY MAP DATE 12/98 SCALE 1/2" = 1'-0"
Jim Pokrajac

From: "Richard Underkofler" <runderkofler@highland.in.gov>
To: "Samara, Imad LRC" <imad.samara@usace.army.mil>
Cc: "Dan Gardner" <littlecal@nirpc.org>; "John Bach" <jbach@highland.in.gov>; "Terry Hodnik" <thodnik@mail.niesengineering.com>; "Jim Pokrajac" <jpokrajac@nirpc.org>; <calinski@gohammond.com>; "CPetro" <cpetro@highland.in.gov>; <adaml@appliedleadershipservices.com>
Sent: Thursday, October 25, 2007 6:15 PM
Subject: RE: Little Calumet River, Stage V-2, Bridge East of Kennedy (UNCLASSIFIED)

Imad,

At a meeting last night the Highland Redevelopment Commission determined it does NOT want to participate in the cost for enhancements to the bridge.

Richard Underkofler
Highland Town Manager
3333 Ridge Road
Highland, IN 46322
Phone: 219-838-1080 Ext. 3335
Cell: 219-741-6166
Fax: 219-972-5097
runderkofler@highland.in.gov

-----Original Message-----
From: Samara, Imad LRC [mailto:imad.samara@usace.army.mil]
Sent: Wednesday, October 03, 2007 9:08 AM
To: Richard Underkofler
Cc: Dan Gardner; John Bach; Terry Hodnik; Jim Pokrajac;
calinski@gohammond.com; novakp@hmdin.com; CPetro;
adaml@appliedleadershipservices.com
Subject: Little Calumet River, Stage V-2, Bridge East of Kennedy (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Dear Richard,

As I states in the attached email the COE included the tow items listed below as options in the Stage V-2 contract. We did open bids and awarded a contract on September 30th for the construction of Stage V-2. The cost of the two upgrades that where included in the bid are below. The total amount for the two options are $41,560. We have 90 day from award to exercise the two options listed below.

This is from the contract bid tap

4

10/26/2007
36 UPGRADE HAND RAILING TO WROUGHT IRON ON PEDESTRIAN BRIDGE EAST OF 
KENNEDY AVE
37 UPGRADE TO A CAST IN PLACE STAMPED CONCRETE DECK ON PEDESTRIAN 
BRIDGE
$19,000.00
EAST OF KENNEDY AVE

Total $41,560.00

Please as soon as you can let me know if the town wishes to fund these 
upgrades and to when the funds would be available to the COE.

Imad N Samara
Project Manager
U S Army, Corps of Engineers
111 N Canal Street
Chicago IL, 60606
(W) 312.846.5560
(Cell) 312.860.0123
Classification: UNCLASSIFIED
Caveats: NONE
GENERAL SUMMARIZATION (EAST REACH TURNOVER)
1. A meeting was held with the city of Gary, and their new representatives on July 20th, 2006 to familiarize the new administration with our project, explain O&M responsibility to be assumed by Gary, and to determine what they will require for the O&M turnover process. Some of these items include:
   1. Six (6) pump station turnover
   2. Levee, sluice gate, flap gate turnover
   3. Transfer of LCRBDC excess lands
   4. Coordination for emergency response
      Maps, pump station reports, O&M detail for maintenance breakdown and costs were distributed and discussed. (Copies available upon request.)
      • Mailed handouts of this meeting to Geraldine Tousant (Deputy Mayor),
        Gwen Malone (Public Works Director), and Luci Horton (GSD Director)
        on September 6.
   5. A letter was sent to the GSD on September 20, 2007 requesting coordination for turnover of drawings, specs, manuals, and other miscellaneous items as part of the overall process.
2. A coordination meeting was held at the Gary City Hall on February 28, 2007 to discuss status of O&M and what will be required to turn over excess lands.
      • A follow-up meeting was held on March 22, 2007 and the LCRBDC submitted a “repair” commitment schedule along with a modified “Sluice Gate/Flap Gate Inspection Report”
3. Scheduling of inspections (and remediation prior to inspections)
   A. A letter was sent to the city of Gary and the Army Corps on August 7, 2007 with the schedule of all upcoming inspections in the East Reach.
      • Levees and floodwalls (August 13, 14, 15) – Completed (awaiting Corps report)
      • Pump stations (August 27, 28, 29) – Completed (awaiting Corps report)
      • Sluice gates and flap gates (Sept. 12, 13, 14) – Re-scheduled for approximately mid-October (problems with high water)

OPERATION AND MAINTENANCE BREAKDOWN STATUS
A. PUMP STATION TURNOVER (Will be first items to turn over)
   1. Six (6) pump stations will be turned over to Gary. These include Burr Street,
Grant, Broadway, and Ironwood. It also includes two (2) lift stations at 32nd & Cleveland and Marshalltown. (Tentative schedule to complete & turn over July 13, 2007)

2. An inspection of the six (6) pump stations in Gary was held on September 4 & 5, 2007 with the COE, representatives from Gary, and the LCRBDC.
   - Each of the three (3) parties will submit results of the inspection which included accepted items, items to be put on a punch list, and any questions/clarifications regarding safety or intent of design.
   - A letter was sent to GSD on September 18 indicating the LCRBDC will provide the material for telemetry and a one year subscription in the amount of $10,490 based upon Commission approval at our September 6, 2006 Board meeting.

3. Survey work for the six (6) pump stations has been completed and was provided to the LCRBDC attorney on March 23, 2007, and will require coordination with the city of Gary attorney as part of the O&M turnover.

B. SLUICE GATE/FLAP GATE Turnover

1. General Note: There are a total of 51 different closure areas in the East Reach.
   - Gary (41 sluice gates/41 flap gates)
   - Griffith (4 sluice gates/4 flap gates)
   - INDOT (6 sluice gates/6 flap gates)
   - INDOT gates were included as part of this inspection
   - Griffith gates will be inspected in the near future as part of the overall O&M turnover to Griffith

2. It is the intent to complete remediation of sluice gates, and flap gates separately from the pump stations and will include lubrication, clean-up, and repair, as noted in inspection reports.
   - Received a letter from Austgen Electric (LCRBDC contractor to remediate Gary features to “as-built” condition) on September 8 indicating the problem with existing flap gates. Keeping them clean regularly and getting access is repetitive and expensive. It was suggested to replace flap gates with “duckbill” type.
   - Minor items for lubrication or gear boxes are scheduled to be completed by Austgen Electric.

3. Prior to the most recent storms of late August, 2007, the LCRBDC had completed cleaning and remediation of most of the features in Gary.
   - After the storm, many flap gates were stuck open again. This will all have to be done again at an additional cost.
   - We received an email from Austgen Electric on October 24 with remaining costs for sluice gate/ flap gate work. The cost is $60,692 and the tasks are currently being evaluated for responsibility by the LCRBDC.
   - The original sluice/ flap gate work was completed on August 5, 2007 for (10) sluice gates and (11) flap gates for a total cost of $69,150. (Refer to General Summarization in this report on page 1 for status).
   - LCRBDC had Austgen install cables to the flap gates (fastened overhead to the handrails) to ease opening & cleaning in the future.
• Sluice/flap gate work ongoing and was delayed because of flood waters from August 22-25.
• The inspections for sluice/flap gates in Gary were completed on October 10 & 11, 2007 (Reports are being comprised).
• The inspection of the four sluice/flap gates in Gary, one in Highland, and one in Hammond (east of Indpls. Blvd) were completed on October 25, 2007. (Reports are being comprised).

C. LEVEE, I-WALL TURNOVER
1. Levee inspections were held on August 13 (August 14 was a rain-out), August 15, and August 16, 2007.
   • Stage V-1 (Wicker Park Manor), located between Indianapolis Blvd and the NSRR, south of the river, was held with Highland on August 13.
   • Burr Street betterment levee (EI&E to Colfax) south of the NIPSCO r/w, was held with Griffith on August 13.
   • The remainder of completed levee segments were in Gary and were completed in the afternoon of August 13, 15, and 16.
2. The general observation was that some levee tops were rutted and needed to be filled and graded, seeding was needed in many areas due to herbiciding for the landscaping Phase II project, and some trees needed to be removed from side slopes that could be impacting the structural portion of the levees.
   • LCRBDC awaiting written Corps report to take actions. (No response as of October 31, 2007)

D. TRANSFER OF EXCESS LANDS TO CITY OF GARY
1. Transfer of excess lands (approximately 359 acres) were discussed as part of a meeting held with the city of Gary on March 22, 2007. Gary is in concurrence with the format of the agreement. (Ongoing between attorneys)
2. A letter was sent to City of Gary attorney requesting that we proceed with coordination of agreements and what is required for land transfers of LCRBDC properties on September 22, 2006. (Ongoing between attorneys)
3. Surveys were completed on April 25, 2006 for excess lands which include acreage west of Clay Street, south of the NIPSCO R/W, east of I-65, and north of and adjacent to Burns Ditch. (This is approximately 196 acres)
   • The other area is between Chase and Grant adjacent to both sides of 35th Avenue (This is approximately 189 acres).

E. TURNOVER OF SPARE PARTS, MANUALS, AND “AS-BUILT” DRAWINGS (COMPLETED)
1. Spare Part Turnover Process
   • A meeting was held with Debra Harris (United Water – Purchasing/Warehouse Manager) on June 13, 2006 to pick up inventory list of “spare parts for pump stations”, which were stored on GSD facilities in November 2005.
2. A letter was sent to city of Gary on October 3, 2006 indicating that the LCRBDC has the (6) electric sluice gate operating drills for inspections.
• Gary will keep (3) operators. The others need to be distributed to Highland, Hammond, and Griffith. Additional electric operators will be provided to the LCRBDC as part of the Stage V-2 project.


F. GRIFFITH – O&M TURNOVER (GENERAL)

1. A meeting was held on June 30, 2005 at the Griffith Town Hall regarding the Process of Griffith being removed from the flood plain. (Refer to Engineering Report - Griffith levee)

2. In addition to the certification of the existing Cline to EJ&E RR levee, Griffith will also be required for O&M responsibility from EJ&E RR to Colfax (Burr St. Phase I & southern part of Stage IV-1 South).
   • A meeting will be scheduled to discuss O&M responsibilities and turnover coordination. (Ongoing)
   • Sluice/flap gate inspections were held with the Corps and Griffith on October 25, 2007
   • A letter was sent to the Corps on November 2, 2007 questioning intent of sluice gate design east of the EJ&E RR

3. An O&M committee meeting is scheduled for October 1, 2007 to review coordination with all municipalities, funding, emergency response, and O&M Manual review.

GENERAL SUMMARIZATION (WEST REACH TURNOVER)

A. North 5th Pump Station Turnover

1. A final inspection was held with Highland on February 28, 2006 (Contractor was Overstreet)
   • This letter also summarized their contractual obligations, and a sequence of events to complete the punch list. They demonstrated an unsatisfactory performance on this contract and have failed to complete these items in a timely manner.

2. Pump Station turnover coordination
   • An email was sent to the COE on December 22, 2006 requesting information on turnover; Overstreet legal problems, COE requirements, and inspection requirements. (Ongoing)
   • Turned over (2) sets of “as-built” drawings to the town of Highland along with a set of Volumes 1 & 2 of the Operation & Maintenance Manual on March 23, 2007

3. Training, spare parts, and final testing was completed in late July, 2007 and a coordination meeting was held with Highland to begin the O&M turnover process.
EMERGENCY RESPONSE COORDINATION

A. Acceptance of Emergency Response by each project municipality
   1. A meeting was held with the COE, LCRBDC, USGS, the National Weather Service, and representatives from all five (5) communities on April 24, 2006.
      • COE requires turnover, and sign-off, by each municipality to assume responsibility for their community to comply with COE plan during a flood, and to submit a plan as part of their overall community emergency response plan.
      • An overall project emergency response meeting will be scheduled with all municipalities and INDOT by the end of 2007.
   2. It was mutually agreed that the closures throughout the project could be expedited by supplementing 2'x2'x7' concrete blocks, with plastic and sandbags at each location.
      • LCRBDC to facilitate (Ongoing)
      • Received information from the COE in mid-June 2006 to determine how many concrete barriers will be needed for each location throughout the project.
      • LCRBDC will coordinate with each municipality to locate these concrete barriers on each individual site. (Ongoing)

B. Replace river data loggers by the COE and USGS
   1. LCRDAN upgrades (river data loggers) in conjunction with the USGS has been agreed upon by the COE to be provided to replace existing outdated units in Crown Point, Hammond, and Gary.
      • A conference call was held on May 24, 2005 with the COE, LCRBDC, USGS, National Weather Service, and the communities to discuss updating current river level monitoring equipment.
      • A summary of this call was distributed by the COE on May 24, 2005 (afternoon).
      • COE provided an update of the status on August 24, 2006. (COE anticipates completion by end of October) (Ongoing)

C. Coordination with INDOT after late August 2007 floods impacting Kennedy Avenue and Indianapolis Blvd.
   1. An initial meeting was held with INDOT, Earth Tech (INDOT consultant), Corps, and the LCRBDC on September 17, 2007 to discuss future impacts, emergency response coordination, and action plans.
      • Received minutes of meeting from Earth Tech on September 27, 2007 outlining rainfall information, impacts at Kennedy Avenue interchange, Little Calumet River impacts, Indianapolis Blvd flooding, O&M and emergency response, and future action items.
      • A meeting was held at Cabela’s levee failure site on October 18. It was agreed Dyer Construction would “beef up” landward side of levee during the interim period until our construction is completed.
      • INDOT submitted request to Hammond (copies the Corps) on October 22, to replace the existing flap gate with a “duckbill” gate.
2. A meeting was held with INDOT, Earth Tech, Garcia L E, and the LCRBDC on October 11 to discuss surveying and tying in Corps and INDOT surveys that show culvert, ditch, levee, highway, and roadways.
   • LCRBDC will establish a mark in the vicinity of the flap gate as to when to close sluice gate.

MISCELLANEOUS

A. Received a letter and prints from GRW Engineers, Inc. on February 19, 2007 requesting coordination, and easements on LCRBDC property (where flood protection has been completed west of Grant Street) to install a pump station and 30” water line to expand water service in Lake County.
   1. This will be the responsibility of the LCRBDC in the future, after all construction is completed, to coordinate any construction, easements, agreements, as part of the O&M turnover.
   2. Information has been forwarded to the Corps for engineering review and comments on February 24, 2007.
   3. Received a letter from GRW on May 11 following up on their original request. This was faxed to the Corps on May 16.
      • Received a letter from the Corps dated April 12, 2007 on May 18, 2007 regarding Corps comments and recommendations for their installation of a 30” water line.
         > This was forwarded to GRW on May 20, 2007. Suggested a conference call to discuss.
   4. Met with GRW on June 28, 2007 (Doug Corey) and reviewed their modified plans, real estate requirements, and did a site visit for field familiarization.
      • LCRBDC submitted a summarization of the upcoming coordination required with them, the Corps, and the LCRBDC.

5. LCRBDC received a “denial notice for construction in a floodway” from the IDNR on September 28, 2007
   • Reasons for denial listed
   • Email questioning status sent to GRW on October 27, 2007
Jim Pokrajac

From: "Mike Austgen" <mike@austgen.com>
To: "Jim Pokrajac" <pokrajac@nirpc.org>
Cc: "Mike Mitsch" <mntsch@austgen.com>
Sent: Wednesday, October 24, 2007 2:49 PM
Attach: Gate-Detail-10-24-07.pdf
Subject: Gate-Detail-10-24-07.pdf

Jim, please find attached the latest quote you requested.

Mike

No virus found in this outgoing message.
Checked by AVG Free Edition.
Version: 7.5.503 / Virus Database: 269.15.9/1090 - Release Date: 10/24/2007 8:48 AM
<table>
<thead>
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<th>Location</th>
<th>Material $</th>
<th>Operator Adapter</th>
<th>Equipment</th>
<th>Labor $</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 sluice - clean sluice gate. 10&quot; of sand in hole. Install adapter (need to price separate from others)</td>
<td>$750.00</td>
<td>$ -</td>
<td>$ -</td>
<td>$9,600.00</td>
<td>$10,350.00</td>
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<tr>
<td>9A flap - clean flap gate</td>
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<td>$ -</td>
<td>$ -</td>
<td>$2,400.00</td>
<td>$2,575.00</td>
</tr>
<tr>
<td>10A sluice - free sluice. Clean flap. Install 90 degree zerk. Lube. Install adapter (need crane)</td>
<td>$185.00</td>
<td>$203.00</td>
<td>$500.00</td>
<td>$3,200.00</td>
<td>$4,088.00</td>
</tr>
<tr>
<td>10B flap - clean flap. Install 90 degree zerk. Lube. Install adapter</td>
<td>$185.00</td>
<td>$203.00</td>
<td>$500.00</td>
<td>$1,800.00</td>
<td>$2,488.00</td>
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<td>$ -</td>
<td>$ -</td>
<td>$400.00</td>
<td>$412.00</td>
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<tr>
<td>12a sluice - free sluice. Install adapter. Install 90 degree zerk. Lube. (need boat)</td>
<td>$12.00</td>
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<td>$100.00</td>
<td>$3,000.00</td>
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<td>$12.00</td>
<td>$203.00</td>
<td>$ -</td>
<td>$400.00</td>
<td>$615.00</td>
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<tr>
<td>12c sluice - install 90 degree zerk. Lube. Install adapter</td>
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<td>$203.00</td>
<td>$ -</td>
<td>$400.00</td>
<td>$615.00</td>
</tr>
<tr>
<td>12d sluice &amp; gate - adjust gauge. Lube. Clean gate</td>
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<td>$ -</td>
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<tr>
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<td>$800.00</td>
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<td>17 sluices - close sluice and weld door so it won't open</td>
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<td>$ -</td>
<td>$ -</td>
<td>$1,875.00</td>
<td>$4,075.00</td>
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<tr>
<td>20b flap - remove concrete (need to price separate from others)</td>
<td>$200.00</td>
<td>$ -</td>
<td>$ -</td>
<td>$1,875.00</td>
<td>$4,075.00</td>
</tr>
<tr>
<td>24a flap - clean flap</td>
<td>$175.00</td>
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<td>$ -</td>
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<td>24b flap - clean flap</td>
<td>$175.00</td>
<td>$ -</td>
<td>$ -</td>
<td>$2,400.00</td>
<td>$2,575.00</td>
</tr>
<tr>
<td>25 sluice &amp; flap - clean sluice &amp; flap</td>
<td>$175.00</td>
<td>$ -</td>
<td>$ -</td>
<td>$2,600.00</td>
<td>$4,125.00</td>
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<td>29 flap - clean flap</td>
<td>$175.00</td>
<td>$ -</td>
<td>$ -</td>
<td>$2,400.00</td>
<td>$2,575.00</td>
</tr>
<tr>
<td>32 flap - clean flap. Check to see if pumps are switching with each other by hour meters</td>
<td>$175.00</td>
<td>$ -</td>
<td>$ -</td>
<td>$1,600.00</td>
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<td>$ -</td>
<td>$60,692.00</td>
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</tr>
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</table>

**Unit Prices**

- Pedestal, gearbox, & stem cover each: $7,900.00
- Safetorque 2" square drive for drill each: $1,678.00
We have scheduled the final sluice gate inspections for October 10th and 11th. On October 10th we will meet at the Burr Street pump station, located North of the NSRR and East of Burr Street at 9:00 A.M. It is our intent to do the southern line of protection first and follow up the second day with all the same entities, and additionally we would include INDOT to assess their drainage concerns along the I-80/94 corridor. The parties involved would be the army corps, City of Gary representatives, the LCRBDC, and on the second day we would include Indot.

I would request, again, from the City of Gary to provide a truck, portable generator, necessary electrical cords, the drill operator, adaptors and tools, and manpower to operate these as we have done in the past.

This portion of inspections will complete the remainder of items in Gary, and it is the intent of the Army Corps to submit their final inspection reports by segment rather than by activity. We will also include comments from Gary as well. A final meeting will need to be coordinated to review these remaining items and assure that any of the remediation will be recognized by the corps as part of the project scope. Shortly thereafter we will need a final coordination meeting with the appropriate representatives from Gary to discuss the turnover process, which is critical to Gary being removed from the floodplain.

Please acknowledge that all of you may attend. If you have any questions regarding this inspection let me know at your earliest convenience.

Thank you,

Jim Pokrajac
November 2, 2007

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

Subject: Sluice Gate Inspection with Town of Griffith on October 25, 2007

Dear Imad:

On October 25, 2007, the LCRBDC, the Army Corps, and the town of Griffith conducted sluice gate/flap gate inspections with the town of Griffith. These included the two sluice gates that were installed as part of the Burr Street Phase I project between the El&E RR and Colfax as well as the two sluice gates located south of the NSRR right-of-way near the WIND radio towers. At sluice gate #1 (located directly east of the El&E RR), the town of Griffith requested that we do not close this sluice gate because it regulates the main sanitary interceptor sewer. They had concerns that if we sealed this line during our test and could not open it, there would be serious affects to the people using this sanitary line. I have enclosed a copy of the letter dated 10/29/07 from Rick Konopasek, Director of Griffith Public Works Department. He indicated what their concerns were and questioned why a sluice gate was installed in this area as part of our construction. Would you please provide me a written response as to what the intent of design was considering what the impacts would be to those residents using the sanitary line.

Secondly, we noticed that there was work being performed by B. P. Amoco on the west of the El&E RR and provided you some information, as sent to us by the town of Griffith, providing the point of contact and intent of design. I'm not sure if this will cause any adverse affects to any upcoming construction, for the Griffith levee, or review for certification of the Griffith levee. Please let me know.

Sincerely,

[Signature]

James E. Pokrojac, Agent
Engineering/Land Management

/end.

cc: Bill Rachford, Rich Ackeron, Imad Samara, ACOE
    Rich Konopasek, Town of Griffith
    Dan Gardner, LCRBDC
Jim:

The following question was raised by Town of Griffith personnel during our sluice gate inspections today.

1) Sluice gate #1 described as EJ&E RR & South Levee in Griffith. This description is from the map from the US Army Engineers District Corps of Engineers Chicago, IL dated August 4, 2005. Also described as "Closure Structures East of Cline Ave". This sluice gate appears to be connected to the Town of Griffith (TOG) main sanitary interceptor sewer. This interceptor handles ALL flow of the TOG sanitary sewer, from this point our sanitary sewage flows back West to Cline Ave. then North down Cline to our Cline Ave. sanitary pump station. As you are aware, the TOG requested sluice gate #1 not be exercised due to the fact we did not know the condition of this gate and we were concerned the gate may not open after exercising.

Because I was not involved in the construction of gate #1 and it appears none of my personnel in attendance today were involved with its construction, the TOG wishes to ask why a sluice gate was installed on our main sanitary interceptor? The TOG would subject itself to a major catastrophe if this gate was ever allowed to be closed without some provision in place for non-interrupted sanitary sewer flow.

2) Jim, you had asked about the work being performed by BP Amoco just West of the EJ&E RR and North of River Road / Bill's Produce beneath the NIPSCO High-lines. I will send you the project contact info under a separate e-mail.

Please call or e-mail with any questions.

Respectfully,

Rick Konopasek
Director Griffith Public Works
(219) 924-3838
Jim:

Attached info for the BP Amoco work being performed beneath the NIPSCO High-lines, West of EJ&E RR and North of River Road / Bill Produce in Griffith.

Please call or e-mail with any questions.

Respectfully;

Rick Konopasek
Director, Griffith Public Works
(219) 924-3838
16 October 2007

Rick Konopasek
Director, Town of Griffith Public Works Department
111 N Broad St.
Griffith, IN 46319
(219) 924-3838

RE: IDEM Rule 5 NOI
BP Pipelines (North America), Inc.’s BP No. 2 System Project
Towns of Schererville, Griffith, and Highland, Lake County, Indiana

Dear Mr. Konopasek:

Enclosed is a copy of a Notice of Intent for coverage under Indiana Department of Environmental Management’s (IDEM) Rule 5 General Permit for *Storm Water Run-off Associated with Construction Activity* for BP Pipelines (North America), Inc.’s proposed BP No 2 System Project in the Towns of Schererville, Griffith, and Highland, Lake County, Indiana.

The project involves pumping and metering capacity upgrades to BP Pipelines’ facility within Enbridge’s Griffith Station, and the replacement of approximately 4,691 feet of BP Pipelines’ existing 14-inch crude pipeline, between Griffith Station (within Enbridge Inc.’s Griffith Station) and Griffith Junction with a new 22-inch crude pipeline for crude oil service, installed via a horizontal directional drill (HDD), within BP Pipeline’s existing pipeline right-of-way.

The purpose of the project is to provide additional capacity within BP Pipelines’ No. 2 system to move crude oil between Griffith Station and their Whiting Refinery in Whiting, Indiana.

The project is scheduled to begin October 18, 2007. Please contact me at 513-552-7007 if you have any questions or need additional information. A copy of the Construction Plan has been reviewed and approved by the Lake County Soil and Water Conservation District (SWCD).

Sincerely,

PARSONS

Diane Hoeting
Principal Scientist

Enclosure

cc: Damon Thompson, BP Pipelines
Ray Wood, BP Pipelines
Dawn Kruger, Parsons
RULE 5 - NOTICE OF INTENT (NOI)

State Form 47487 (RS 10/05)
Indiana Department of Environmental Management
Office of Water Quality
Approved by State Board of Accounts, 2005

Note: Submission of this Notice of Intent letter constitutes notice that the project site owner is applying for coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit Rule for Storm Water Discharges Associated with Construction Activity. Permitted project site owners are required to comply with all terms and conditions of the General Permit Rule 327 IAC 15-6 (Rule 5).

Project Name and Location

Project Name: BP No. 2 System Project
County: Lake

Brief Description of Project Location:
Construction of a new 22-inch petroleum pipeline via horizontal directional drill between Griffith Station and Griffith Junction through the Towns of Schererville and Griffith, and station upgrades at Griffith and Lakehead Junctions (Town of Highland), and Griffith Station.

Project Location: Describe location in Latitude and Longitude (Degrees, Minutes, and Seconds or Decimal representation) and by legal description (Section, Township, and Range, Civil Township)

Latitude: 41° 30' 54" N - Griffith Junction 87° 27' 58" W - Griffith Junction
41° 31' 30" N - Lakehead Junction 87° 27' 58" W - Lakehead Junction
41° 30' 59" N - Griffith Station 87° 27' 00" W - Griffith Station

Quarter: SW, SW, NE Section: 4, 33, 4 Township: 35N, 36N, 35N Range: 9W Civil Township: St. John

Does □ all or □ part of this project lie within the jurisdictional boundaries of a Municipal Separate Storm Sewer System (MS4) as defined in 327 IAC 15-137?
☐ Yes  ☐ No  If yes, name the MS4(s):

Towns of Schererville, Griffith, Highland

Project Site Owner and Project Contact Information

Company Name (If Applicable):
BP Pipelines (North America), Inc.

Project Site Owner's Name: (An Individual)
Damon Thompson

Title/Position: Project Manager

Address:
28100 Torch Parkway, Suite 600

City: Warrenville  State: Illinois  ZIP Code: 60555

Phone: 630/836-3479  FAX: 630/836-3581

E-Mail Address: (If Available)
damon.thompson@bp.com

Ownership Status (check one):
Governmental Agency:  ☐ Federal  ☐ State  ☐ Local  ☐ Non-Governmental:  ☐ Public  ☐ Private  ☐ Other: (Explain)

Contact Person: Damon Thompson

Company Name: (If Applicable)
BP Pipelines (North America), Inc.

Affiliation to Project Site Owner:
Same as above

Address: (If different from above)

Project Information

Project Description:
☐ Residential-Single Family  ☐ Residential-Multi-Family  ☐ Commercial  ☐ Industrial  ☐ Other: (Explain)

Name of Receiving Water:
Cady Marsh Ditch via Schererville Ditch and BW Lateral 10
(Note: If applicable, name of municipal operator of storm sewer and the ultimate receiving water. If a retention pond is present on the property, the name of the nearest possible receiving water receiving discharge must be provided.)

Project Acreage
Total Acreage: 9.7  Proposed Land Disturbance: (in acres) 9.7
<table>
<thead>
<tr>
<th>Total Impervious Surface Area: (in square feet, estimated for completed project)</th>
<th>0.0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Duration</td>
<td></td>
</tr>
<tr>
<td>Estimated Start Date:</td>
<td>October 18, 2007</td>
</tr>
<tr>
<td>Estimated End Date for all Land</td>
<td>December 31, 2007</td>
</tr>
</tbody>
</table>

(Continued on Reverse Side)
Construction Plan Certification

By signing this Notice of Intent letter, I certify the following:

A. The storm water quality measures included in the Construction Plan comply with the requirements of 327 IAC 15-5-6.5, 327 IAC 15-5-7, and 327 IAC 15-5-7.5;

B. The storm water pollution prevention plan complies with all applicable federal, state, and local storm water requirements;

C. The measures required under 327 IAC 15-5-7 and 327 IAC 15-5-7.5 will be implemented in accordance with the storm water pollution prevention plan;

D. If the projected land disturbance is one (1) acre or more, the applicable Soil and Water Conservation District or other entity designated by the Department, has been sent a copy of the Construction Plan for review;

E. Storm water quality measures beyond those specified in the storm water pollution prevention plan will be implemented during the life of the permit if necessary to comply with 327 IAC 15-5-7; and

F. Implementation of storm water quality measures will be inspected by trained individuals.

In addition to this form, I have enclosed the following required information:

☑ Verification by the reviewing agency of acceptance of the Construction Plan.

☑ Proof of publication in a newspaper of general circulation in the affected area that notified the public that a construction activity is to commence, including all required elements contained in 327 IAC 15-5-5 (g). The Proof of Publication Must include company name and address, project name, address/location of the project, and the receiving stream to which storm water will be discharged. Following is a sample Proof of Publication:

"XERT Development Inc. (12 Willow Lane, Indianapolis, INDIANA 46206) is submitting a Notice of Intent to the Indiana Department of Environmental Management of our Intent to comply with the requirements of 327 IAC 15-5 to discharge storm water from construction activities associated with Westfult Estates located at 24 Westfult Lane, Indianapolis, INDIANA 46206. Runoff from this project site will discharge to the White River. Questions or comments regarding this project should be directed to the White River of XERT Development Inc."

☑ $100 check or money order payable to the Indiana Department of Environmental Management. A permit fee is required for all NOI submittals (initial and renewal). A fee is not required for amendments.

Project Site Owner Responsibility Statement

By signing this Notice of Intent letter, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information or violating the provisions of 327 IAC 15-5, including the possibility of fine and imprisonment for know violations.

Printed Name of Project Owner: STeve PANKWURST

Signature of Project Owner:  

Date: 10/15/07

This Notice of Intent must be signed by an individual meeting the signatory requirements in 327 IAC 15-4-3(g). All NOI submittals must include an original signature (FAX and photo copies are not acceptable).

Note: Within 48 hours of the initiation of construction activity, the project site owner must notify the appropriate plan review agency and IDEM, Office of Water Quality of the actual project start date if it varies from the date provided above.

Note: A permit issued under 327 IAC 15-5 is granted by the commissioner for a period of five (5) years from the date coverage commences. Once the five (5) year permit term duration is reached, a general permit issued under this rule will be considered expired, and as necessary for construction activity continuation, a new Notice of Intent letter (Renewal) is required to be submitted ninety (90) days prior to the termination of coverage. The submitted must include the NOI Letter, Proof of Publication, Fee, and verification that the plan for the project was approved (original verification of plan approval is acceptable provided the scope of the project has not changed from the original submittal).

Mail this form to: Indiana Department of Environmental Management
Cashiers Office - Mail Code 80-10C
160 North Senate Avenue
Indianapolis, IN 46204-2251

327 IAC 15-5-6 (a) also requires a copy of the completed Notice of Intent letter be submitted to the local Soil and Water Conservation District or other entity designated by the Department, where the land disturbing activity is to occur.

Questions regarding the development or implementation of the Construction Plan/Storm Water Pollution Prevention Plan should be directed to the local county Soil and Water Conservation District (SWCD). If you are unable to reach the SWCD or have other questions please direct those inquiries to the IDEM Rule 5 Coordinator at 317-233-1664 or 800/451-6027 ext.3-1864.

For information and forms visit: http://www.in.gov/iedm/permits/water/westwvca/webvflsstormrule5.html

10
Borman Expressway Flooding
Action Meeting 2
Meeting Agenda
Monday, September 17, 2007  1:00 PM (CDT)

A. Introductions

B. Meeting objectives

C. Overview of flooding situation which occurred on Borman Expressway at and near Kennedy Avenue and Indianapolis Boulevard interchanges from Thursday, August 23 through Sunday, August 26, 2007.

D. Update on progress on action items from Action Meeting 1 and other related developments to date

E. Focus items:

1) Flap gate/sluice gate situation at Little Calumet River discharge outlet east of Kennedy Avenue

2) Several stormwater outlets to Little Calumet located between Kennedy Avenue and Indianapolis Blvd.

3) Levee maintenance/operation information – access, equipment, and warnings

4) Old spoil bank levee breach west of Indianapolis Boulevard

5) Status of USACE Little Calumet River flood control levee project from Kennedy Avenue to the west

F. Other issues?

G. Site visit?

H. Schedule next meeting
Date: September 27, 2007

To: Attendees

From: Richard A. Rampone

Subject: Borman Expressway Flooding
Lake County, Indiana
Action Meeting #2 Minutes

cc: Stan Dostatni, City of Hammond
Louis Fegans, INDOT
Greg Kicinski, INDOT
Tom Konieczny, INDOT
Mike Monahan, INDOT
Marty Wielgos, City of Hammond
Project File

A meeting to discuss the recent Borman Expressway flooding was held on September 17, 2007 at 1:00 PM (CDT) at the United States Army Corps of Engineers (USACE) Griffith, Indiana Office. The following people were in attendance:

Attendees: Imad Samara USACE (312) 846-5560
Dan Gardner Little Calumet River Development Comm (219) 763-0696
Jim Pokrajac Little Calumet River Development Comm (219) 763-0696
Doug Anderson USACE (312) 923-1763
Rick Ackerson USACE (312) 846-5511
Joel Schmidt USACE (312) 846-5577
Lee Randell INDOT (219) 325-7442
Mike Hardiman INDOT (219) 939-3900
David Schelling INDOT (219) 325-7442
Katrina Rogan INDOT (219) 325-7565
John Pangallo INDOT (317) 234-5607
Merril Dougherty INDOT (317) 232-6776
Rick Rampone Earth Tech (317) 712-2900
Herb Bolinger Earth Tech (317) 712-2934

Contact Information:
- John Pangallo (located in Indianapolis, IN) is the INDOT Borman Expressway Improvements Project Manager.
- Rick Rampone is the contact for earth Tech, who is providing engineering assistance to INDOT and performing investigation and analysis of the recent Borman Expressway flooding which occurred from August 23 through August 26.

The following is a listing of items that were discussed at the above meeting:

Rainfall Information
- Rainfall in latter portion of August occurred while ground was saturated from previous heavy rainfalls during the month.
- Rainfall stopped Friday morning (August 24, 2007) for the most part. Some small rain events occurred Saturday and Sunday.
Based on rainfall data provided by the Corps (Rick Ackerman), it appears that two bursts of rainfall occurred. The first burst (approximately 3.5"") occurred in the August 19th – 21st period, and the second (4"") occurred in August 23rd – 24th time frame. The total rainfall from August 14th thru the 25th +/- is approximately 8".

Kennedy Avenue Interchange

- Thursday (August 23) in the morning (early AM) there was already water at the Kennedy interchange
- INDOT mobilized and started pumping water from the Kennedy Interchange later on Thursday. By Friday, numerous pumps were on site.
- Friday evening pumping was also occurring from the side ditch located along Kennedy Avenue, which drains the southeast quadrant of the Borman Expressway/Kennedy Avenue Interchange, over the USACE levee to the Little Calumet River.
- It was Saturday before it was determined that the side ditch outlet pipe (54-inch) flap gate located in the river embankment immediately east of Kennedy Avenue was lodged open by debris; This structure outlets through a floodwall constructed by USACE in previous levee project which extended from south bank of Little Calumet River, to north along Kennedy Avenue, and then to the east for a small distance along the north bank of Little Calumet River; This was not noticed before due to the fact that the Little Calumet River stage had submerged the flap gate and the gate could not be visually observed.
- Sometime either Sunday or Monday, INDOT dredged debris/growth/sediment from the side ditch along Kennedy Avenue and which extends upstream along the Kennedy interchange ramp. It was thought that the condition of the side ditch may have contributed to flooding elevations in the Kennedy Avenue Interchange and on the Borman Expressway.

Little Calumet River Levee East of Kennedy Avenue

- The short section of floodwall and sluice gate located at Kennedy Avenue was previously constructed (approximately in the past 12 months) as part of the Little Calumet levee system contract by the Corps for construction of the south levee and was not constructed as part of the current north levee project.
- The 54-inch flap gate and headwall located downstream of the sluice gate previously existed and was not constructed by the Corps.
- At this time, it is not clear who originally installed the flap gate, or who is responsible for its maintenance, repair, or removal of debris. In addition, it is not clear on whose property the flap gate is located, but probably is within the right-of-way of Kennedy Avenue. INDOT does not believe that they installed the flap gate.
- The north side levee along the Little Calumet from Kennedy Avenue on downstream (east) is still being completed by the contractor. It is currently anticipated that the contractor will be substantially complete at the end of September and complete within the next 2 months.
- Until final completion of the levee, the contractor is responsible for operation of the sluice gates within the project limits.
- After final construction, the levee will be turned over by the Corps to the Little Calumet River Development Commission. It is anticipated the adjacent local communities will be responsible for operation and maintenance of the sluice gates for the reached of the levee system within their respective

Prepared by Earth Tech, Inc.
6406 Castleway Court, Suite 100
Indianapolis, IN 46250
Phone: 317-842-7033
Fax: 317-576-6549

September 27, 2007
Little Calumet River Levee West of Indianapolis Boulevard

- Existing spoil bank levee extends along banks of Little Calumet River to the west of Kennedy Avenue. This levee is aged, overgrown with trees, and has irregular cross-sections and top of levee elevations.
- During flooding along the Little Calumet, the levee breached at least in 2 or more locations on the north side of the river. One location was west of Indianapolis Avenue along property owned by Cabelas. The other location was east of Indianapolis Avenue somewhere in the vicinity of the AmericInn motel.
- Early Saturday morning, the east bound lanes of the Borman Expressway at the Indianapolis Interchange were flooded as a result of the old spoil bank levee breach on the Cabelas property.
- Prior to Cabelas obtaining their property, the land was part of a golf course and the levee along that reach had golf cart crossings which created low spots in the levee. The golf course typically had sandbags in reserve to use to raise the levee grade in the areas of these golf cart crossings. Apparently, the breach occurred at one of these golf cart crossings.
- It is not clear who made repairs to the old spoil bank levee section that breached near Cabelas, but it is expected that Cabelas was involved in getting the repair made since any future flooding from the breach area would directly affect their property again. City of Hammond may also have helped with the repairs. It is not known what type of repair was made, or whether there was any engineering involved with compaction or type of fill materials.
- There needs to be a visual inspection of the breach repairs and any photos taken to document the repair and determine if additional work needs to be done to the repairs to increase safety against further breaches. INDOT, their representatives, the City of Hammond, the Corps of Engineers, and the Little Calumet River Development Commission need to be present for the inspection.
- Cabelas has donated property along the Little Calumet River so that the levee could be constructed along their reach of the river.
- The Corps has received bids and will select contractor for construction of the next section of the Little Calumet River levee from Kennedy Avenue on west of Indianapolis Avenue to Hart Ditch.
- The contractor for the next section may not be on site starting work for 3 or more months. Completion of this section of levee is not anticipated until spring 2009.
- The contractor will be responsible for maintaining the current level of flood protection from the Little Calumet River while constructing the new levee segment.

Operation and Maintenance, and Flood Warning Information

- The Corps currently has a preliminary O&M for the recently constructed levee system out for review. The O&M only covers the operation and maintenance features of the sluice gates, etc. that needs to be physically done to keep the system in operational condition.
- The Corps has only a skeletal flood warning plan prepared at this time.
- Corps needs to complete the flood warning plan so that all affected parties will know at what times, flood elevations, etc. that resources need to be gathered and/or actions need to be taken to minimize
flooding, especially in the vulnerable areas along the Borman Expressway and interchange ramp systems.

- A determination needs to be made as to whether INDOT is going to be responsible for O&M of the sluice gate at Kennedy Avenue since operation of this sluice gate could directly affect flooding in the Kennedy interchange and on the Borman Expressway.

General Information

- The Corps indicated that they believe based on their modeling that approximately 400 cfs was diverted through the new diversion tunnel from the Cady Marsh Ditch directly to the Little Calumet River downstream of the flooding reach along the Borman Expressway. That discharge would have previously discharged to Hart Ditch and then to the Little Calumet River upstream of Indianapolis Avenue and on through the Borman Expressway flooding reach.
- Flood elevations at the Burr Street gage typically are 0.5 feet +/- higher than flood elevations at Kennedy Avenue.
- The Corps indicated that they believe that flood elevations reached approximately 596.9 to 597.0 NGVD29 based on some high water information.
- According to the Corps (Rick Ackerson), there may be 4 to 5 flap gates along the Little Calumet River at Georgia Street that may affect flooding along the Borman Expressway.
- Everyone agrees that going forward, INDOT needs to be included in Little Calumet River project meetings which discuss conditions and/or facilities that may affecting flooding on the Borman Expressway and interchange ramps.

Action Items

- Earth Tech (on behalf of INDOT) will investigate replacing the Kennedy Avenue flap gate with a flexible tide valve (aka “duck bill”). The “duck bill” is less susceptible to being blocked by debris and provides a positive closure when subjected to tailwater conditions. (Rick Rampone, Earth Tech)
- Earth Tech will determine the elevation along the Borman Expressway and interchange ramps when flooding begins to affect traffic operations. A second elevation will also be determined for use as a warning condition to begin closely monitoring the Little Calumet River elevation changes and to mobilize for emergency flooding conditions, possibly 2-feet below determined Borman/interchange flood elevation. (Rick Rampone, Earth Tech)
- The Little Calumet River Development Commission will have installed either reference marks or a staff gage at Kennedy Avenue for monitoring flood levels on the Little Calumet River and initiate closing the sluice gate. (Jim Pokrajac, Little Calumet River Development Commission)
- On an interim basis, the Little Calumet River Development Commission will arrange to have Kennedy Avenue sluice gate closed when potential flooding conditions warrant until final arrangements can be made by agreement with responsible parties. Upon closing of the sluice gate Lee Randell, INDOT Laporte District, will be notified. (Jim Pokrajac, Little Calumet River Development Commission)

Prepared by Earth Tech, Inc.
6406 Castleway Court, Suite 100
Indianapolis, IN 46250
Phone: 317-842-7033
Fax: 317-576-6549

September 27, 2007
• The Corps will put together a map showing the location of all sluice gates/outfall structures along the Little Calumet River Levee Project, especially those locations that could affect flooding along the Borman Freeway and its interchanges. (Imad Samara, USACE)

• The Little Calumet River Development Commission will include INDOT (Lee Randell) when setting up an Emergency Response meeting within the next month. (Jim Pokrajac, Little Calumet River Development Commission)

• The Little Calumet River Development Commission (Jim Pokrajac) will research the existing Kennedy Avenue flap gate with the City of Hammond to determine who constructed and/or owns, etc.

• Little Calumet River Development Commission (Dan Gardner) will contact Cabelas to get whatever information they have on the levee repair that was made, and any information they may have regarding the flooding of their property.

• Corps (Rick Ackerson) will provide Earth Tech a copy of the current Little Calumet River hydraulic model and a copy of the associated levee report.

• INDOT would like for the Corps to provide locations, access requirements, and operational trigger mechanisms for each sluice gate that potentially directly affects flooding along the Borman Expressway and/or its interchange ramps.

• Earth Tech will arrange and provide several dates and distribute to attendees regarding the next meeting to discuss progress on the outstanding issues.

Email Information Provided

Imad Samara                     imad.samara@usace.army.mil
Rick Ackerson                   rick.d.ackerson@usace.army.mil
Joel Schmidt                   joel.l.schmidt@usace.army.mil
Jim Pokrajac                   jpkrajac@nirpc.com
Lee Randell                    lrandell@indot.in.gov
Katrina Rogan                  krogan@indot.in.gov
Davis Schelling                 dschelling@indot.in.gov
Jon Pangallo                   j pangallo@indot.in.gov
Merril Dougherty               mdougherty@indot.in.gov
Rick Rampone                   rick.rampone@earthtech.com
Herb Bolinger                   herb.bolinger@earthtech.com
From: "Jim Pokrajac" <j pokrajac@nirpc.org>
To: "Rampone, Rick" <Rick.Rampone@earthtech.com>
Cc: "Anderson, Douglas M LRC" <Douglas.M.Anderson@lrco2.usace.army.mil>; "Edd, Sheldon D LRC" <Sheldon.D.Edd@lrco2.usace.army.mil>; <troy.kurz@cabelas.com>; <gordishm@sbcglobal.net>; "Greg Furman" <gfurman@dyerconstruction.com>
<d gardner@nirpc.org>
Sent: Monday, October 22, 2007 4:12 PM
Subject: Re: Borman Expressway - Friday's Meeting

Rick,

The meeting seemed to go well the other day at Cabelas. At least for the interim period, the recommendation to "beef up" the landward side of the levee would probably do the job of keeping a similar type of event from re-occurring. As I recall, when Dyer excavates for the upcoming pump station at the rear of Cabelas property, as part of their contract with Cabelas, they will use the excavated material to do this. As we mentioned, this segment of the flood control project contract was awarded to Dyer Construction and they are in the process of completing their submittals to the corps as part of the requirement before starting construction. Following are a list of the attendees, other than Indot or their representatives, to the best of my recollection:

Doug Anderson (Griffith Army Corps) - douglas.m.anderson@lrco2.usace.army.mil
Sheldon Edd (Griffith Army Corps) - sheldon.d.edd@lrco2.usace.army.mil
Troy Kurz (Cabelas) - troy.kurz@cabelas.com
Mark Gordish (Assistant City Engineer, Hammond) - gordishm@sbcglobal.net
Greg Furman (Dyer Construction) - gfurman@dyerconstruction.com
Dan Gardner (LCRBDC- Executive Director) - dgardner@nirpc.org
Jim Pokrajac (Agent, Engineering/Land Management - LCRBDC) - j pokrajac@nirpc.org

If you need any other further information please let me know,

Jim

Original Message -----

From: Rampone, Rick
To: Jim Pokrajac
Sent: Monday, October 22, 2007 1:31 PM
Subject: Borman Expressway - Friday's Meeting

Jim,

Would it be possible to get a list of the attendees for Friday's meeting -- at least those other than INDOT personnel -- and any e-mail addresses you might have for them?

Also, if you could get the sluice gate operating items to Lee this week that would be great. Please let me know when you are able to.

Thanks very much.

Rick

19

10/27/2007
October 8, 2007

Hammond Board of Public Works and Safety  
Hammond City Hall  
5925 Calumet Avenue  
Hammond, IN 46320

RE: Authorization for Access and Construction  
Replacement of Existing 54-Inch Waterman F-10 Flap Gate  
With Tide Flex TF-1 "Duckbill"  
City of Hammond, Lake County, Indiana

Dear Sirs/Madams:

The Indiana Department of Transportation respectfully requests your permission and authorization to gain access and to perform the following construction work at the outlet of an existing 54-inch diameter RCP pipe which drains to the Little Calumet River and is located approximately 70 feet east of the centerline of Kennedy Avenue: remove and haul away existing Waterman (F-10, 54-inch) flap gate, install thimble plate, and install Tideflex TF-1 "Duckbill" gate. This outlet is identified as Structure No. 63 (Project IR-80-HH013) and drains an area which includes the southeast quadrant of the Borman Expressway (I-80/I-94) and Kennedy Avenue Interchange. Property information obtained indicates that the property at which this outlet is located is owned by the City of Hammond.

This work is necessary since the existing flap gate is subject to interference by debris and could remain open during flood events, as occurred during the recent flooding of August 23 – 26, 2007. The Tide Flex gate is much less susceptible to interference by debris and will provide a higher level of protection against backwater from the Little Calumet River.

The construction work is planned to be carried out by INDOT workers from the LaPorte District office. Prior to removing the existing flap gate, and until after the Tideflex gate is successfully installed and inspected, the existing sluice gate located upstream of the outlet will be closed to prevent any possibility of backflow from the Little Calumet River during construction activities, which are anticipated to take several days. We do not anticipate any disruption to traffic along Kennedy Avenue during this time. A small staging area will be required for equipment and materials, and all disturbed areas will be cleaned and re-seeded as necessary prior to leaving the site.

Due to the nature of flooding conditions on the Little Calumet River which could impact the Borman Expressway, we request your permission for requested access and construction as soon as possible. We anticipate starting the work sometime in late November or early December, of course depending on river and weather conditions. We will provide a copy of the construction plans to the City Engineer prior to start of the project and notify him of the construction schedule as soon as it is determined. We will coordinate all construction activities with him.

In the meantime, if you have any questions or require additional information, please contact John Pangallo (317-234-5602), the INDOT Project Manager for this project, or Rick Rampone, Earth Tech, the design consultant (317-712-2900).
Thank you for your consideration of our request.

Sincerely,

INDOT

[Signature]

Mike Monahan
Director, Laporte District Office

Copy: Stan Dostatni, Hammond City Engineer
      Dan Gardner, Little Calumet River Development Commission
      Imad Samara, U.S. Army Corps of Engineers, Chicago District
      John Pangallo, INDOT
      Rick Rampone, Earth Tech
Scope of Field Survey Work

Kennedy Avenue/Borman Expressway Interchanges
Indianapolis Boulevard/Borman Expressway Interchange
(Prepared by Earth Tech – October 11, 2007)

The requested work is to be surveyed to NGVD 29 vertical datum and NAD 83 horizontal datum. Vertical accuracy should be at least 0.1 foot and horizontal accuracy should be at least 0.5 foot.

Following are requested survey items:

Kennedy Avenue/Borman Expressway Interchange
1) Determine invert elevations of three (3) structures to west of Kennedy Avenue which drains the interchange and outlet to Little Calumet River
2) Determine locations and elevations of August 25, 2007 high water marks set by Earth Tech
3) Survey side ditch at 400-foot intervals (3 x-sections spaced from downstream end of ditch)
4) Locate/set benchmark (NVGD 29 elevation datum) in vicinity of interchange for tie-in of this and future survey work

Indianapolis Boulevard/Borman Expressway Interchange
5) Determine invert elevation of outlet structure east of Indianapolis Boulevard which drains the interchange and outlets to Little Calumet River
6) Determine locations and elevations of August 25, 2007 high water marks set by Earth Tech
7) Develop 1-foot contour mapping and invert and spot elevations within indicated area at upstream end of 36-inch diameter culvert under mainline Borman Expressway in eastern segment of interchange.
8) Develop 1-foot contour mapping and invert and spot elevations within indicated area at downstream end of 36-inch diameter culvert under mainline Borman Expressway in eastern segment of interchange.
9) Prepare profile survey along south edge of Kennedy Avenue exit (north/south split) to eastbound Borman Expressway entrance ramp
10) Locate/set benchmark (NVGD 29 elevation datum) in vicinity of interchange for tie-in of this and future survey work
11) Determine, if possible, locations of any outlet structures which drain large wetland area south of Borman Expressway and, if found, determine corresponding invert elevations of these structures.
STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

DENIAL NOTICE
CONSTRUCTION IN A FLOODWAY

APPLICATION #: FW-24221

STREAM: Little Calumet River

APPLICANT: American Water Company, Indiana
Harold A Smith
650 Madison Street
Gary, IN 46402-2254

AGENT: GRW Engineers Inc
Rick A Miller
7112 Waldemar Drive
Indianapolis, IN 46268-2183

AUTHORITY: IC 14-28-1 with 312 IAC 10 and IC 14-29-1 with 312 IAC 6

DESCRIPTION: A 30" diameter watermain will be placed beneath the stream using directional drilling methods. The utility line will have a minimum 5' of cover beneath the streambed and a minimum 6' of cover in the banks. The site will be returned to pre-construction grade upon completion. Details of the project are contained in information and plans received at the Division of Water on March 5, 2007 and March 28, 2007.

LOCATION: Approximately 1025' west (upstream) of the Grant Street crossing near Gary, Calumet Township, Lake County
NW¼, NE¼, NE¼, Section 20, T 36N, R 8W, Gary Quadrangle
UTM Coordinates: Downstream 4601621 North, 469991 East

DENIED BY: James J. Hebenstreit, PE, Assistant Director
Division of Water

DENIED ON: September 25, 2007

Attachments: Notice Of Right To Administrative Review
Denial Reasons
Service List
Incomplete Application Notice

Division of Water
Room W264
402 West Washington Street
Indianapolis, IN 46204

Notice Date: June 26, 2007
Toll Free #: (877) 928-3755
Telephone #: (317) 232-4160
FAX #: (317) 233-4579

Application #: FW-24221
Stream: Little Calumet River
Type: Construction in a floodway

Applicant:
American Water Company, Indiana
Harold A Smith
650 Madison Street
Gary, IN 46402-2254

Agent:
GRW Engineers Inc
Rick A Miller
7112 Waldemar Drive
Indianapolis, IN 46268-2183

Dear Applicant:

On March 5, 2007, the Division of Water received your permit application under the Flood Control Act, IC 14-28-1, and the Navigable Waterway Act, IC 14-29-1, with the associated Flood Hazard Area Rule, 312 IAC 10, and Navigable Waterway Rule, 312 IAC 6, for the project described on the next page. Based on staff's preliminary review, your application is incomplete and has been placed in abeyance for the reason(s) listed on the following page(s). If you fail to provide the missing information within 30 days from the date of this notice, your application will be recommended for denial.

If you have any questions regarding the status of your application, please contact the appropriate staff member at the address shown above or at one of the following telephone numbers. Refer to application # FW-24221 in all correspondence with the Department.

<table>
<thead>
<tr>
<th>Responsibility</th>
<th>Staff</th>
<th>Telephone and Fax #</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative</td>
<td>Emily N. Norton</td>
<td>(317) 234-1124, 233-4579</td>
</tr>
<tr>
<td>Technical</td>
<td>Emily N. Norton</td>
<td>(317) 234-1124, 233-4579</td>
</tr>
<tr>
<td>Environmental</td>
<td>Christie L. Stanifer</td>
<td>(317) 232-4160, 233-4579</td>
</tr>
</tbody>
</table>

In addition to a permit from the Department of Natural Resources, you may also be required to obtain a permit from, or coordinate with, the following agencies. Contact with these agencies is your responsibility.

*US Army Corps of Engineers, Detroit District
Lake County Drainage Board
Little Calumet River Basin Development Commission
Indiana Department of Environmental Management
Local city or county planning or zoning commission

Telephone #
(313) 226-6828
(219) 755-3755
(219) 763-0696
(317) 233-8488 or (800) 451-6027

Be advised that this notice is not a permit nor an authorization to proceed with the project. It should not be construed as a waiver of the provisions or requirements of any other state, federal, or local regulatory activity.

pc: GRW Engineers Inc
STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

DENIAL REASONS

APPLICATION #: FW- 24221

This permit application was denied on September 25, 2007 for the reason(s) listed below. There shall be no work at the project site without the prior written approval of the Department of Natural Resources.

<table>
<thead>
<tr>
<th>Number</th>
<th>Denial Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>failure to provide a complete application and the information necessary to adequately review the project as requested in the Incomplete Application Notice dated June 20, 2007, copy enclosed</td>
</tr>
<tr>
<td>(2)</td>
<td>failure to provide a documentation that written permission was obtained from the Chicago District, US Army Corps of Engineers and the Little Calumet River Basin Development Commission regarding this project</td>
</tr>
<tr>
<td>(3)</td>
<td>failure to provide evidence that public notice has been provided in accordance with the provisions of the Procedures Concerning Certain Licenses Act, IC 14-11-4, and administrative rule 312 IAC 2-3.</td>
</tr>
</tbody>
</table>
STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

NOTICE OF RIGHT TO ADMINISTRATIVE REVIEW
APPLICATION #: FW- 24221

This signed document constitutes the denial of your application by the Department of Natural Resources. The denial may be appealed by applying for administrative review. The review will be governed by the Administrative Orders and Procedures Act, IC 4-21.5, and the Department’s rules pertaining to adjudicative proceedings, 312 IAC 3-1.

In order to obtain a review, a written petition containing the specific reasons for the appeal must be filed with the Division of Hearings within 18 days of the mailing date of this notice. The petition should be addressed to:

Mr. Stephen L. Lucas, Director
Division of Hearings
Room W272
402 West Washington Street
Indianapolis, Indiana 46204

If an appeal is filed, the final agency determination will be made by the Natural Resources Commission following a legal proceeding conducted before an Administrative Law Judge. The Department of Natural Resources will be represented by legal counsel.
STATE OF INDIANA
DEPARTMENT OF NATURAL RESOURCES

SERVICE LIST

APPLICATION #: FW-24221

American Water Company, Indiana
Harold A Smith
650 Madison Street
Gary, IN 46402-2254

GRW Engineers Inc
Rick A Miller
7112 Waldamar Drive
Indianapolis, IN 46288-2183

GRW Engineers Inc
Mary K Miller
7112 Waldamar Drive
Indianapolis, IN 46288-2183

Lake County Drainage Board
County Surveyor
County Government Center
2293 North Main Street
Crown Point, IN 46307-1854

Little Calumet River Basin Development Commission
Dan Gardner, Executive Director
6100 Southport Road
Portage, IN 46368-6409

Little Calumet River Basin Development Commission
Mr. James Craig
Municipal Building
401 Broadway
Gary, IN 46402

Steve Davis
Indiana Department of Natural Resources
100 West Water Street
Michigan City, IN 46360-1310

Gary Plan Commission
City Hall
401 Broadway
Gary, IN 46404

Gary Plan Commission
Indiana Department of Natural Resources
Division of Law Enforcement
North Region Headquarters Dist 10
1124 North Mexico Road
Perry, IN 46970-7522

Lake County Commissioners
2293 North Main Street
Crown Point, IN 46307-1854

Lake County Soil and Water Conservation District
928 South Court Street, Suite C
Crown Point, IN 46307-4848

Staff Assignment:

Administrative: Emily N. Norton
Technical: Emily N. Norton
Environmental: Christie L. Stanifer

*US Army Corps of Engineers, Detroit District
John Konik
Regulatory Office
PO Box 1027
Detroit, MI 48231-1027
Doug,

After meeting with you several times, I received a copy of the "Denial Notice for Construction In A Floodway" from the DNR dated September 25, 2007. Is it still the intent of your company to pursue this installation and what is the current status?

Thanks,

Jim Pokrajac
WORK STUDY SESSION
7 November 2007

LAND ACQUISITION COMMITTEE
Robert Marszalek, Chairman

(ACTION)
There are two possible condemnations for Stage VII:

DC 1223 PT. NE ¼ Sec. 20, T36N, R9W 180x1425x213.35x539.69 6.125 ac. Owner is Bank Trust. Company is out of business and can’t be located. Condemnation will be necessary if further research produces no results.

DC 1227 Bowling Green Subdivision Owner is Lake County Trust #1052. Dispute as to who is correct owner. (See attached survey). Condemnation will be necessary only if the dispute can’t be settled.

STAGE V UPDATE – (Kennedy to Northcote)
The Corps Stage V construction contract was awarded with two Options (easements not acquired):

DC 1169 owner N & S Railroad. S Riv. W2 SW Sec.16, T36, R9 2.64 acres. Corps still has issues as to who has authority to shut down the railroad in case of the flood.

DC 1112/1113 owner NIPSCO. W 150’ E SW N & S of River. NIPSCO and LCRBDC still discussing changes in the Easement Agreement before NIPSCO will sign.

STAGE VII UPDATE – (Northcote to Columbia)
Of the 34 offers sent to landowners:
- 27 landowners have accepted,
- 3 condemnations,
- 2 utilities reviewing engineering (BP Pipelines and NIPSCO),
- 2 private landowners still have engineering concerns.

STAGE VIII UPDATE: (Columbia to Illinois state line)
Appraisers are currently in the field appraising 89 properties with appraisals due 30 October 2007. Corps has made several survey changes and some appraisers have not had the final surveys to complete their assignments. We have extended their deadlines. As of today 62 appraisals have been completed, reviewed, and approved!
NOTE:
ALL LOT DIMENSIONS ARE PLATTED
DISTANCES UNLESS OTHERWISE NOTED

(C) = CALCULATED DISTANCE

TOTAL OWNERSHIP AREA
1.809± ACRES

DLZ ACCOUNT 0550-7003-70-1227 SHEET 1 OF 5
REVISED STAGE VII - MUNSTER

LAND PLAT

DLZ
316 Tech Drive
Burns Harbor, IN 46304
TELEPHONE (219) 764-4700 FAX (219) 764-4156
TOTAL OWNERSHIP AREA

Bowling Green 3rd Subdivision Park

(This description taken from Tax Card)

(Parcel contains 1.809 acres more or less per area calculations)
FLOOD PROTECTION LEVEE EASEMENT AREA

A part of the southeast 1/4 of the southeast 1/4 of Section 18, Township 36 North, Range 9 West of the 2nd Principal Meridian, in the Town of Munster, Lake County, Indiana, more particularly described as follows; Commencing at the southeast corner of Lot 47 in Bowling Green Third Subdivision in the Town of Munster, thence North 00°05′23″ East, 5.00 feet; thence North 89°31′12″ East, 107.41 feet to the Point of Beginning of this description:

1. thence North 23°25′48″ West, 136.98 feet;
2. thence North 29°51′19″ West, 105.67 feet;
3. thence North 00°05′23″ East, 16.72 feet;
4. thence North 18°34′45″ West, 130.67 feet;
5. thence South 49°20′59″ East, 154.32 feet;
6. thence South 27°38′04″ East, 139.36 feet;
7. thence South 20°42′02″ East, 196.68 feet to the Little Calumet River;
8. thence South 20°40′06″ East, 42.94 feet along the westerly edge of water of said River;
9. thence South 17°32′23″ East, 56.82 feet along the westerly edge of water of said River;
10. thence South 14°06′13″ East, 67.05 feet along the westerly edge of water of said River;
11. thence South 29°32′58″ East, 70.32 feet;
12. thence South 20°41′41″ East, 51.31 feet;
13. thence South 22°02′23″ East, 165.00 feet;
14. thence South 39°37′37″ East, 121.02 feet;
15. thence South 51°13′01″ West, 21.70 feet;
16. thence northwesterly 67.66 feet along an arc concave to the southwest and subtended by a long chord bearing North 32°21′11″ West, 67.48 feet in length;
17. thence North 39°37′35″ West, 230.29 feet;
18. thence northwesterly 101.09 feet along an arc concave to the southwest and subtended by a long chord bearing North 53°41′06″ West, 100.08 feet in length;
19. thence North 24°08′27″ East, 60.00 feet;
20. thence North 22°17′28″ West, 113.84 feet;
21. thence South 89°31′12″ West, 26.52 feet;
22. thence North 00°05′23″ East, 125.01 feet;
23. thence South 89°31′12″ West, 17.59 feet to the Point of Beginning containing 65,574 square feet (1.505 acres), more or less.
TEMPORARY WORK AREA EASEMENT

A part of the southeast 1/4 of the southeast 1/4 of Section 18, Township 36 North, Range 9
West of the 2nd Principal Meridian, in the Town of Munster, Lake County, Indiana, more particularly
described as follows; Commencing at the southeast corner of Lot 47 in Bowling Green Third
Subdivision in the Town of Munster, thence North 00°05'23" East, 5.00 feet; thence North 89°31'12"
East, 107.41 feet to the Point of Beginning of this description:

1. thence South 89°31'12" West, 10.85 feet;
2. thence North 23°26'02" West, 132.22 feet;
3. thence North 28°52'39" West, 90.41 feet;
4. thence North 00°05'23" East, 16.93 feet;
5. thence South 29°51'19" East, 105.67 feet;
6. thence South 23°26'48" East, 136.98 feet to the Point of Beginning containing 2,244 square
feet (0.052 acres), more or less.
Completion of the work is extended by 12 calendar days from 24 August 2007, as established by Modification A00007, to 5 September 2007, and the total estimated contract amount remains UNCHANGED at $7,567,601.13 as established by Modification A00008.

It is further understood and agreed that this modification constitutes compensation in full on behalf of the Contractor, and its subcontractors and suppliers for all costs and markups directly or indirectly attributable to the changes ordered herein, for all delays related there to, and for performance of the changes within the time frame stated.
MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. W912P6-05-C-0010
Local Flood Protection
Little Calumet River, Indiana
Stage VI-1 North
Modification No. A00003 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. A00003, under the subject contract.

2. Any questions concerning the enclosed items shall be directed to Mr. Sheldon Edd at (219) 923-1763 or 1764.

Enclosures

Sheldon Edd, P.E.
Project Engineer
Calumet Area Office

Distribution:
CELRC-TS-C-S (Complete Mod. File)
CELRC-TS-C-C (Complete Mod. File)
CELRC-CT (Complete Mod. File)
CELRC-TS-C-S (Complete Mod. File) S. Edd
CELRC-TS-C-S (Mod. Only) C. Lee
CELRC-TS-C-S (Mod. Only) Project Binder
CELRC-FM-PM (Mod. Only) Y. Samara
LCRBDC (Mod. Only) J. Pokrajac
AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

CHICAGO DISTRICT
111 North Canal Street
Suite 600
Chicago, IL 60606-7206

NAME AND ADDRESS OF CONTRACTOR
Illinois Constructors Corporation
Post Office Box 745
St. Charles, Illinois 60174
U.S.A.

The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of offers is extended. This item applies only to amendments of solicitations.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing items 8 and 15, and returning ______ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the submission; or (c) By separate letter or telegram which includes a reference to the solicitations and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram, letter, or other method of communication which makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified in Item 14.

Contract Amount Unchanged

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

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

Contract for Local Flood Prot - Stage VI - 1 North at Little Calumet River, Indiana

Reference No. R00015
SSC25 Time Extension, Unusually Severe Weather
See Page 2.

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

SIGNED: Phillip L. Ross

Typist: Phillip L. Ross

By: Douglas M. Anderson

(290) 659-2150

10-4-07

By: Douglas M. Anderson

(290) 659-2150

10-4-07

30-105-2

STANDARD FORM 30
PR ESCRI ED BY GSA
FAR (48 CFR) 53.243

30-105-2

PREVIOUS EDITION UNUSABLE

23
A. SCOPE OF WORK

SS025   Time Extension, Unusually Severe Weather

Add 22 Calendar days to the required completion date due to actual adverse weather days incurred above that specified to be anticipated during the periods 01 August through 31 August 2007.

B. CHANGE IN CONTRACT DRAWINGS

None

C. CHANGE IN CONTRACT SPECIFICATIONS

Reference Technical Section 00700 - Contract Clauses, Paragraph 52.211-10 COMMENCEMENT, PROSECUTION, AND COMPLETION OF WORK (APR 1994), remove the paragraph and replace with the following:

"The Contractor shall be required to (a) commence work under this contract within TEN (10) CALENDAR DAYS after the date the Contractor receives the notice to proceed, (b) prosecute the work diligently, and (c) complete the entire work ready for use not later than SEVEN-HUNDRED-THIRTY NINE (739) CALENDAR DAYS after receipt of the notice to proceed. The time stated for completion shall include final cleanup of the premises."

D. CHANGE IN CONTRACT PRICE

Total contract price is unchanged.

E. CHANGE IN CONTRACT TIME

The contract completion date shall be extended by 22 calendar days by reason of this modification.

F. CLOSING STATEMENT

It is understood and agreed that pursuant to the above, time for completion of the work is extended 22 calendar days from 06 October 2006, as established by Modification A00002, to 28 October 2007, and the total estimated contract amount remains UNCHANGED at $5,612,789.00 as established by Modification A00001.

It is further understood and agreed that this modification constitutes compensation in full on behalf of the Contractor, and its Subcontractors and Suppliers for all costs and markups directly or indirectly attributable for the change ordered herein, for all delays related thereto, for all extended overhead costs, and for performance of the change within the time frame stated.
MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. W912P6-05-C-0010
Local Flood Protection
Little Calumet River, Indiana
Stage VI-1 North
Modification No. P00012 - Executed

1. Enclosed for your files is a copy of all pertinent information
   related to executed Modification No. P00012, under the subject
   contract.

2. Any questions concerning the enclosed items shall be directed
to the undersigned at (219) 923-1763.

Enclosures

Sheldon D. Edd, P.E.
Project Engineer
Calumet Area Office

Distribution:
CELRC-TS-C-S (Complete Mod. File)
CELRC-TS-C-C (Complete Mod. File)
CELRC-CT (Complete Mod. File)
CELRC-TS-C-S (Complete Mod. File) S. Edd
CELRC-TS-C-S (Mod. Only) C. Lee
CELRC-TS-C-S (Mod. Only) Project Binder
CELRC-PW-PM (Mod. Only) I. Samara

✓LCRBDC (Mod. Only) J. Pokrajac
AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

2. AMENDMENT/MODIFICATION NO. P00012

3. EFFECTIVE DATE 21-Sep-2007

4. REQUISITION/PURCHASE REQ. NO. W85650-91-0-6718

5. PROJECT NO. (If applicable)

6. ISSUED BY CODE W9276

U.S. ARMY ENGINEER DISTRICT, CHICAGO
111 NORTH CANAL STREET, SUITE 200
CHICAGO, IL 60606-7205

7. ADMINISTERED BY (Other than item 6) CODE HEL1CS0

CALUMET AREA OFFICE
900 N. GRIFFITH BOULEVARD
GRIFFITH, IN 46320

8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)

ILLINOIS CONSTRUCTORS CORPORATION
JOHN MACKANIN
PO BOX 765
ST CHARLES, IL 60174

9A. AMENDMENT OF SOLICITATION NO. 0F176

9B. DATED (SEE ITEM 11) 18-Jul-2005

10A. MOD. OF CONTRACT/ORDER NO. W912P5-05-C-0010

10B. DATED (SEE ITEM 13) 18-Jul-2005

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

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

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

12. ACCOUNTING AND APPROPRIATION DATA (If required)

See Schedule

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

A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b).

C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

☐ D. OTHER (Specify type of modification and authority)

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

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

Modification Control Number: 606sm1n072019
Contract for Local Flood Prot - Stage VI-1 North at Little Calumet River, Indiana.

Reference No. R00014

SS021 Incremental Funding $151,439.00

See Page 2.

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

15A. NAME AND TITLE OF SIGNER (Type or print)

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

REGINA G. BLAIR / ADDED BY SUMI

TEL: (512) 845-5571 EMAIL: regina.blair@usace.army.mil

15B. CONTRACTOR/OFFEROR 15C. DATE SIGNED 16B. UNITED STATES OF AMERICA 16C. DATE SIGNED

(Signature of person authorized to sign) (Signature of Contracting Officer)

EXCEPTION TO SF 30
APPROVED BY ORIM 11-84

STANDARD FORM 30 (Rev. 10-83)
Described by CSA
FAR (48 CFR) 53.243
The following have been added by full text:

**MODIFICATION NO. P00012**

<table>
<thead>
<tr>
<th>CONTRACT NO.</th>
<th>Modification No.</th>
<th>Contractor:</th>
<th>Contract Title:</th>
<th>Location:</th>
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<tr>
<td>W912F6-05-C-0010</td>
<td>P00012</td>
<td>Illinois Constructors Corporation</td>
<td>Local Flood Prot - Stage VI - 1 North</td>
<td>Little Calumet River, Indiana</td>
</tr>
</tbody>
</table>

**12. ACCOUNTING AND APPROPRIATION DATA** (Continued)

**SEE ATTACHED APPROPRIATION REPORT**

**14. DESCRIPTION OF MODIFICATION** (Continued)

**A. SCOPE OF WORK**

$5021 Incremental Funding $151,439.00

Pursuant to the "Incremental Funding" clause, this modification hereby obligates an amount of $151,439.00 for this contract.

**B. CHANGE IN CONTRACT PRICE**

Total contract price is unchanged.

**C. CHANGE IN CONTRACT TIME**

The contract completion date shall remain unchanged by this modification.

**D. CLOSING STATEMENT**

Pursuant to the "Incremental Funding" clause, this modification hereby obligates an amount of $151,439.00 for this contract; thus, increasing the total Contract funded amount to $5,612,789.00.

---

**SECTION 00800 - SPECIAL CONTRACT REQUIREMENTS**

**Accounting and Appropriation**

**Summary for the Payment Office**

As a result of this modification, the total funded amount for this document was increased by $151,439.00 from $5,461,350.00 to $5,612,789.00.

**Contract Level Funding:**

AB: 96 NA X 8862.0000 H6 X 08 2426 075325 96112 3230 KF4KP0 NA GB7250 was increased by $10,600.73 from $1,581,000.00 to $1,591,600.73

AA: 96 NA X 3122.0000 H6 X 08 2426 075325 96112 3230 1C94LF NA GB7250 was increased by $140,838.27 from $3,880,350.00 to $4,021,188.27
MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. W912P6-05-C-0006
Little Calumet River, Indiana
Local Flood Protection
Stage VI-2 Levee
Modification No. A00003 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. A00003, under the subject contract.

2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763.

Enclosures

Sheldon D. Edd, P.E.
Project Engineer
Calumet Area Office

Distribution:
CELRC-TS-C-S (Complete Mod. File)
CELRC-TS-C-C (Complete Mod. File)
CELRC-CT (Complete Mod. File)
CELRC-TS-C-S (Complete Mod. File) S. Edd
CELRC-TS-C-S (Mod. Only) S. Babcock
CELRC-TS-C-S (Mod. Only) Project Binder
CELRC-PM-PM (Mod. Only) I. Samara
√LCRBFC (Mod Only) J. Pokrajac
# Amendment of Solicitation/Modification of Contract

## 2. Amendment/Modification No.
A00003

## 3. Effective Date
See Block 16C

## 4. Requisition/Purchase Req. No.
W81G6650465561

## 5. Project No.
(if applicable)

## 6. Issued By
CHICAGO DISTRICT
111 North Canal Street
Suite 600
Chicago, IL 60606-7206

## 7. Administered By (if other than item 6)
USAED, Chicago (TS-C-S)
Calumet Area Office
906 Griffith Boulevard
Griffith, IN 46319

## 8. Name and Address of Contractor
Dyer Construction Co., Inc.
1716 Sheffield Avenue
Dyer Indiana 46311
Lake

## 9A. Amendment of Solicitation No.

## 9B. Dated (see Item 11)
29 Jul 2005

## 10A. Modification of Contract/Order
W912P6-05-C-0006 NA

## 11. This Item Applies Only to Amendments of Solicitations
☐ The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.

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

## 12. Accounting and Appropriation Data
See Page 2.
Contract Amount Decreased -$9,092.96.

## 13. This Item Applies Only to Modifications of Contracts/Orders
It modifies the Contract/Order No. as described in item 14.

## 14. Description of Amendment/Modification
Contract for Little Calumet River, Stage VI-2 at Little Calumet River, Indiana.
Reference No. R00010
SS008 Improve Drainage at I-wall
SS101 Delete Corps Office Trailer
SS011 A-Frame Gates at Ramp 3 and Liable Rd.

See Page 2.

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

## 15A. Name and Title of Signer
JANET FURMAN
President

## 15B. Date Signed
9/6/07

## 16A. Name and Title of Contracting Officer
Douglas M. Anderson
Administrative Contracting Officer

## 16B. United States of America

## 16C. Date Signed
9/27/07

---

**STANDARD FORM 30**

<table>
<thead>
<tr>
<th>(REV. 10-83)</th>
</tr>
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<tbody>
<tr>
<td>PRESCRIBED BY GSA</td>
</tr>
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<td>FAR (48 CFR) 53.243</td>
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</tbody>
</table>

**NSN 7540-01-152-8570**

**PREVIOUS EDITION UNUSABLE**

---------

29
MODIFICATION OF CONTRACT

Contract No: W912P6-05-C-0006 NA
Modification No: A00003
Contractor: Dyer Construction Co., Inc.
Contract Title: Little Calumet River, Stage VI-2
Location: Little Calumet River, Indiana

12. ACCOUNTING AND APPROPRIATION DATA (Continued)

| 96-NA-X-3122 | F61Z5D | 93% | FED | $9,043.39 | DECREASE |
| 96-NA-X-8862 | C6LC2G | 7% | NON-FED | $748.43 | DECREASE |
| 96-NA-X-3122 | F081OH | 50% | FED | $799.43 | INCREASE |
| 96-NA-X-8862 | GB74LG | 50% | NON-FED | $799.43 | INCREASE |

TOTAL $9,092.96 DECREASE

Contract price is DECREASED by $9,092.96 from $4,228,422.42 to $4,219,329.46

14. DESCRIPTION OF MODIFICATION (Continued)

A. SCOPE OF WORK

SS008 Improve Drainage at I-wall

Installation of the new I-wall and the access ramp to the levee prevented the drainage of precipitation from the area immediately east of the I-wall. The Contractor shall add fill as needed, grade the area toward Cline Avenue, and remove the old NIPSCO access road to promote drainage.

SS010 Delete Corps Office Trailer

The existing contract requires the Contractor to provide a temporary field office for use by the Government. This modification deletes the requirement for the Government field office.

SS011 A-Frame Gates at Ramp 3 and Liable Rd.

Change A-Frame Gates at Ramp 3 and Liable Road to double-leaf set-up as shown on new Contract Drawing Number L-06, A-FRAME GATE 2-12 FT ARMS ELEVATION AND DETAILS.

<table>
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<tr>
<th>CLIN No.</th>
<th>DESCRIPTION</th>
<th>PREVIOUS QUANTITY</th>
<th>CHANGE IN QUANTITY</th>
<th>REVISED QUANTITY</th>
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<tbody>
<tr>
<td>0016</td>
<td>A-Frame Gates</td>
<td>3.00EA</td>
<td>-3.00EA</td>
<td>0.00EA</td>
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</tbody>
</table>

B. CHANGE IN CONTRACT DRAWINGS

SS008 Improve Drainage at I-wall

None

SS010 Delete Corps Office Trailer

None

SS011 A-Frame Gates at Ramp 3 and Liable Rd.

Re-Issued Drawings G-02, INDEX, SYMBOLS, ABBREVIATIONS, AND GENERAL NOTES, L-05, A-FRAME GATE 1-14 FT ARM ELEVATION AND DETAILS and new Drawing L-06, A-FRAME GATE 2-12 FT ARMS ELEVATION AND DETAILS.

C. CHANGE IN CONTRACT SPECIFICATIONS

SS008 Improve Drainage at I-wall

Reference Specification Section 0270 MEASUREMENT AND PAYMENT. The following paragraphs are ADDED:

1.1.18 IMPROVE DRAINAGE AT THE I-WALL (Bid Item 0224)

1.1.18.1 Payment

Payment will be made at the contract lump sum price for grading the area between Ramp 72, Ramp 32 and east of the I-Wall. Payment will also be made for removal of the old NIPSCO ramp and drainage pipe under the NIPSCO ramp and removal of wood bollards. Payment shall constitute full compensation for all labor, equipment, materials and

STANDARD FORM 30 (REV. 10-93)
MODIFICATION OF CONTRACT

Contract No: W91276-05-C-6008 NA
Modification No: A00003
Contractor: Dyer Construction Co., Inc.
Contract Title: Little Calumet River, Stage VI-2
Location: Little Calumet River, Indiana

1.1.18.2 Unit of Measure
Lump Sum (LS)

SS010 Delete Corps Office Trailer
Reference Specification Section 01500 TEMPORARY CONSTRUCTION FACILITIES. Delete paragraph 1.7 GOVERNMENT FIELD OFFICE from this section.

SS011 A-Frame Gates at Ramp 3 and Liable Rd.
Reference Specification Section 01270 MEASUREMENT AND PAYMENT. Delete paragraph 1.2.8 A-FRAME GATES (bid item 0016) and sub-paragraphs 1.2.8.1 and 1.2.8.2 from this section. Replace these paragraphs with the following:

1.2.8 A-FRAME GATES AT RAMP 3 AND LIABLE RD (Bid Item 0024)

1.2.8.1 Payment
Payment will be made at the contract unit price for the A-Frame Gates as shown in re-issued drawings G-02, I-05 and new drawing L-06. Payment constitutes full compensation for all labor, materials, equipment, tools, and incidentals necessary to complete the work.

1.2.8.2 Measurement
A-Frame Gates will be measured by the number of gates installed and accepted, in-place.

D. CHANGE IN CONTRACT PRICE

Total contract price is decreased by -$9,092.96.

<table>
<thead>
<tr>
<th>CLIN No.</th>
<th>DESCRIPTION</th>
<th>CHANGE IN QUANTITY</th>
<th>UNIT PRICE</th>
<th>CHANGE AMOUNT</th>
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<td>$1,044.00/EA</td>
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Lump Sum Changes

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New CLINS

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<td>Improve Drainage at I-Wall</td>
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<td>0025</td>
<td>A-Frame Gates Reconfigured</td>
<td>3.00 EA</td>
<td>$1,536.95/33/EA</td>
<td>$4,610.86</td>
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</tbody>
</table>

The Contract price is decreased by $9,092.96 from $4,228,422.42 to $4,219,329.46.

E. CHANGE IN CONTRACT TIME

The contract completion date shall remain unchanged by this modification.
F. CLOSING STATEMENT

It is understood and agreed, that pursuant to the above, the Contract price is decreased by $9,092.96 from $4,228,422.42 to $4,219,329.46, which reflects all credits due the Government and all debits due the Contractor.

It is further understood and agreed that this adjustment constitutes compensation in full on behalf of the Contractor and its Subcontractors and Suppliers for all costs and markups directly or indirectly attributable to the change, for all delays related thereto, for all extended overhead costs, and for performance of the change within the time frame stated.

This modification hereby deobligates the amount of $9,092.96 for this contract; thus decreasing the total Contract funded amount from $4,228,422.42 to $4,219,329.46.
MEMORANDUM FOR RECORD

FROM: CELRC-TS-DC

SUBJECT: October 20, 2007 Meeting with the Southmoor Residents on the Little Calumet River Stage VIII Alignment and Easements

Comments from the meeting:

1. Home address 274 has a shed that the centerline of protection is going straight through. It appeared from the field visit that the alignment could be moved further away from property closer to the river. This resident was also very upset that the permanent easement goes right up to the back of their home taking most of their backyard. LRB should look into moving the alignment closer to the river and adjusting the real estate in this area.

2. Home address 280 also had a small porch that the centerline of protection is going through. LRB should look into moving the alignment closer to the river and adjusting the real estate in this area.

3. All the Southmoor residents asked why so much permanent easement had to be taken for this project. Imad told them the Corps took the least amount of permanent easement allowed by regulations. Imad would like LRB to write a memo explaining the reasons why the Corps had to take this much easement. Then Imad will give this memo to the local sponsor to share with the residents.

4. Four (4) basement drains at Southmoor were identified in the field. There is one drain pipe that runs between homes 256 and 264. It is a 4” PVC pipe that is shared by both homes. There is one drain pipe that runs out the back of home 252. It is a 4” PVC pipe. There is one drain pipe that runs out the back of home 244. It is a 4” clay pipe. There is one drain pipe that runs out the back of home 216. It is a 4” corrugated plastic pipe. Jim Pokrajac is going to try and contract one of the local residents (a plumber) to field locate all drain pipes from the Southmoor homes and also document how the systems work by talking with the home owners. Then Jim will have his surveyors go out and get the elevations of the existing outlets. At this time LRB should assume only 4 drain pipes exist as these were all that could be located and support other past findings.

5. Home 216 has about half a small patio (consisting of only patio blocks on the ground) inside the permanent easement. Imad asked that a note be added to the plans saying “patio blocks inside of permanent easement to be removed and stored during construction and replaced when construction is finished”.

6. How does the wall tie into the existing bridge at Hohman Ave?

7. Home 208, right next to the Hohman Ave Bridge, asked if the centerline of protection could be moved away from her home. It appeared from the field visit that the wall could come across the back of the property straighter at 208 and then have an extra coordinate added to bend it back toward the Hohman Bridge. An easier way to say this is the centerline of the wall could follow the existing fence and then bend around it sharper to hit the bridge. LRB should look into moving the alignment and adjusting the real estate in this area.
Matthew W. Cunningham
Civil Engineer
Civil, Specifications, & Cost Section

Enclosure: 1
Jim Pokrajac

From: "Sandy Mordus" <smordus@nirpc.org>
To: "Jim Pokrajac" <jpokrajac@nirpc.org>
Sent: Wednesday, October 24, 2007 2:07 PM
Attach: MFR on meeting with local Southmoor residents on LCR Stage 8.doc; Soothmoor Sketch.pdf; SVII notes.doc
Subject: Fw: Memo from the Southmoor Sat. Meeting - Please Review (UNCLASSIFIED)

--- Original Message ---
From: Sandy Mordus
To: Cunningham, Matthew W LRC
Cc: imad.samara@usace.army.mil ; Gregg Heinzman ; Dan Gardner ; Judy Vamos
Sent: Wednesday, October 24, 2007 1:12 PM
Subject: Fw: Memo from the Southmoor Sat. Meeting - Please Review (UNCLASSIFIED)

Matt:

In response to your memo regarding our meeting with the Southmoor residents on October 20, I have attached a memo with my comments and/or observations that may be used to supplement the memo for record you have prepared. If anyone has any questions, please let me know at jpokrajac@nirpc.org.

Jim Pokrajac, Agent
Engineering/Land Management

--- Original Message ---
From: Jim Pokrajac
To: Sandy Mordus
Sent: Tuesday, October 23, 2007 3:39 PM
Subject: Fw: Memo from the Southmoor Sat. Meeting - Please Review (UNCLASSIFIED)

--- Original Message ---
From: Cunningham, Matthew W LRC
To: Jim Pokrajac
Cc: Samara, Imad LRC
Sent: Tuesday, October 23, 2007 10:42 AM
Subject: Memo from the Southmoor Sat. Meeting - Please Review (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Jim,

I prepared a memo and sketch of the home addresses for Buffalo covering what Chicago District wants them to look into on Stage 8 in the Southmoor area. Could you please review it and provide any comments by close of business today? Then I can send it on to Buffalo.

Thanks

Matt

Classification: UNCLASSIFIED

Caveats: NONE

35

10/24/2007
Memo of Record – October 20, 2007 field meeting with the Southmoor residents on the Little Calumet River – Stage VIII alignment and easements

In general, there were several observations and/or comments that we may have included in the current plans and specifications but I would like to bring it to your attention as follows:

(1) There were some trees and/or bushes that were located within the permanent levee easement that may be able to be saved.
   - We mentioned to the residents that there would be a possibility that once the contract was awarded, we could meet in the field to review these particular plantings and possibly flag ones that could be saved.

(2) We need to assure that the minimum amount of permanent easement will be required that would allow us to do flood fighting, maintenance, or inspections after completion of construction.
   - There is an inconsistency in the depth of the permanent levee that varies anywhere from 10 to 20’.
   - The lesser determination made exceptions to avoid having to purchase garages, swimming pools, or any other permanent structures.
   - In some cases, we will be taking between 1/2 to 2/3 of their backyard as a permanent easement, which by terms of the agreement, will not allow them to construct any permanent structures such as sheds or any recreational features.

(3) West of 208 Southmoor, we agreed in the field we would modify the south line of protection further south to reduce the impacts to her backyard.
   - Do we want to consider getting the western portion of this property as a temporary easement, all the way to Southmoor, to allow a second ingress/egress from this construction area? Otherwise, we can only access from the east.

(4) It appears there is an easement between 228 and 234 where the existing 24” culvert extends to the river where we are going to install our control structure.
   - Do we need any real estate interest on this easement?

(5) At DC264 (Stacey Broutman), we will be providing a new location survey.
   - The surveyor originally couldn’t get access to this area to do a location survey because the gates were locked.
   - The surveyor has now been instructed to contact the owner in advance to leave the gate unlocked in order to do a current and accurate survey.
   - This will be provided to Buffalo upon completion.

(6) Is it possible to extend the I-wall further east, and change its alignment closer to the river behind 274 Southmoor? The current permanent easement extends almost to the back line of the house in this area.
(7) The LCRBDC is contracting out the services of Mr. Ryan Mix to get the locations of any drains from the houses to the river. (He is also the resident from the east end of the Southmoor area).
   - Once he determines where these lines are, he will mark them and contact the surveyor in order that he can come out and get the vertical and horizontal data for these lines and provide this to Buffalo.

(8) A 4' diameter cottonwood tree exists along the center line of the sheet pile wall on the western portion of 216 Southmoor (former mayor Dedelow property).
   - Is this something that needs to be noted in the plans to help the clearing and grubbing contractor?

(9) At our field meeting, we indicated that the sheet piling would be installed using a “Multi-piler” type of equipment to vibrate the sheet pile into the ground.
   - This would greatly reduce the noise and the vibrations to the houses.
   - Do we need to monitor vibrations during the installation, and if so, how would this be done?
   - At 264 Southmoor, the resident had a concern about damage to their swimming pool which is poured concrete which could be caused by vibrations from sheet pile installation. Is it possible to install any monitoring devices between the sheet piling and the pool to assure, for record, that vibrations were held to a minimum?

(10) Duration of construction time in the area
   - Is there any way to include in the plans and specifications a directive to the contractor stating that once he starts sheet piling in this area, he will continue to install it until it is all completed in this area?

(11) Matt mentioned to me, prior to the start of our meeting, that Buffalo might consider driving the sheet piling from the river side from the line of protection.
   - It appeared to me that it was more important to the residents to save those trees on the river side rather than removing them in order to drive sheet piling from that side.
   - Do we still want to consider this as an option?

(12) Several residents presented me with copies of their surveyor’s location reports. It appeared there was a contradiction in plat dimensions between our surveys and their location reports.
   - I am currently having GLE investigate why there is this discrepancy.

On a separate issue, the residents expressed a concern regarding debris accumulating at the NICTD bridge. We acknowledge that this occurs regularly and we will pursue this during our upcoming conference call with NICTD. Hammond and Munster would like to remove this bridge as part of the project.
   - In the past, Hammond and Munster have cooperatively shared in the removal of this debris. It also affects adjacent residents by raising river levels in this area.
These are my primary observations, some of which repeat what you have said in your memo but still need clarification and/or decisions to be made regarding these issues. If you have any questions regarding these items, please let me know.
WORK STUDY SESSION
NOVEMBER 7, 2007
5:30 – 6:00 p.m.

ACTION ITEMS:

Finance
Approval of claims for October 2007
Approval of O&M claims for October 2007
Approval of Stage VII claims (to be paid by Munster)

Land Acquisition
Any action?

ITEMS OF IMPORTANCE/POLICY:

• Update on Funding Strategy
  (non-federal share to complete construction)

• Discussion of construction completion/operation
  maintenance funding
Projects get gambling cash

State turning more to gambling revenue to pay for some pet projects.

The Associated Press

INDIANAPOLIS — Lawmakers have spent nearly $21 million this year from excess gambling revenue that formerly was used to pay for local community projects, a newspaper found.

But officials deny that the Build Indiana Fund is back in its old business, The Journal Gazette of Fort Wayne reported Sunday.

"We can't start that because we have about a billion dollars' worth of requests," said Senate Appropriations Chairman Robert Meeks, R-LaGrange. "The only projects that have been ongoing are where there is a dire need."

"The only projects that have been ongoing are where there is a dire need."

— Sen. Robert Meeks, R-LaGrange

The fund, which once doled out millions of dollars to community projects, fell into disuse after a newspaper investigation in 2001 found that some of the money went to projects that violated the law.

But the budget appropriation was never rescinded, the newspaper reported.

The bulk of the revenue from wagering taxes and other state gambling revenues is already spoken for. Some $236 million in the most recent fiscal year went to cover an excise tax cut for all Hoosiers, and public safety and teacher pensions get $30 million each.

On top of that, Meeks said, the fund accrues a few million dollars a year. But that source of money has drawn lawmakers' attention.

Legislators set aside $10 million for the Indiana Finance Authority for the construction or financing of a public water supply system for Ripley, Decatur and Jennings counties, in the area where a new Honda plant is being built.

Another $7 million went for a school and library Internet connection program and $3 million for an online research library. About $850,000 was set aside to dredge lakes Shafer and Freeman in northern Indiana.

And $39,490 went to the Martin County 4-H board to pay for a new community building that has already been built.
CONTRACT NO.: W912FY-07-C-0011
CONTRACTOR: Dyna Constructors, Inc.
DESCRIPTION: LCR, Local Flood Protection, Single Sec.

ORIGINAL CONTRACT AWARD DATE/AMOUNT: 29-Sep-07 $13,140,189.41
NTP DATE/CURRENT CONTRACT AMOUNT: 17-Oct-07 $13,140,189.41
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION: 20-Nov-09
REVISED CONTRACT COMPLETION DATE/REVISED DURATION: 20-Nov-09
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS: 20-Nov-09

ESTIMATED PROGRESS
A. Present Earnings as of Pay Est. No. NA
B. Estimated Earnings thru end of reporting period $90,000.00
C. Value of work performed on Directed Mods (Earnings not paid for) $0.00
TOTAL ESTIMATED PROGRESS (A+B+C) $90,000.00
D. Work Paid for but not in Place (Materials in Storage) $0.00
TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D) $90,000.00
E. Potential Termination Costs (% of Remaining Costs) (If Applicable) $0.00
FINANCIAL PROGRESS - (A+B+C+D-E) $90,000.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT None $13,140,189.41
F. Current Contract Amount thru Mod
G. Current Value of Overtakes/Underruns (+/-) (unsuitable Levee Fdn Matl and levee fill) $0.00
H. Directed, Pending Modifications (Misc+Fdn DSC-Del. Struct 73K+25K-296K) $0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) $13,140,189.41

Funds Obligated for Payment: thru Modification None

ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H) 0.68%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 0.00%
TOTAL EARNINGS AT THE END OF FY07 0.00

PROJECT STATUS/MAJOR ISSUES:

- Pre-Construction Conference is scheduled for 10/30/07, 10:00 am at Wicker Park Social Center.
- Contractor has stated that they want to get moving on clearing portions of work as soon as possible. They have stated that they need to be driving piles through the winter.
- A meeting was held on 10/10/07 with Cabella's, LCRBDC, INDOT, City of Hammond and Corps to discuss interim measures for INDOT to be ensured that the spoil bank levee at Cabella's is not breached again in case of a high water event. Cabella's (and Dyna, working for Cabella's) stated that they would use excavated materials from Cabella's pump station excavation to reinforce the levee bank. A report on this was made after the August 2007 flood.
Calumet Area Office
Construction Progress Report
Thru End of: October 2007

TS-C-S
D. Anderson
Ed/Nielson
Crab

CONTRACT NO.: W9128P-07-C-0003
CONTRACTOR: Geyer Construction Co.
DESCRIPTION: LCR: Local Flood Protection, Brat Street Phase 2 East

ORIGINAL CONTRACT AWARD DATE/AMOUNT: 26-Feb-07 $3,342,583.22
CURRENT CONTRACT AMOUNT: Mods Not
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION: 13-Mar-07 3,342,583.22
REVISED CONTRACT COMPLETION DATE/REVISED DURATION: 5-Jul-08 800
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS: 20-Jul-08 0

ESTIMATED PROGRESS
A. Present Earnings as of Pay Est. No. 1,847,283.76
B. Estimated Earnings thru end of reporting period 1,522,216.24
C. Value of work performed on Directed Mods (Earnings not paid for) 2,000,000.00
D. Work paid for but not in place (Materials in Storage) 3,850,000.00

TOTAL ESTIMATED PROGRESS (A+B+C) 2,000,000.00

TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D) 1,914,040.00

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

FINANCIAL PROGRESS - (A+B+C-D-E) 2,085,060.00

TOTAL ESTIMATED FINAL CONTRACT AMOUNT
F. Current Contract Amount thru Mod. None
G. Current Value of Overruns/Underruns (+/-) (unsuitable Levee Fadtn Matl and levee fill) 190,000.00
H. Directed, Pending Modifications (Mise+Fadtn Dsc+Del. Struct 73K+25K-296K) 198,000.00

TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) 3,730,583.22

FUNDS OBLIGATED FOR PAYMENT: thru Modification None 3,342,583.22

ACTUAL PERCENT COMPLETE (A+B+C-D-E)/(F+G+H) 51.33%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 51.00%

TOTAL EARNINGS AT THE END OF FY07 2,000,000.00

PROJECT STATUS/MAJOR ISSUES:
- Staged levee construction complete.
- Modification processed for unusually severe weather and recent flooding that has delayed progress on project.
- L-Wall sheet piles placed. L-Wall Concrete placed. Sheet Pile Concrete on both RR closures completed.
- RFP sent to Contractor for miscellaneous mod, received preliminary approval from LCRBDC. Proposal being reviewed.
- RFP for DSC in Levee Foundation approx Std 65 to 72. Proposal being reviewed.
- Unsuitable material found 50' of RR caused stripping and fill overrun.
- RFP for Deletion of Curves at Stations 58+40 and 82+67 issued. Preliminary proposal received.
- Wick drains at Station 73+52 completed. Pre-Load complete.
Calumet Area Office
Construction Progress Report
Thru End of: October 2007

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

ORIGINAL CONTRACT AWARD DATE/AMOUNT: 30-Sep-05 5,566,871.00
NTP DATE/CURRENT CONTRACT AMOUNT: Mods 21-Jul-07 5,645,118.00
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION: 19-Oct-05 640
REVISED CONTRACT COMPLETION DATE/REVISED DURATION: 27-Nov-07 769
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS: 27-Nov-07 0

ESTIMATED PROGRESS
A. Present Earnings as of Pay Est. No. 4,883,025.71
B. Estimated Earnings thru end of reporting period 534,087.10
C. Value of work performed on Directed Mods (Earnings not paid for) 0.00
TOTAL ESTIMATED PROGRESS (A+B+C) 5,417,112.81

D. Work Paid for but not in Place (Materials in Storage) 19,002.63

TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D) 5,398,109.98

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

FINANCIAL PROGRESS - (A+B+C+D-E) 5,417,112.81

TOTAL ESTIMATED FINAL CONTRACT AMOUNT
F. Current Contract Amount thru Mod. 5,612,789.00
G. Current Value of Overrun/Underruns (+/-) 22,500.00
H. Directed, Pending Modifications (Misc Changes in Progress) 162,496.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) 5,797,785.00

Funds obligated for payment: thru Modification 5,645,118.00

ACTUAL PERCENT COMPLETE (A+B+C-D)/(F+G+H) 93.11%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 94.00%

TOTAL EARNINGS AT THE END OF FY07 5,417,112.81

FULLY FUNDED PROJECT
- Levee construction and SSD drilling completed
- Work continues on Gatewell structures, Kennedy Apartment Pump Station just starting. Maint. Road Construction started.
- Change orders pending for add 1 reach of rip rap, DSC at Kennedy Pump Sta, debris in the drive line, CB 175 modification and Access Rd change Oxbow Park for user. Also, flood damage prevention change order being processed.
- Change order processed for unusually severe weather and recent flooding.
Calumet Area Office
Construction Progress Report
Thru End of: October 2007

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

| ORIGINAL CONTRACT AWARD DATE/AMOUNT | 30-Sep-04 | $6,503,093.70 |
| NTP DATE/CURRENT CONTRACT AMOUNT | 4-Nov-04 | $7,567,601.19 |

| ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION | 4-Dec-06 | 760 |
| REVISED CONTRACT COMPLETION DATE/REVISED DURATION | 5-Sep-07 | 1025 |
| PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS | 5-Sep-07 | 0 |

**ESTIMATED PROGRESS**

| A. Present Earnings as of Pay Est. No. | | 6,907,975.45 |
| B. Estimated Earnings thru end of reporting period | | 391,419.35 |
| C. Value of work performed on Directed Mods (Earnings not paid for) | | 0.00 |

**TOTAL ESTIMATED PROGRESS (A+B+C)**

7,399,394.80

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

7,399,394.80

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

7,399,394.80

**TOTAL ESTIMATED FINAL CONTRACT AMOUNT**

| F. Current Contract Amount thru Mod. | P00015& A00008 | 7,567,601.19 |
| Current Value of Overruns/Underruns (+/-) | (Variations in Final Quant) | 130,383.00 |
| Directed, Pending Modifications | (two mods issues pending) | -18,630.00 |

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

7,399,394.80

**FUNDS OBLIGATED FOR PAYMENT: thru Modification**

| P00015& A00008 | 7,567,601.19 |

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

98.66%

**SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)**

99.00%

**TOTAL EARNINGS AT THE END OF FY07**

7,299,394.80

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**PROJECT STATUS/MAJOR ISSUES:**

- Contract fully funded. - No Drive Pump Sta. Operator Training performed on August 10, 2007. - North Drive Pump Station being fully operated by Town of Highland. - Existing Grace Street Pump Station taken out of service August 10, 2007. - Final levee work at No. Dr. Pump Sta. completed. - The PM added new funding line items for Recreation facilities. - Aug 07 adverse weather mod settled with time extension. - New completion date due to unusual weather and recent flood. - Final inspection was held on Oct 12/2007. - Punch lists gathered and being worked on. - Liquidated damages assessed Sep 6 thru Sep 19 due to Contractor not finished within contract duration as adjusted.
Calumet Area Office
Construction Progress Report
Thru End of October 2007

CONTRACT NO.: W9124Y-02-C-0006
CONTRACTOR: D. Anderson
DESCRIPTION: Little Calumet River, Stage VI - Phase II

ORIGINAL CONTRACT AWARD DATE/AMOUNT: 18-Oct-05  4,205,644.17
NTP DATE/CURRENT CONTRACT AMOUNT: Mods A00003/P00007 18-Oct-05  4,219,329.46
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION: 11-Apr-07
REVISED CONTRACT COMPLETION DATE/REVISED DURATION: 1-Jun-07
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS: 1-Jun-07

ESTIMATED PROGRESS
A. Present Earnings as of Pay Est. No. 4,141,938.88
B. Estimated Earnings thru end of reporting period 56,599.56
C. Value of work Performed on Directed Mods (Earnings not paid for) 4,198,558.44

TOTAL ESTIMATED PROGRESS (A+B+C) 4,198,558.44

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

TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D) 4,198,558.44

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

FINANCIAL PROGRESS - (A+B+C-D-E) 4,198,558.44

TOTAL ESTIMATED FINAL CONTRACT AMOUNT
F. Current Contract Amount thru Mod. A00003/P00007 4,219,329.46
G. Current Value of Overruns/Underruns (+/-) (Variations in Final Quantities) 78,940.92
H. Directed, Pending Modifications (-20K trlr deletion + 10K grading + 1K gates) -9,092.98
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) 4,288,627.40

FUNDS OBLIGATED FOR PAYMENT: thru Modification A00003/P00007 4,228,442.42

ACTUAL PERCENT COMPLETE (A+B+C-D-E)/(F+G+H) 97.90%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 99.00%

TOTAL EARNINGS AT THE END OF FY07 4,198,558.44

Contract is fully funded - Survey and x-sections complete, submittal pending.
- Drainage Hdd, Trail gate change and Corps trailer, delete change order being processed.
- Final Quantities being determined in preparation for Variation in Estimated Quantities Change Order.
- Final Red Lines Submitted and awaiting review. Vandalism has occurred on trail signs and bollards.
- Final inspection punch list items being completed.
Calumet Area Office
Construction Progress Report
Thru End of: October 2007

CONTRACT NO.: W912P6-04-C-0003
CONTRACTOR: Calumet Restoration LLC
DESCRIPTION: Little Calumet River Landscaping Phase 2

ORIGINAL CONTRACT AWARD DATE/AMOUNT: 30-Jun-04 648,995.23
NTP DATE/CURRENT CONTRACT AMOUNT: Mods 29-Jul-04 648,995.23
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION: 1-Oct-10
REVISED CONTRACT COMPLETION DATE/REVISED DURATION: 1-Oct-10
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS: 1-Oct-10

ESTIMATED PROGRESS
A. Present Earnings as of Pay Est. No. 490,962.43
B. Estimated Earnings thru end of reporting period 0.00
C. Value of work performed on Directed Mods (Earnings not paid for) 0.00
TOTAL ESTIMATED PROGRESS (A+B+C) 490,962.43
D. Work paid for but not in Place (Materials in Storage) 0.00
TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C+D) 490,962.43
E. Potential Termination Costs (% of Remaining Costs) if Applicable 0.00
FINANCIAL PROGRESS - (A+B+C+D+D)
TOTAL ESTIMATED FINAL CONTRACT AMOUNT
F. Current Contract Amount thru Mod. 648,995.23
G. Current Value of Overruns/Underruns (+/-) 0.00
H. Directed, Pending Modifications 0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) 648,995.23
Funds Obligated for Payment: thru Modification 552,700.00
ACTUAL PERCENT COMPLETE (A+B+C+D+D) 75.65%
SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 77.00%
TOTAL EARNINGS AT THE END OF FY07 490,962.43

PROJECT STATUS/MAJOR ISSUES:
- Awaiting request from Mr. Pokrajac to remove a portion of the damaged area from the contract work. Mr. Pokrajac will also had he levee's surveyed to compare to as-built drawings. The sponsor's surveys show results with elevations as much as 6' below design elevations. The surveys should be reviewed by geotech to determine if the sponsors elevations are accurate.
- CAO attended levee inspections along with Geotech and the local sponsor. The billboard contractor, repaired areas that were damaged during the installation of the signs. Seeding has not been completed; the sponsor is waiting on USACE to determine what type of seed mix will be required. A meeting was held between CAO, PM, DG, and FL to determine that the grass mix in the damaged areas will be the same as used in the Landscape II contract specifications.
- Some bare areas exist along the project stretch. The Contractor plans to reseed the areas; a detailed plan will be provided from the Contractor.
Calumet Area Office
Construction Progress Report
Thru End of: October 2007

CONTRACT NO.: W912P6-06-XX-0099
CONTRACTOR: Superior Construction Company
DESCRIPTION: Local Flood Protection Little Calumet River, Indiana Burr Street Bicentemnt Gary

ORIGINAL CONTRACT AWARD DATE/AMOUNT: 18-Jan-06 $2,301,518.00
NTP DATE/CURRENT CONTRACT AMOUNT: Mods 31-May-06 $2,549,885.15
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION: 24-Aug-07 450
REVISED CONTRACT COMPLETION DATE/REVISED DURATION: 24-Aug-07 450
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS: 24-Aug-07

ESTIMATED PROGRESS
A. Present Earnings as of Pay Est. No. 1,606,271.07
B. Estimated Earnings thru end of reporting period 943,634.08
C. Value of work Performed on Directed Mods (Earnings not paid for)
TOTAL ESTIMATED PROGRESS (A+B+C) 2,549,885.15

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

TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D) 2,549,885.15

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

FINANCIAL PROGRESS - (A+B+C+D-E)
TOTAL ESTIMATED FINAL CONTRACT AMOUNT 2,549,885.15

F. Current Contract Amount thru Mod. 2,549,885.15
G. Current Value of Overruns/Underruns (+/-) 0.00
H. Directed, Pending Modifications 0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) 2,549,885.15

Funds Obligated for Payment: thru Modification 2,266,271.07

Note: See PROJECT STATUS/MAJOR ISSUES heading below for current obligated amount.

ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H) 99.00%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 100.09%

TOTAL EARNINGS AT THE END OF FY07 1,606,271.07

PROJECT STATUS/MAJOR ISSUES:
This Project is funded by the City of Gary. The managing "Board" accepted Change #2 on 23 July 2007 at $173,694.15. Due to fiscal constraints and overdue payments, the City of Gary and the Contractor have entered an agreement (details have not been disclosed) such that the contract will be paid off in approximately 220,000 increments by the end of the calendar year. Based on this information, the "FUNDS OBLIGATED FOR PAYMENT" amount has been adjusted to add $600,000 to the "paid to date" (Item A @ $1,606,271.07 + $600,000). As-built drawings were approved by TSC on 3 OCT 2007 and have been signed by TSC. Reproduction is in progress. Other closeout documentation is being organized. Ditto's has flooded on several occasions. We continue to monitor weed and sparse grass growth on the area of the levee. Mowing is planned. By the end of the warranty period (May 2008), the Contractor indicates that any warranty items will be addressed if there are any.
CONTRACT NO.: DACW23-02-C-0011
CONTRACTOR: Renewable Resources
DESCRIPTION: Little Calumet River Mitigation

ORIGINAL CONTRACT AWARD DATE/AMOUNT: 29-Sep-02 921,102.68
NTP DATE/CURRENT CONTRACT AMOUNT: Mods 7-Nov-02 1,405,940.96

ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION: 11-Jan-04 430
REVISED CONTRACT COMPLETION DATE/REVISED DURATION: 7-Nov-07 1826
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS: 7-Nov-07 0

ESTIMATED PROGRESS
A. Present Earnings as of Pay Est. No. 1,390,911.63
B. Estimated Earnings thru end of reporting period 0.00
C. Value of work Performed on Directed Mods (Earnings not paid for) 0.00
TOTAL ESTIMATED PROGRESS (A+B+C) 1,390,911.63

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

TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C+D) 1,390,911.63

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

FINANCIAL PROGRESS - (A+B+C+D-E) 1,390,911.63

TOTAL ESTIMATED FINAL CONTRACT AMOUNT
F. Current Contract Amount thru Mod. P00022 1,405,940.96
G. Current Value of Overruns/Underruns (+/-) 0.00
H. Directed, Pending Modifications 0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H) 1,405,940.96

Funds Obligated for Payment: thru Modification P00022 1,405,940.96

ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H) 98.93%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 98.00%

TOTAL EARNINGS AT THE END OF FY07 1,390,911.63

PROJECT STATUS/MAJOR ISSUES:
- Contractor continues maintenance of restored areas and destroying invasive plants.
- Contractor's maintenance and monitoring period to be completed in early November 2007.
- Final Quantities Modification P00002 in progress ($95,67).
**Calumet Area Office**
**Construction Progress Report**
**Thru End of: October 2007**

**CONTRACT NO.:** DACW77-01-C-0008
**CONTRACTOR:** D. Anderson Engineering and Construction
**DESCRIPTION:** Little Calumet River--North Fifth Ave. Pump Station Rehabilitation

**ORIGINAL CONTRACT AWARD DATE/AMOUNT:** 21-Feb-01, $2,387,500.00
**NTP DATE./CURRENT CONTRACT AMOUNT:** Mods A00014 thru P00012 16-Apr-01, A00014 thru P00012 21-Feb-01
**ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:** 17-Mar-03, 700
**REVISED CONTRACT COMPLETION DATE/REVISED DURATION:** 27-Jan-04, 1,016
**PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:** 27-Jan-04, 0

**ESTIMATED PROGRESS**

| A. Present Earnings as of Pay Est. No. | 2,494,289.22 |
| B. Estimated Earnings thru end of reporting period | 0.00 |
| C. Value of work Performed on Directed Mods (Earnings not paid for) | 0.00 |

**TOTAL ESTIMATED PROGRESS (A+B+C)**
2,494,289.22

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

**TOTAL VALUE OF PHYSICAL PROGRESS (A+B+C-D)**
2,494,289.22

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

**FINANCIAL PROGRESS - (A+B+C-D-E)**
2,494,289.22

**TOTAL ESTIMATED FINAL CONTRACT AMOUNT**

| F. Current Contract Amount thru Mod. A00014 thru P00012 | 2,518,988.44 |
| G. Current Value of Overruns/Underruns (+/-) | 0.00 |
| H. Directed, Pending Modifications (A00013 & A00014) | 0.00 |

**TOTAL ESTIMATED FINAL CONTRACT AMOUNT (F+G+H)**
2,503,782.08

**FUNDS OBLIGATED FOR PAYMENT: thru Modification A00014 thru P00012**
2,518,988.44

**ACTUAL PERCENT COMPLETE (A+B+C+D-E)/(F+G+H)**
99.62%

**SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)**
100.00%

**TOTAL EARNINGS AT THE END OF FY07**
2,494,289.22

---

**PROJECT STATUS/MAJOR ISSUES:**
- Contract substantial completion date was 27 January 2004.
- The Corps sent Overstreet a "Show Cause" Notice by email on 16 AUG 2005.
- We have not been able to contact Overstreet. Phone line is no long in service. They have not provided an invoice for work performed since AUG 2004. The work is physically complete.
- District office has prepared the As-Buils and they have been signed and distributed.
- A modification is in progress ($15,200.36 Credit) to update costs to complete As-Built drawings and costs to repair a latent defect.
Calumet Area Office
Construction Progress Report
Thru End of: October 2007

<table>
<thead>
<tr>
<th>CONTRACT NO.:</th>
<th>DACW27-01-C-0001</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONTRACTOR:</td>
<td>Overseas Electric Co., Inc.</td>
</tr>
<tr>
<td>DESCRIPTION:</td>
<td>Little Calumet River - Pump Station Rehabilitation Phase TA</td>
</tr>
</tbody>
</table>

| ORIGINAL CONTRACT AWARD DATE/AMOUNT:       | 7-Oct-00 | $4,438,400.00 |
| NTP DATE/CURRENT CONTRACT AMOUNT: Mods   | 8-Oct-02 | $4,262,835.48 |

| ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION: | 21-Oct-04 | 1,444 |
| PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS: | 21-Oct-04 | 0 |

**ESTIMATED PROGRESS**

| A. Present Earnings as of Pay Est. No. | 30 | 4,239,286.58 |
| B. Estimated Earnings thru end of reporting period | 0.00 |
| C. Value of work Performed on Directed Mods (Earnings not paid for) | 4,239,286.58 |

**TOTAL ESTIMATED PROGRESS (A+B+C)**

| 4,239,286.58 |

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

| 4,239,286.58 |

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

| Not Available |

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

| 4,239,286.58 |

**TOTAL ESTIMATED FINAL CONTRACT AMOUNT**

| A00015 & P00020 | 4,262,835.48 |

**F. Current Contract Amount thru Mod.**

| 4,262,835.48 |

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

| 0.00 |

**H. Directed, Pending Modifications**

| 0.00 |

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

| 4,262,835.48 |

**Funds Obligated for Payment: thru Modification**

| A00015 & P00020 | 4,262,835.48 |

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

| 86.00% |

**SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)**

| 100.00% |

**TOTAL EARNINGS AT THE END OF FY07**

| 4,239,286.58 |

**PROJECT STATUS/MAJOR ISSUES:**

The Termination for Default Modification P00020 was issued by the CO on 22 FEB 2006.

The T&D mod decreased the contract amount by $711,445.19 (estimated work not complete) from $4,974,280.67 to $4,262,835.48. $119,791.61 was debottled, decreasing total funded from $4,382,827.09 to $4,262,835.48.

The bonding company conducted a Priced Meeting and site visit on 05 APR 2007.

Bid Opening was 19 APR 2007.

The bonding company notified us on 24 APR 2007 that Thieneman Construction is the low bidder.

Contracting requires that a Surety Takeover Agreement be in place before work begins.

Contracting and Office of Council close to agreement with Bonding Company on the Surety Takeover Agreement.
LAND ACQUISITION REPORT

For meeting on Wednesday, November 7, 2007

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 27 – October 31, 2007

EAST REACH – REMAINING ACQUISITIONS

1. This stage still has about 25 flowage easements that need to be acquired. They are not high-priority and can be acquired as time permits.
   - Emphasis now is on finishing Stage VII and VIII. Those parcels left will be “cleaned-up” after construction of the project is completed.

2. Condemnation on WLTH (DC-813) is continuing. We are now pursuing an easement on the WIND Radio Station (DC-59) in Gary.

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

1. Right-of-entry was signed 7/11/07. Eleven options were attached. Since July, we have acquired 9 of those acquisitions. Two remain:
   - NIPSCO – Conference call was held 10/29/07. Substantial progress was made to agree on insurance and liability issues.
   - NSRR – Conference call was held on 10/25/07. Outstanding issues were resolved and railroad seems ready to forward the easements to legal to sign.

2. Five new easements were required to modify the NIPSCO engineering concerns regarding access, and turnaround requirements west of the NSRR. These four are closed. The remaining easement modification is being addressed with NIPSCO. It is being considered with the original offer made in Stage V-2.

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

Land Acquisition deadline April 30, 2005

1. Construction is continuing on this segment. (October 6, 2007 projected completion date)

STATUS (Stage VII) – Northcote to Columbia: The designation for this Stage is Stage VII

- Hammond (North of the river) and Stage VII-Munster (South of the river)

1. All 14 offers for properties north of the river have been made. Three private landowners have accepted and the bulk of these offers (to Hammond) will be presented to the city, parks, redevelopment council and person. (Ongoing)

2. Offers for 33 landowners in Munster (south of the river) were sent in August 2007. All are accepted except two trusts, 2 private landowners with engineering concerns, one owner we cannot find, and one utility (BP Pipelines).

3. The LCRBDC had concerns with a new engineering team being assigned to review and update this segment.
   - The Corps will make every effort to stay within, and not modify, existing real estate easements. Surveys are complete, and some offers are out and are being accepted.

4. LCRBDC staff received a request from a resident (DC-1226) with concerns about extensive impacts to his backyard, and met with the resident on August 22 to do a field assessment.
• A follow-up meeting was held on October 20, 2007 with the LCRBDC and the Corps.  
• The Corps indicated they would re-visit the engineering in early January, 2007 and  
  would not modify real estate.  
• Landowner indicated he would not sign until he saw what engineering impacts were  
  proposed.

STATUS (Stage VIII – Columbia to State Line (Both sides of river))
1. Seven appraisers are now completing 89 appraisals and Allstate Appraisal Company is  
   reviewing each for federal land acquisition compliance.  
2. The appraisers have been hampered in their work due to 49 surveys having to be  
   redone. Contract deadlines were for 10/31/07; however, some surveys are still  
   outstanding. We are extending contract completion dates.  
3. Several landowners have concerns with our plans and/or offers  
   • DC-1340 – Corps redoing project real estate to requirements to answer landowner  
     concerns  
   • DC-1302 – Landowner will be impacted at septic system. Meetings are being  
     planned with Corps, LCRBDC, landowner to decide a course of action.  
   • DC-1315 – Landowner NICTD wants conference call to discuss project and plans  
     affecting its property.  
4. A meeting was held with the residents, the Corps, and the LCRBDC on October 20 to  
   field review the stakeout of the permanent easement and line of protection (Refer to  
   Engineering Report for Stage VIII)

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. The ROE was signed by the LCRBDC on July 24th, 2006, and forwarded to the Army Corps.  

PUMP STATION REHABILITATION – CONTRACT 2  
1. Received 50% engineering review set on June 20 with comments due on July 6.  
   • LCRBDC contracted SEH (Dean Button) on a cost/hour basis to submit comments.  
   • LCRBDC contracted out DLZ on September 19, 2007 to do property ownership research  
     for each station to determine what interest the HSD has at each location.  
     > They will provide the location surveys and easement overlays in order to get ROE  
       to work on the stations.  
     > Submitted email to Corps with status report from DLZ. DLZ is in the research  
       phase and need to provide some minor additional topo information to the Corps

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. Appraisal was completed and reviewed. Offer was sent 8/16/06,  
   landowner rejected offer and requested modifications to the design for future development.  
2. Landowner met with Corps and LCRBDC on 110/07 to discuss modifications to the real  
   estate requirements. Owner’s possible buyer submitted plans that address hydrology concerns  
   and the CORPS has approved.  
3. LCRBDC wrote a letter of support to the IDNR on June 22, 2007 indicating that the  
   landowner’s plan is compatible with the Little Calumet River Flood Control Project and  
   provides additional (compensatory) storage for flood waters.
• LCRBDC received a public notice for permit application from V3 (Realty agent) dated May 7, 2007 and received May 25, 2007. (Ongoing.)

CREDITING:
1. INDOT CREDITING
   A. LCRBDC has requested credit to the project for the bridges reconstructed as part of the project - Indianapolis Blvd., Cline Avenue, Grant and Georgia Streets.
   B. The Army Corps from Detroit agreed to help the LCRBDC with INDOT bridge crediting coordination.
      • A meeting, and field inspection, was held with their representative on July 31 and August 1, 2007, to familiarize them with the INDOT construction.
      • They have already obtained some data for Indianapolis Boulevard, Cline Avenue, Grant St., and Georgia. (Ongoing)

2. Total land acquisition costs that are creditable equal $6,717,024. We still have 31 tracts submitted to the Detroit Corps for approval. These 31 tracts total $880,290 (Some outstanding since 7/20/07)

3. We submitted an appraisal to the Corps on Cabela’s totaling 3.3 million dollars for credit to the project. The Corps refused and requested a second appraisal value using the day before Cabela’s bought the golf course and the day after. We acquired Cabela’s property on 6/28/07 as a donation. The LCA states that credit is allowed for on the day of acquisition. The second appraisal was submitted as a draft and the Corps has given verbal approval. We are still questioning the methodology of the appraisal as directed by the Corps. (Ongoing)
To all,

I received this response from DLZ, who are proceeding with this task. If you have any questions or need additional information please let me know.

Thanks,

Jim Pokrajac

----- Original Message -----  
From: "Ray Keilman" <rkeilman@dlz.com>
To: "Jim Pokrajac" <jpokrajac@nirpc.org>
Cc: "Kathy Kolosci" <kkolosci@dlz.com>
Sent: Tuesday, October 23, 2007 11:10 AM
Subject: Re: Fw: Property Lines - Little Calumet River (UNCLASSIFIED)

> Jim
> We are in the research phase at this point; determining limits of each
> pump station parcel and adjacent land owners. We still need to perform
> some minor topo at each location and tie to Army Corp. coordinates.
> Unfortunately we got a later start on this that what I had hoped. If
> there is anyone of the sites in particular that need to be completed
> first, please let me know.
> Ray
> >
> > Jim Pokrajac wrote:
> >> Ray, Could you please respond back to me on the status of the Phase II
> >> Pump
> >> Station real estate request. It appears the Huntington corps needs this,
> or
> >> at least needs to know the status and what your schedule is. Let me know
> and
> >> I will forward your response to the concerned parties.
> >>
> >> Thanks,
> >>
> >> Jim
> >>
> >>
> > ----- Original Message ----- 
> > From: "Samara, Imad LRC" <Imad_Samara@usace.army.mil> 
> > To: "Jim Pokrajac" <jpkrajac@nirpe.org> 
> > Cc: "Noble, Terrell L LRH" <Terrell.L.Noble@usace.army.mil>; "Witten, Russell P JR LRH" <Russell.P.Witten.JR@usace.army.mil>; "White, Darin H LRH" 
> > <Darin.H.White@usace.army.mil>; "Sezonov, Robert C LRC" 
> > <Robert.C.Sezonov@usace.army.mil> 
> > Sent: Monday, October 22, 2007 1:53 PM 
> > Subject: RE: Property Lines - Little Calumet River (UNCLASSIFIED) 
> > >
> > >
> > > Classification: UNCLASSIFIED
> > > Caveats: NONE
> > >
> > > Jim we need to get Huntington the real estate as you suggested. Please can
> > you let us know when is your surveyor getting us this information?
> > thanks
> > >
> > > Imad N Samara
> > > Project Manager
> > > U S Army, Corps of Engineers
> > > 111 N Canal Street
> > > Chicago IL, 60606
> > > (W) 312.846.5560
> > > (Cell) 312.860.0123
> > >
> > > ----- Original Message ----- 
> > > From: White, Darin H LRH
> > > Sent: Monday, October 22, 2007 12:52 PM 
> > > To: Samara, Imad LRC 
> > > Cc: Noble, Terrell L LRH; Witten, Russell P JR LRH; Sezonov, Robert C LRC 
> > > Subject: FW: Property Lines - Little Calumet River 
> > >
> > > Imad,
> > >
> > > Reference our conference call in August concerning the e-mail below.
> > Have
> > you got anything from the Little Calumet River Basin Commission (Mr. 
> > Pokrajac)
> > on the property lines for the stations? Right now we have set the
> > Contractor's Work Limits (CWL) on our assessment of the space required for
> > the contractor and existing features (fences, etc.). They may or may not be
> > correct.
> > >
> > > Darin H. White, P.E.
U.S. Army Corps of Engineers
Huntington District
(304) 399-5654

Original Message-----

From: Noble, Terrell L LRH
Sent: Monday, October 22, 2007 1:46 PM
To: White, Darin H LRH
Subject: Property Lines - Little Calumet River

Darin,

Please check with the Chicago District to see if they have found the
property line information for the pump stations on the Little Calumet
we're currently working on. We need to make sure the CWL is within the
property
limits.

Thanks,

Terrell L. Noble - EC-DC
U.S. Army Corps of Engineers Huntington District
502 8th.
Huntington, WV 25701
Office Phone - 304-399-5932
Fax - 304-399-5209
Email - Terrell.L.Noble@lrh01.usace.army.mil

Classification: UNCLASSIFIED
Caveats: NONE
<table>
<thead>
<tr>
<th>NAME (PLEASE PRINT)</th>
<th>ORGANIZATION, ADDRESS, PHONE NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bill Petrites</td>
<td>Highland Resident</td>
</tr>
<tr>
<td>Elizabeth Johnson</td>
<td>Congressman Wexler</td>
</tr>
<tr>
<td>Inara Samara</td>
<td>USAEC, Chicago Out, Deputy Mayor</td>
</tr>
</tbody>
</table>
APPROVAL TO PAY THE FOLLOWING INVOICES
FROM O&M FUND
November 7, 2007

- $52.88 to T-Mobile for costs incurred for cell phone for engineer field work; monthly service 9/11/07 – 10/10/07
- $2,500.00 to Tallgrass Restoration for weed control, herbicide application to weeds growing within ditch control structure
- $66,640.00 to Austgen Electric Inc. for cleaning various flap gates and sluice gates
- $800.00 to Austgen Electric Inc. for inspection of sluice gates in Griffith
- $4,000.00 to C&H Mowing for levee mowing and trimming

TOTAL $ 73,992.88

[Signature]
PROJECT ENGINEERING  
MONTHLY STATUS REPORT  

For meeting on Wednesday, November 7, 2007  
(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 27 – October 31, 2007)  

COMPLETED CONSTRUCTION  

STATUS (Stage II Phase 1) Harrison to Broadway – North Levee:  
   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:  
   Rausch Construction – Contract price: $3,288,102  
2. Received “as-built” drawings from the Corps on 11/6/06.  

STATUS (Stage II Phase 3C2) Grant to Harrison: (8A contract)  
   WEBB Construction – Contract price: $3,915,178  

STATUS (Stage II Phase 4) Broadway to MLK Drive – North Levee:  
   • 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):
   Dyer Construction – Contract price: $4,285,345

STATUS (Stage IV Phase 1 – North) Cline to Burr (North of the Norfolk Southern RR):
1. IV-I (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. (The Corps suggested that this issue be addressed as part of the recently completed levee Inspection Reports in August, 2007). Awaiting Corps inspection results.

STATUS (Stage IV Phase 2A) Burr to Clark – Lake Etta:
   Dyer Construction – Contract price: $3,329,464
2. Received “as-built” drawings from the Corps on 11/6/06.

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):
   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. Pump station final inspection with the contractor 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.
   - A follow-up inspection was held with the COE and Greeley & Hansen on September 4 and 5, 2007.
   - Awaiting Army Corps report to proceed with remediation

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.
   - Thieneman Construction – Contract price: $2,120,730

North Fifth Avenue Pump Station:
1. The low bidder was Overstreet Construction
   - Current contract amount - $2,518,988.44
   - Original contract amount- $2,387,500
   - Amount overrun - $114,276 (4.9%)
   - Project is currently 99% completed
2. Minor items have been completed.
3. A final inspection was held with the COE, town of Highland, and the LCRBDC on September 7, 2007 as part of the O&M turnover.
4. Received “as-built” drawings from the Corps on 11/6/06.
   - LCRBDC will now turn this station over to the town of Highland (Refer to O&M Report).
5. Received monthly construction status report from the COE. (Refer to handout)

STAGE III Drainage Remediation:
   A. Dyer Construction – Contractor
   B. Final Inspection – June 23, 2005
      - Agreement for O&M turnover to Gary is being finalized (Ongoing) (Refer to O&M Report for details) These (2) stations have been included with the other (4) Gary stations in one process.
   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%)

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. Original contract completion date – October 1, 2010
4. Bids were opened on June 30 and the low bidder was ECO SYSTEMS, INC.
   - Current Contract Amount - $648,995.23
• Original Contract Amount - $648,995.23
• Percent completed – 54.7%
• 104 acres included in bid – 100 to be herbicided, remaining 4 acres are ditches.

5. 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, herbiciding has been completed, clean up growth in collector ditches, plant new native grasses on levees.

6. Received monthly construction status report from COE (Refer to Handout)

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

1. The low bidder was Superior Construction Company
   • Original Bid Amount - $2,301,518
   • Current Contract Amount - $2,549,885.15
   • Amount overrun - $248,367 (10.8%)
   • Percent completed – 99%
   • Current contract completion date – August 24, 2007

2. Received monthly construction status report from COE. (Refer to Handout)

3. Final inspection was held on May 1, 2007
   • All punch list items were addressed and project is now completed.

4. LCRBDC received a copy of the certificate of final completion by Gary on July 25, 2007 (Letter dated July 20, final signing July 23, 2007).

**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 was advertised, coordinated, and facilitated by the Corps and LCRBDC as a betterment levee.

2. The Army Corps awarded the contract to Dyer Construction Company on February 28, 2007 in the amount of $3,342,583.22.

3. A pre-construction meeting was held on April 4, 2007
   • Received construction “contract” sets of plans and specs from the Corps on March 22 and distributed to city of Gary, NIPSCO, Wolverine, Marathon, and the NSRR on March 23, 2007.

4. Memo sent to the Corps on July 10 approving modification to the contract to remove unsuitable soil under the levee, and agreed to eliminate a gatewell structure and culvert.

**STATUS (Stage V Phase 2) Kennedy Avenue to Northcote**

A. The low bidder was Dyer Construction Company, Inc.
   • Original contract amount - $15,930,348.46 (includes options)
   • Total awarded amount - $13,140,189.41
   • Notice to Proceed issued October 17, 2007
   • Current Contract Completion Date – November 20, 2009
   • Total Government Estimate w/o profit - $17,411,799.89
   • $1,481,452 under estimate (8.5%)

B. The Army Corps provided the contract set of drawings and specs to the LCRBDC for distribution on October 24, 2007.

1. These were distributed to all impacted municipalities and utilities on October 26, 2007. These were made available for use at the October 30 pre-construction meeting.
   • The pre-construction meeting was held on October 30 at 10 a.m. at the Wicker Park Social Center.
• Received the file from the Corps of the solicitation documents on September 14 indicating a 750 day duration after the contractor receives their Notice to Proceed. (This projects to a completion date, without weather delays, to approximately November 9, 2009)

1. **UTILITY CORRIDOR COORDINATION (NIPSCO R/W)**

   A. **LCRBDC Participation**
   - LCRBDC coordinated a “plan-in-hand” meeting with the municipalities as part of the final review process for May 3.
   - LCRBDC coordinated a “plan-in-hand” meeting with the utilities and pipelines as part of the final review process on May 8.
   - LCRBDC submitted a summarization of all the issues with each utility and/or pipeline, including agreements & cost estimates.

   B. **Huntington District Assistance**
      1. **General Coordination**
         - At the May 23 Real Estate meeting, it was agreed upon to allow the Corps Huntington District to assist Jim Pokrajac with technical help to coordinate with the cost estimates and agreements with the pipeline companies as a project cost.
         - Had a bi-weekly conference call with Huntington on **October 26, 2007** to discuss status of all coordination and ongoing activities.
         - They received money to proceed with their participation on June 15, 2007.
         - A letter was sent to the Detroit and Huntington Corps on July 18 to request clarification on the scope of work to be provided by Huntington.

      2. **Huntington Actions**
         - Received a brief summary of the status of cost estimates from the pipelines as of October 26, 2007.
         - Huntington & the LCRBDC put together a one page summary that was forwarded to each pipeline to clarify what their cost estimate should include on October 23, 2007.
         - LCRBDC provided latest point of contact and cost estimates information & latest location drawings to Huntington on October 4, 2007.

   C. **NIPSCO**
      - An engineering coordination meeting was held with NIPSCO, LCRBDC, and the Corps on April 20.
      - Corps finalized changes to address NIPSCO concerns.
      - NIPSCO estimate of $201,868 for pipe reinforcement forwarded to Huntington for review and concurrence on August 26, 2007.
      - Huntington sent updated specs to NIPSCO on October 23, 2007 requesting new estimate.

   D. **Conoco Phillips Pipe Line**
      1. A field meeting was held on site with Atlas and Conoco Phillips on May 11 to review how we will expose pipes with inaccessibility.
         - Central States Underwater (pipeline contractor) was on site that day and provided vertical and horizontal data for both pipes that will be made available to the Corps.
      2. Received a cost estimate from the Conoco Phillips Pipeline Company on May 29 in the amount of $333,000.
• This was forwarded to the COE for review on May 29 to determine if the costs are fair and reasonable.
• Huntington sent updated specs to Conoco Phillips on October 23, 2007 requesting new estimate.

E. **Level 3 (formerly Wiltel)**
   1. Had a conference call with the NSRR, Army Corps, and LCRBDC on September 24 to discuss concerns of the RR for their communications and fiber optic lines.
      • Locations to be verified and engineering drawings to be forwarded to the NSRR by the Corps for their review.
      • Received “as built” information from NSRR on October 30 (Danny Young) and forwarded to Corps on November 2, 2007

F. **Explorer Pipe Line**
   • Received a cost estimate from Explorer Pipe Line on May 15, 2007 in the amount of $155,471.67.
   • This was forwarded to the COE for review on May 29, 2007 to determine if costs are fair and reasonable.
     > Explorer was informed of fill responsibilities on October 17, 2007 and are waiting for modified cost estimates.

G. **Wolverine Pipe Line Company**
   • Received a cost estimate from Wolverine Pipe Line Company on July 2 in the amount of $17,400.
     > Sent Wolverine updated specs on October 23, 2007 and Huntington is awaiting new cost estimate.

2. Norfolk Southern Railroad coordination
   • The Army Corps contracted Bergman Associates to do the design for the railroad closures north and south of the river, west of Kennedy Avenue, on the NSRR, as part of the V-2 construction.
   • Most engineering design issues resolved and agreed upon. One remaining issue is the electronic key lock system to allow closure of the slide gate. Corps is currently coordinating. (**Ongoing**)

3. INDOT Coordination
   A. A meeting was held with INDOT, Army Corps, and LCRBDC on August 31, 2006 to discuss COE design and project scheduling and funding in the area west of Indianapolis Blvd. and how it will impact their pump station design near the Tri-State bus terminal.
      • Received an email from INDOT on July 25 indicating their project is currently “suspended” and there is no current letting date.
      • An email was sent to INDOT and their design group on November 1, 2007 requesting schedule status of their project in this area. They responded back to us on the same day

**STATUS Stage VI-1 (South) South of the river – Kennedy to Liable**
1. Low Bidder was Illinois Constructors Corporation (awarded September 30, 2004)
   • Original Contract Amount - $6,503,093.70
   • Current Contract Amount – $7,567,601
1. Amount Overrun - $1,064,509 (16.3%)
2. Percent Completed – 99%
3. Original Completion Date – December 4, 2006

2. Received monthly construction status report from the COE (Refer to Handout)

3. North Drive Pump Station
   - Training and turnover scheduled for completion by mid July 2007
   - LCRBDC working with COE, contractor, and Highland for O&M turnover to town of Highland

4. Construction progress meeting held with I.C.C. & COE on September 11, 2007

5. Received modification to Contract #5 on October 3, 2007 to add $18,293.68 to contract amount for multiple field changes.
   - Received modification to Contract #8 on October 3, 2007 to extend the contract 12 days due to severe weather. Current DOC September 5, 2007

6. The final inspection for this segment was held with the town of Highland, Army Corps, I.C.C. (contractor), and LCRBDC on October 12, 2007 (minor items need correction – awaiting Corps list).

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

1. Low bidder was **Illinois Constructors Corporation** (awarded September 30, 2005)
   - Original Contract Amount - $5,566,871
   - Current Contract Amount - $5,645,118
   - Amount Overrun – $78,247 (1.5%)
   - Percent Completed – 94%
   - Original Complete Date – July 21, 2007
   - Current Completion Date – November 27, 2007
   - Current completion date extended 65 calendar days due to unusually severe weather as per Modification #2 received on March 2, 2007 (dated February 27, 2007)

2. Received monthly construction status report from the COE (Refer to Handout)

3. Construction progress meeting held with the Corps, LCRBDC, and ICC on October 23, 2007. (Copies of agendas & discussion available upon request).

4. Received executed utility relocation agreement from NIPSCO on August 1 in the amount of $16,266 to relocate poles west of Cline Avenue north of the river.
   - This work was completed and NIPSCO was paid on October 16, 2007

5. Received Modification #3 on October 3, 2007 to extend the contract 22 days due to unusually severe weather. Current DOC October 28, 2007.
   - Received Modification to Contract #12 on October 9, 2007 requesting an additional $151,439 for incremental funding. Current funding amount now $5,612,789.

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

1. Low bidder was **Dyer Construction** (awarded July 29, 2005)
   - Original Contract Amount - $4,205,644.17
   - Current Contract Amount - $4,219,329
   - Percent Completed – 98%
   - Original Completion Date – April 11, 2007
   - Current Completion Date – June 1, 2007
   - Current completion date extended 51 calendar days due to adverse weather conditions as per Modification #1 on March 2, 2007 (dated February 20, 2007)

7
2. Project Description
   - Construct a levee protection system consisting of 8,250 lineal feet of earthen levee, 1,600 lineal feet of steel sheet pile floodwall, (3) gatewell structures, culverts & sewer appurtenances, and miscellaneous tree planting and seeding.
3. Received monthly construction status report from the COE (Refer to Handout)
4. The final inspection was held on August 22 with the Corps, Dyer Construction, town of Highland, and the LCRBDC.
   - The overall inspection found few deficiencies. Some seeding and landscaping issues and stone trail herbiciding and grading.
5. **Received modification to the Contract #3 on October 22, 2007 decreasing the contract amount by $9,092.96. New contract amount is $4,219,329.**

**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 contract award and a July, 2009 Completion.
3. All survey work on both sides of the river has been completed; appraisals are done, and offers are being made.
4. A new team has been put together to review and update the engineering (A field walk-thru on May 24, 2007).
   - The results of the final engineering review will be forthcoming.

**STATUS (Stage VIII) Columbia to the Illinois State Line):**
1. Survey work has been completed and LCRBDC has divided work between DLZ, GLE, and Torrenge Engineering. (Refer to Stage VIII - Land Acq. Report.)
2. The Chicago Corps indicated to the LCRBDC on September 11, 2006 that their Buffalo District will be doing the engineering and specs for Stage VIII.
   - An introductory meeting, and field familiarization, were held on September 26 & 27, 2006.
   - Received the engineering schedule from the Buffalo Corps on January 25, 2007.
3. Landside drainage has been reviewed by the COE, Munster, and LCRBDC and determined that the existing, abandoned storm sewer lines can be used.
   - This use of storm lines will save time & money on construction and real estate, as well as lessen construction impacts to residents.
   - The survey work was completed on September 20 and the televising of the lines was completed on October 1. Results have been forwarded to Buffalo Corps to incorporate into their plans.
4. SEH has been contracted out by the LCRBDC to provide utility coordination.
5. **Coordination with residents from Southmoor Road**
   - A meeting was held with the residents, the Army Corps, and the LCRBDC on October 20, 2007 to review project impacts and design.
     - The Army Corps presented a memo for record on October 22 and sent it to Buffalo for information.
     - The LCRBDC presented a memo for record on October 24 and forwarded it to the Corps for their use.

**Mitigation (Construction Portion) for “In Project” Lands:**
1. Low Bidder was Renewable Resources, Inc (from Barnesville, Georgia) Awarded September 29, 2002
   - Original Contract Amount - $921,102.68
   - Current Contract Amount - $1,405,940.96
• Amount Overrun - $484,838 (53%)
• Percent Completed – 98%
• Original Completion Date – November 7, 2007
• Current Completion Date – November 7, 2007

2. A final inspection was held on both sites on May 12, 2004, with the Corps, LCRBDC, project A/E, and Renewable Resources and was found to be satisfactory for this portion of the overall project.

3. The 24 month monitoring period began on May 15, 2004 (Cost - $3,000/month) (Ongoing)
4. Received monthly construction status report from the COE (Refer to Handout)

**West Reach Pump Stations – Phase 1A:**

1. Low Bidder was Overstreet Construction Company, Inc. (from Milton Florida). Awarded on October 5, 2000
   - Original Contract Amount - $4,638,400
   - Current Contract Amount - $4,262,835.48
      (Refer to Attachment #17-Project Status/Major Issues) at bottom – This amount was reduced due to work not completed and de-obligations.
   - Percent Completed – 86%
   - Original Completion Date – October 21, 2004

2. The four (4) pump stations that are included in this initial West Reach pump station project are Baring, Walnut, S. Kennedy, and Holman/Munster.
3. Received monthly construction status report from the COE (Refer to Handout)
4. HSD wants this contract completed before Pump Station Phase II can begin (Ongoing)

**Pump Station Rehabilitation – Contract 2**

1. The scope of the contract is to provide new pumps and rehabilitation of the following (6) stations: Indianapolis Blvd., Jackson Ave., Southside, Kennedy Park Apartments, Tapper Ave., and Forest Avenue.
2. A letter of response was sent to the COE on January 9, 2007 from the Hammond Sanitary District indicating a number of concerns from the Pump Station 1A contract, and that they would not proceed any further until these items were answered or addressed.
   • The Army COE responded on January 24, 2007 and indicated they would resolve all of their concerns before any work would be started on this contract.
3. LCRBDC received plans and specs for the 50% review on June 25, with a final date to submit comments on July 6, 2007.
   • LCRBDC contracted out SEH (Dean Button) on June 27 to review & comment on this set and to work with staff to submit comments.
4. LCRBDC contracted out DLZ on September 19, 2007 to do property ownership research for each station to determine what interest the HSD has at each location.
   • They will provide the location surveys and easement overlays in order to get ROE to work on the stations.
   • DLZ indicated they are in the research phase to determine who owns what at each parcel. They also indicated minor topographical survey work needed to be done (October 23, 2007)

**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.
   • Refer to Land Acquisition Report for current update of appraisal.
2. A letter was received from the COE on January 13, 2006 indicating any construction shall not compromise our project in any manner and that compensatory flood storage would need to be provided.

3. LCRBDC was copied on a letter from U.S. Fish & Wildlife, dated December 8, 2006, indicating they concur that the proposed project is not likely to adversely affect endangered or threatened species.

4. The Army Corps sent a letter of response, and a memorandum, to the A/E for the Griffith Golf Center on March 2, 2007, regarding grading and compensatory storage calculations.

5. LCRBDC wrote a letter of support to the DNR on June 22, 2007 indicating their plan is compatible with the Little Cal flood control project and provides additional (compensatory) storage for flood waters.

6. LCRBDC received a public notice for permit application from V3 (realty agent) dated May 7, 2007 and received May 25, 2007 (copy available upon request).

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

1. Received a letter from the Congressman’s Office on October 10, 2006 indicating this area has been declared, by the Chicago Army Corps to need structural repairs in order to meet FEMA requirements for certification.

2. Received a letter from the COE on August 2 indicating they could not be hired by the Commission to develop a design document to get FEMA certification.
   - This is due to Federal regulations regarding payment to the Corps to do design work for local entities.

3. LCRBDC in the process of putting together a scope of work and then soliciting for engineering services to determine what is required by certify this levee (as directed by the Commission at the August 1, 2007 meeting).

**Hobart Marsh – Mitigation Enhancements**

1. Received an email from the COE on January 17, 2007 enclosing the proposed schedule for the Hobart Marsh area mitigation development.

**GENERAL (Highway Crediting)**

A. INDOT coordination for Grant St. & Broadway interchanges with I-80/94.

1. 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.
   - A letter was sent to INDOT on August 29, 2006 requesting cost and engineering data that could then be submitted to the COE for crediting.
   - INDOT coordination engineer was contacted on February 26, 2007 for status. They indicated the information has been put together and will be forwarded to the LCRBDC in the near future.

2. The Detroit Corps has agreed to provide assistance to the LCRBDC to get information regarding crediting of several construction projects at interchanges along I-80/94.
   - A meeting, and field inspection, was held with their representative on July 31, and August 1, 2007 to familiarize them with the INDOT construction.
   - They have already obtained some data for Indianapolis Blvd., Cline Avenue, Grant Street, and Georgia.
• A letter was sent to the Detroit Corps on August 8 discussing our meeting and upcoming coordination.

B. A meeting was held on July 17, 2006 with the LCRBDC, Corps, FEMA, and the IDNR to discuss and coordinate the Little Calumet River model review. Need IDNR approval as required by FEMA guidelines.

• Minutes of this meeting were sent out and were received on the 27th of July.

C. 27th & Chase Street – Pump Station Remediation
1. Design is completed, Corps submitted real estate requests, surveys completed, need right to construct (Refer to Land Acquisition Report).

2. As part of the turnover process, the COE has been working with the GSD & United Water to remediate a drainage problem at their existing 27th & Chase pump station.
   * Design is ongoing, and the COE anticipates drawings will be ready for review by mid-September.

   > Received a request from Gary about getting prints to review.

D. Question of Design (Flap gate vs. “Duckbills”)
1. Received a letter from Austgen Electric (LCRBDC contractor to remediate Gary features to “as-built” condition) on September 8 indicating the problem with existing flap gates. Keeping them clean regularly and getting access is repetitive and expensive.
FYI.

Imad N Samara
Project Manager
U S Army, Corps of Engineers
111 N Canal Street
Chicago IL, 60606
(W) 312.846.5560
(Cell) 312.860.0123

-----Original Message-----
From: Zamarocy, Linda L LRC
Sent: Monday, October 01, 2007 12:01 PM
To: DLL-CELRC-ALL
Subject: CONTRACT AWARD- Little Calumet River, Indiana, Local Flood Protection, Stage 5 Phase 2, Munster, Hammond, and Highland, Indiana (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

The subject Project has been awarded in the following particulars:

Contract Award No.: W912P6-07-C-0011
Contract Type: Firm-Fixed-Priced Construction
Date of Award: 29 September 2007
Contractor: Dyer Construction Company, Incorporated
Total Contract Value: $15,930,348.46 (includes Options)
Total Awarded Amount: $13,340,189.41
Total Funded Amount: $2,000,000.00

Note:
The Company is a certified woman-owned, Small Business Concern.

Linda L. Zamarocy
Contract Specialist
U.S. Army Corps of Engineers
111 N. Canal Street, Suite 600
Chicago, Illinois 60606

10/1/2007
Stage V Phase 2 (Contract Plans & Specifications)

Enclosed is a copy of the contract set of the Stage V Phase 2 plans between Kennedy Avenue and Northcote, along both sides of the Little Calumet River. Also enclosed are a copy of the specifications. Our Stage V Phase 2 pre-construction meeting is scheduled for Tuesday, October 30th at 10:00 a.m. at the Wicker Park Social Center. These drawings and specifications will be part of the discussion for that meeting. Will you please familiarize yourself with these plans & specs and if you have any questions or need any clarifications, they will be addressed at this meeting.

If you have any questions regarding this information, you may contact me as follows:

Jim Pokrajac, Agent
Engineering/Land Management
Little Calumet River Basin Development Commission
6100 Southport Road
Portage, Indiana 46368
Phone 219-763-0696
Fax 219-762-1653
Email jpodrajac@nirpc.org
<table>
<thead>
<tr>
<th>Utility</th>
<th>Pipe Size &amp; Location</th>
<th>South Ground Elev.</th>
<th>South TIP ELEV.</th>
<th>North Ground Elev.</th>
<th>North TIP ELEV.</th>
<th>Estimator</th>
<th>Telephone</th>
<th>Estimate Amount</th>
<th>Date Estimate Received</th>
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<td>Fiber Optic (T3-NSRR)</td>
<td>10&quot; steel pipeline between railroad and WILTEL Communications</td>
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<td>I think to be coordinated by Bergstrom</td>
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<td>Marathon Ashland</td>
<td>12&quot; dia pipeline between WILTEL Communications and Marathon Ashland's 16&quot; dia pipeline</td>
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<td></td>
<td></td>
<td></td>
<td>Ryan Bandy</td>
<td>314-902-7901 Ext. 225 <a href="mailto:rbandy@F.W.com">rbandy@F.W.com</a></td>
<td>10-23-07 sent specs. &amp; on 10-24-07 notified I should get estimate early next week</td>
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<tr>
<td>Marathon Ashland</td>
<td>16&quot; dia pipeline</td>
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<td></td>
<td>Dave Woodsmall</td>
<td>219-508-3928 (cell)</td>
<td>POC</td>
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<tr>
<td>Marathon Ashland</td>
<td>16&quot; dia pipeline</td>
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<td></td>
<td>Ryan Bandy</td>
<td>314-902-7901 Ext. 225 <a href="mailto:rbandy@F.W.com">rbandy@F.W.com</a></td>
<td>10-23-07 sent specs. &amp; on 10-24-07 notified I should get estimate early next week</td>
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<tr>
<td>Marathon Ashland</td>
<td>16&quot; dia pipeline and Explorer's 24&quot; pipeline</td>
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<td></td>
<td></td>
<td>Dave Woodsmall</td>
<td>219-508-3928 (cell)</td>
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<td>Explorer</td>
<td>24&quot; dia. pipeline between Marathon Ashland's 16&quot; dia. pipeline and AMOCO's 22&quot; dia. Pipeline</td>
<td>592.27</td>
<td>586.47</td>
<td>586.45</td>
<td>Patrick Kwitko</td>
<td>918-493-5172</td>
<td>10-17-07</td>
<td>Inform Patrick about fill responsibilities &amp; now waiting on estimate submission. Did not need to see specs.</td>
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<td>AMOCO</td>
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<td>592.46</td>
<td>589.61</td>
<td>585.94</td>
<td>Dane Graham</td>
<td>630-414-0011(cell)</td>
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<td>Two 8&quot; dia pipeline between AMOCO's 22&quot; dia pipeline and Buckeye partners 14&quot; pipeline</td>
<td>592.42</td>
<td>586.52</td>
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<td>Steve Shroy</td>
<td>610-385-8497</td>
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<td>Buckeye Partners</td>
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<td>Don Samala</td>
<td>484-232-4303</td>
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<td>567.55</td>
<td>502.1</td>
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<td>Fred Hipsher</td>
<td>269-323-2911</td>
<td>269-323-2911</td>
<td><a href="mailto:fhipsher@wpcl.com">fhipsher@wpcl.com</a></td>
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<td>269-323-2911</td>
<td>269-323-2911</td>
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<td>Steve Story</td>
<td>510-385-8407</td>
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<td>569.29</td>
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<td>Neal Ameli</td>
<td>219-647-4779</td>
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<td>NIPSCO's 10&quot; dia. Pipeline between NIPSCO's 12&quot; dia. Pipeline and NIPSCO's 8&quot; dia. Pipeline</td>
<td>592.33</td>
<td>588.16</td>
<td>592</td>
<td>585.23</td>
<td>Neal Ameli</td>
<td>219-647-4779</td>
<td></td>
<td></td>
<td>10-23-07 Sent specs. &amp; requested estimate split by pipeline</td>
</tr>
<tr>
<td>AMOCO</td>
<td>AMOCO's 8&quot; dia. Pipeline on east side of NIPSCO's 30&quot; dia. Pipeline</td>
<td>592.03</td>
<td>569.43</td>
<td>596.23</td>
<td>586</td>
<td>Dane Graham</td>
<td>630-414-0011(co)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conoco-Phillips</td>
<td>Two 8&quot; pipeline west of NSRR RW and an 8&quot; pipeline on NSRR RW</td>
<td>592.03</td>
<td>569.43</td>
<td>596.23</td>
<td>586</td>
<td>Dane Graham</td>
<td>630-414-0011(co)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Sent specs, 10-22-07. If estimate comes in as $5,000,000 then split the two lines. See 22" line above.
Items to assist Oil companies in preparation of their fair & reasonable “order of magnitude estimates”. 10-16-07

1. Corps Contractor will dewater.
2. Corps Contractor will do backfill from top of pipe elevation up to final grade.
3. LCRBDC will not pay in advance – will pay to reimburse actual cost.
4. Pipeline Company will excavate to and below pipe.
5. Pipeline Company will backfill to Corps specifications to top inch or so of pipe – where pipe is visible.
6. Companies shall provide their own fill material to Corp Specs and place to Corps Specs.
7. Corps will spotcheck the work, but all work by the Pipeline Company shall include assurances that material meets specs.
8. Pipeline Company to monitor Corps contractor placing piling etc.
9. Estimate should cover 12 weeks or 60 days for Construction Coordination.
10. Estimate – to cover both sides of river and/or possibly more than one pipeline.
11. Oil Company to state exactly which lines are covered.
From: "Sandy Mordus" <smordus@nirpc.org>
To: <glh@garcia-consulting.com>; <wyatt.h.kmen@usace.army.mil>; <russell.w.cradock@usace.army.mil>; "Kotwicki, Victor L LRE"
<Victor.L.Kotwicki@lre02.usace.army.mil>; "Kelsey W Lavicka"
<Kelsey.W.Lavicka@lrc02.usace.army.mil>; <imad.samara@usace.army.mil>; "Louis M. Casale"
<casale@cublawfirm.com>; <huffmun@socglobal.net>; "Dan Gardner" <dgardner@nirpc.org>

Sent: Thursday, October 04, 2007 2:52 PM

Subject: Updated POC's on NIPSCO & NSRR

Gentlemen:

As per our conference call of September 27, I am attaching two legal spreadsheets that include the latest points of contact and cost estimates provided to date by the pipeline companies on both the NIPSCO and NSRR R/W's. Will you please review this information and if you can supplement, modify, or provide additional information, please let me know. Submit your comments to me at my email address which is jpkrajac@nirpc.org and I will make the suggested changes or clarifications.

We have identified five (5) pipelines, or conduits, on the NS R/W which include Conoco Phillips, Marathon, Explorer, and T-Cubed (NS communications line) and one (1) 6" steel conduit approximately 10' east of the east set of tracks of the NSRR that still needs to be identified, and one (1) 8" Conoco Phillips line approximately 15' west of the west R/W line of the NSRR.

We have identified nine (9) pipelines on the NIPSCO R/W and one (1) BP Amoco pipeline approximately 20' east of the east R/W line of NIPSCO for a total of ten (10) pipelines. The companies are identified as Amoco, Buckeye, Wolverine, and NIPSCO.

In summary, there are fifteen (15) pipelines identified on the NIPSCO and NSRR R/W's, one (1) Amoco line approximately 20’ east of NIPSCO east R/W line and one (1) Conoco Phillips line west of the west R/W line of the NSRR for a total of 17 pipelines. In addition, there is one (1) 6" steel conduit approximately 10' east of the east set of tracks of the NSRR. There are a total of four (4) different pipeline companies on the NIPSCO R/W and a total of three (3) different pipeline companies on the NSRR R/W, not including T-Cubed or the 6" steel conduit. On October 3, 2007, I previously submitted to you the PDF file of both R/W's showing the location and depths of the aforementioned pipelines.

James E. Pokrajac, Agent
Engineering/Land Management.
<table>
<thead>
<tr>
<th>COMPANY</th>
<th>PRIME CONTACT</th>
<th>PIPE SIZE</th>
<th>EST. COST</th>
<th>SENT TO HUNTINGTON FOR COST REVIEW</th>
<th>LOCAL CONTACT</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buckeye Partners</td>
<td>Don Samala</td>
<td>10&quot;</td>
<td></td>
<td></td>
<td>Gene Pugh (Field Rep)</td>
<td>(219) 781-6357 (cell)</td>
</tr>
<tr>
<td>9999 Hamilton Blvd</td>
<td><a href="mailto:dsaimala@buckeye.com">dsaimala@buckeye.com</a></td>
<td></td>
<td></td>
<td>(219) 989-8603</td>
<td></td>
<td>(219) 989-8603</td>
</tr>
<tr>
<td>Tek #5</td>
<td>(Re-location Engineer)</td>
<td>(484) 232-4303</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Breinigsville PA 18031</td>
<td></td>
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<tr>
<td>Buckeye Partners</td>
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<td>(219) 989-8603</td>
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<td></td>
<td>Gene Pugh (Field Rep)</td>
<td>(219) 989-8603</td>
</tr>
<tr>
<td>9999 Hamilton Blvd</td>
<td><a href="mailto:dsaimala@buckeye.com">dsaimala@buckeye.com</a></td>
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<tr>
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<tr>
<td>BP Amoco</td>
<td>Dane Graham</td>
<td>8&quot;</td>
<td>$62,127.00</td>
<td>(From BP Amoco on 8/10/06)</td>
<td>Ms. Marce Foster</td>
<td></td>
</tr>
<tr>
<td>8230 Whitcomb</td>
<td><a href="mailto:dgraham@bp.com">dgraham@bp.com</a></td>
<td>(E. of East NIPSCO R/W Line)</td>
<td></td>
<td></td>
<td>R/W Specialist</td>
<td></td>
</tr>
<tr>
<td>Merrillville IN 46410</td>
<td>(630) 414-0011 (cell)</td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:marcio.foster@bhp.com">marcio.foster@bhp.com</a></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Main Office:</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>28108 Torch Pkwy,Sie.600</td>
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<td></td>
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<td></td>
<td></td>
<td>Warrenville IL 60555</td>
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<td></td>
<td></td>
<td></td>
<td>(630) 836-3461</td>
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<td></td>
<td></td>
<td></td>
<td>(630) 836-3353 (fax)</td>
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<tr>
<td>Wolverine</td>
<td>Fred Hipsheser</td>
<td>16&quot;</td>
<td>$17,400.00</td>
<td>August 7, 2007</td>
<td>Scott Smith</td>
<td></td>
</tr>
<tr>
<td>(formerly EXXON/Mobil)</td>
<td>(269) 323-2491 (Ext.24)</td>
<td></td>
<td></td>
<td></td>
<td>Damage Prevention Specialist</td>
<td></td>
</tr>
<tr>
<td>8105 Valleywood</td>
<td>(269) 217-5158 (cell)</td>
<td></td>
<td></td>
<td></td>
<td><a href="mailto:scott_smith@wpco.com">scott_smith@wpco.com</a></td>
<td></td>
</tr>
<tr>
<td>Portage MI 49024</td>
<td><a href="mailto:fred_hipsheser@wpco.com">fred_hipsheser@wpco.com</a></td>
<td></td>
<td></td>
<td></td>
<td>(815) 838-8160</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>.(815) 325-5357 (cell)</td>
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<tr>
<td>NIPSCO</td>
<td>Mark Paszyk</td>
<td>8&quot;</td>
<td>$201,868.00</td>
<td>August 26, 2007</td>
<td>Frank Janosi</td>
<td></td>
</tr>
<tr>
<td>801 E. 86th Avenue</td>
<td><a href="mailto:mlpaszyk@nysource.com">mlpaszyk@nysource.com</a></td>
<td>(12&quot;)</td>
<td></td>
<td></td>
<td>Electric Transmission Engineer</td>
<td></td>
</tr>
<tr>
<td>Merrillville IN 46410</td>
<td>(219) 647-4299</td>
<td>(36&quot;)</td>
<td></td>
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<td>(219) 886-5560</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Neil Arndt</td>
<td></td>
</tr>
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<td></td>
<td></td>
<td><a href="mailto:aiarndt@nysource.com">aiarndt@nysource.com</a></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>(219) 647-4779</td>
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</table>
### STAGE V - PHASE 2
**NORFOLK-SOUTHERN R/W - RAILROAD AND PIPELINE CORRIDOR**

<table>
<thead>
<tr>
<th>COMPANY</th>
<th>PRIME CONTACT</th>
<th>PIPE SIZE</th>
<th>EST. COST</th>
<th>SENT TO HUNTINGTON FOR COST REVIEW</th>
<th>LOCAL CONTACT</th>
</tr>
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<tbody>
<tr>
<td>Norfolk Southern Railway Company</td>
<td>Danny Young</td>
<td>6&quot; Steel Conduit w/Comm. Lines (located approx. 10' E. of East set of rails)</td>
<td></td>
<td></td>
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<tr>
<td>Conoco Phillips Pipe Line Company</td>
<td>Bob Hardt</td>
<td>8&quot; (Located West of NSRR R/W easement line)</td>
<td>$333,000.00</td>
<td>August 7, 2007</td>
<td>Gary Hanten <a href="mailto:gary.l.hatton@conocophillips.com">gary.l.hatton@conocophillips.com</a> 400 E. Columbus Drive East Chicago IL 60612 (219) 397-5666 Ext.304</td>
</tr>
<tr>
<td>Explorer Pipeline</td>
<td>Patrick Nwakoby</td>
<td>24&quot; (Located East of NSRR Embankment)</td>
<td>$155,471.67</td>
<td>August 7, 2007</td>
<td>Alton Ryals Hammond Area Supervisor 3737 Michigan Street Hammond IN 46532-1202 (219) 989-8262 (219) 712-4573 (cell)</td>
</tr>
<tr>
<td>Marathon Ashland Pipelines</td>
<td>Dave Woodsmall</td>
<td>12&quot; (Located East of toe of Embankment)</td>
<td></td>
<td></td>
<td>Steve Woods (Land Agent) (217) 382-2248 (812) 249-0445 (cell) Ryan Bandy (Engineering Coord.) Fransworth Group (314) 962-7901 Ext. 225</td>
</tr>
<tr>
<td>Level 3 Communications, LLC</td>
<td>Keith Osborn</td>
<td>Communications Line in 10&quot; PVC (Located East of NSRR Embankment)</td>
<td></td>
<td></td>
<td>Oscar Rios Lake County Rep (219) 712-0731</td>
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<tr>
<td>&quot;T-Cubed&quot; (formerly WilTel)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Danny Young (404) 915-1380 (Coordinates with Mark Sawyer)</td>
</tr>
</tbody>
</table>
Jim Pokrajac

From: "Egilmez, Allen" <ALLENE@ucindy.com>
To: "Jim Pokrajac" <jpokrajac@nirpc.org>; JAMILESITH@indot.state.in.us; <simalad@ntto.net>; "John Bach" <jbach@highland.in.gov>; "Simon, Charles M LRE" <Charles.M.Simon@usace.army.mil>
Cc: <MMONAHAN@indot.state.in.us>; <JWRIGHT@indot.state.in.us>; <EGONZALEZ@indot.state.in.us>; <GMROCZKA@indot.state.in.us>; "Richter, Dave" <DAVER@ucindy.com>; "Hammond, Chris" <CHRISH@ucindy.com>; <JAMILESITH@indot.state.in.us>; <Imad.Samara@usace.army.mil>; <GKICINSKI@indot.state.in.us>; <hpatel@jsengr.com>; <dgardner@nirpc.org>; "Ritzler, Stephen" <SRitzler@indot.IN.gov>; "Pittman, Mark" <MPITTMAN@indot.IN.gov>; "Bryant, Keith" <KEITHB@ucindy.com>; "Stettler, Devin" <DEVINS@ucindy.com>; "Oliphant, Mike" <MIKEO@ucindy.com>

Sent: Thursday, November 01, 2007 4:32 PM
Subject: RE: U.S. Route 41 Reconstruction Project - Phase 1-A

Jim,

Good to hear from you. We have been working with INDOT for almost a year to get this project off track. I am happy to report that the phase 1-A project has finally been suspended within the last few weeks. INDOT LaPorte District is now in charge of the project and the Project Manager is Stephen (Rick) Witsler 219-325-7685. I’ve copied him on this e-mail.

We met with INDOT LaPorte District a few weeks ago and presented them with a plan development schedule. The project is scheduled for a February 2009 letting. We are submitting the additional information to the environmental document for the lift station. As soon as the environmental is cleared, we will proceed with the land acquisition stage. We only have one property owner to acquire (Petrites) but we also have a few permits to acquire (IDEM, DNR and USACOE). There are also a couple of inter-local agreements that need to be finalized (North Township, Town of Highland for funding participation and Town of Highland for the maintenance of the lift station). We need that time to clear all these hurdles before we can let the project.

One question I do have is the status of Cardinal Bus Station’s plans to expand their parking lot south into Petrites property. That was the plan when I talked with Mark Anderson of Coach USA about a year ago but have not heard anything since. I know Petrites attends most of your meetings so I thought you might have heard something. Let me know if you have any information on this. It will have a minor impact on our design.

When we develop our preliminary plans, we will forward a set to USACOE, Town of Highland and LCRBDC.

Let me know if you need anything else.

Allen R. Egilmez, P.E.
Transportation Department Manager
United Consulting

From: Jim Pokrajac [mailto:jpokrajac@nirpc.org]
Sent: Thursday, November 01, 2007 5:42 PM
To: JAMILESITH@indot.state.in.us; Egilmez, Allen; simalad@ntto.net; John Bach; Simon, Charles M LRE
Cc: MMONAHAN@indot.state.in.us; JWRIGHT@indot.state.in.us; EGGONZALEZ@indot.state.in.us; GMROCZKA@indot.state.in.us; Richter, Dave; Hammond, Chris; JAMILESITH@indot.state.in.us; Imad.Samara@usace.army.mil; GKICINSKI@indot.state.in.us; hpatel@jsengr.com; dgardner@nirpc.org
Subject: Re: U.S. Route 41 Reconstruction Project - Phase 1-A

Allen,

First, my apologies for using such an old reference regarding the US 41 Reconstruction Project - Phase 1A; I'm not sure that all of those copied are involved in this project anymore or whether or not they hold their same
positions of responsibility. Also, this e-mail references the Town of Highland and funding. Currently, the LCRBDC and the Federal agency (Corps of Engineers) have the funding and are proceeding accordingly. Just to make you aware, the Army Corps has awarded the contract for this section of the Little Calumet River Flood Control Project between Kennedy Avenue to the East, and Northcote Avenue to the West and the contractor may start work as early as this month. We have been in discussions with Indot for several years now and we are aware that our project needs to be in place in this area to have your pump station be effective as per design. Locally, the question has come up again as to what your schedule is for this work. If plans have to be reviewed or modified, and to allow our projects to "dovetail" we all wondered if you could provide us this information. If the pump station work were to begin, and we anticipate construction completion in this area by the end of next year, the local drainage problems in this area could take advantage of the installation of your station. Is there anything we could do to encourage the re-starting of this project?

Thanks again,

Jim Pokrajac
Little Calumet River Basin Development Commission
Agent, Engineering/Land Management
6100 Southport Road
Portage, Indiana 46368
ph. - 9219) 763-0696
e-mail - jpkrajac@nirpc.org

----- Original Message ----- 
From: JAMILESMITH@indot.state.in.us 
To: ALLENE@ueea.com ; jbach@highland.in.gov
Cc: MMONANHAN@indot.state.in.us ; JWRIGHT@indot.state.in.us ; EAGONZALEZ@indot.state.in.us ;
GMROCCZKA@indot.state.in.us ; DAVER@ueea.com ; CHRISH@ueea.com ; JAMILESITH@indot.state.in.us ;
jpkrajac@nirpc.org ; Imad.Samara@usace.army.mil ; GKICINSKI@indot.state.in.us ; hpatel@jsegr.com ;
KEITHB@ueea.com
Sent: Thursday, January 26, 2006 7:56 AM
Subject: RE: U.S. Route 41 Reconstruction Project - Phase 1-A

Allan, thanks for clearing that up for me.

Jamile Smith

-----Original Message-----
From: Egilmez, Allen [mailto:ALLENE@ueea.com]
Sent: Wednesday, January 25, 2006 7:30 PM
To: John Bach
Cc: mmonahan@indot.state.in.us ; JWRIGHT@indot.state.in.us ; egonzalez@indot.state.in.us ;
GMROCCZKA@indot.state.in.us ; Richter, Dave; Hammond, Chris ; JAMILESITH@indot.state.in.us ;
jpkrajac@nirpc.org ; Imad.Samara@usace.army.mil ; GKICINSKI@indot.state.in.us ; hpatel@jsegr.com ;
Bryant, Keith
Subject: RE: U.S. Route 41 Reconstruction Project - Phase 1-A

Dear Mr. Bach,

We appreciate your concern regarding the proposed project but we would like to offer one correction. The project was put on hold because the proposed levee project does not have a firm date for construction yet established due to lack of local matching funds by LCRBDC, not Town of Highland. As you might already know, in order to construct the project, we must have the group lift station in place. The storm sewer runoff from the project will discharge into the lift station and then outlet into Little Calumet River through a force main. And we cannot construct the lift station without the levee.
I've attached a copy of minutes of a meeting we held with LCRBDC, NIRPC and USACOE. This information was presented to INDOT last fall to try to secure some additional funding sources for this portion of the levee. The funds would have been utilized in the acquisition of the necessary right-of-way and the local matching funds for its construction.

INDOT, at this time, is unable to assist in the funding for the construction of the levee. As a result, the project was put on-hold. As soon as the funds are secured either by INDOT or by LCRBDC, the project will be re-activated. We anticipate it will take approximately 9 to 12 months to finalize the design, acquire the right-of-way and secure all the permits required for the lift station.

You could contact Mr. Gary Mroczka, Chief, Division of Design, at 317-232-5226 or Mr. Phelps Klika, INDOT Executive Office at 317-234-2940 to inquire about additional information on the project.

We hope we have provided you with the information you were requesting. If you have any questions, please feel free to contact our office.

Allen R. Egilmez, P.E.
Transportation Department Manager
United Consulting Engineers, Inc.
1625 North Post Road
Indianapolis, IN 46219-1995
Ph: (317) 895-2585 ext. 125

Cell: (317) 250-3761
Fax: (317) 895-2596

From: John Bach [mailto:jbach@highland.in.gov]
Sent: Monday, January 23, 2006 5:20 PM
To: Egilmez, Allen
Cc: mmonahan@indot.state.in.us
Subject: U.S. Route 41 Reconstruction Project

Dear Mr. Egilmez:

Today, I received a phone call from Jamile Smith of the INDOT regarding the status of the U.S. 41 Reconstruction Project from Little Calumet River to Ridge Road. I was somewhat surprised that the Project was reported to be on hold indefinitely due to a lack of funding from the Town of Highland to support the Little Calumet River Levee Project. I believe there must be some misunderstanding on someone's part because the Town of Highland is not funding the Little Calumet River Project. Further, the project is proceeding along now. Mr. Smith advised that the memorandum to INDOT, placing the Project on hold, was from your office.

The Town of Highland has been expecting the U.S. 41 Project to be completed soon. Mr. Abraham from the LaPorte District of the INDOT advised me this past summer that the Project was scheduled for 2006.

The roadway is currently in disrepair. INDOT has stated that they will probably pave this section and, in
doing so, will probably put the reconstruction project off for several years.

Is there any way that we can resurrect the project in order to get it constructed in 2006 or 2007 at the latest? Please contact me at your earliest opportunity or perhaps we could meet to discuss the plan. Your guidance on who we could speak with at the INDOT would be appreciated.

I can be reached at (219) 972-5069.

Thank you for your time.

Sincerely,
John M. Bach
Director of Public Works
Highland, Indiana

11/2/2007
MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. W912P6-04-C-0007
Local Flood Protection
Little Calumet River, Indiana
Stage VI-1 South Levee
Modification No. A00005 - Executed

July 23, 2007

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. A00005, under the subject contract.

2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763.

Enclosures

Sheldon D. Edd, P.E.
Project Engineer
Calumet Area Office

Distribution:
CELRC-TS-C-S (Complete Mod. File)
CELRC-TS-C-C (Complete Mod. File)
CELRC-CT (Complete Mod. File)
CELRC-TS-C-S (Complete Mod. File) S. Edd
CELRC-TS-C-S (Mod. Only) C. Lee
CELRC-TS-C-S (Mod. Only) Project Binder
CELRC-PM-PM (Mod. Only) I. Samara
LCRBDC (Mod. Only) J. Pokrajac ✓
The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of offers is extended, is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

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

12. ACCOUNTING AND APPROPRIATION DATA

See Page 2.

Contract Amount Increased $18,293.68.

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS

IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify Authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(8).

C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

X 52.0243-0004 - CHANGES

D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor □ is not, X is required to sign this document and return original and ______ copies to the issuing office.

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

Contract for Local Flood Protection, Stage VI-1 South at Little Calumet River, Indiana.
Reference No. R00020
SS020 Multiple Field Changes
See Page 2.

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

15A. NAME AND TITLE OF SIGNER (Type or print)

Philip L. Ross, Project Manager

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

Douglas M. Anderson
Administrative Contracting Officer

15B. CONTRACTOR (Type or print)

Philip L. Ross

16B. UNITED STATES OF AMERICA

16C. DATE SIGNED

6/5/07

Signatures of person authorized to sign

(Your Name)

PREVIOUS EDITION UNUSABLE

NSN 7540-01-152-8070

STANDARD FORM 30 (REV. 10-83)

PRESCRIBED BY GSA
FAR (48 CFR) 53.243
MODIFICATION OF CONTRACT

Contract No: W912P6-04-C-0007 NA
Modification No: A00025
Contractor: Illinois Constructors Corporation
Contract Title: Local Flood Protection, Stage VI-1 South
Location: Little Calumet River, Indiana

12. ACCOUNTING AND APPROPRIATION DATA (Continued)

96X33122 1C94LF $17,379.00 INCREASE
96X33962 KFA98D $ 914.68 INCREASE
TOTAL $18,293.68 INCREASE

This modification hereby obligates an amount of $18,293.68 for this contract; thus, increasing the total Contract funded amount to $7,540,838.19.

14. DESCRIPTION OF MODIFICATION (Continued)

A. SCOPE OF WORK

SS020 Multiple Field Changes

Item 1. Delete all work related to CLIN 0026 - Demolition of Grace Street Pump Station Including Inlet and Outlet Piping

Item 2. Field Change SS020 - Demolish the existing Grace Street Pump Station outlet structures to allow for the placement of the levee in this area. The existing headwall and all but 15 l.f. of outlet piping is to be demolished. The cut end of the existing outlet piping will be plugged with 1 foot of non-shrink grout.

Item 3. Field Change SS023 - Modify the outlet of the 4" diameter Dry Weather Pump to exit into the North Drive Pump Station discharge basin.

Item 4. Field Change SS025 - Plug the inlet to the new North Drive Pump Station to prevent storm water flow from backing up into the incomplete wet well. The plug will become the property of the Town of Highland at the completion of this work.

B. CHANGE IN CONTRACT DRAWINGS

Item 1. None

Item 2. Drawings C-10A(REV) and C-10B(REV) are issued to show the changes needed to allow the existing Grace Street Pump Station to remain.

Item 3. None

Item 4. None

Contractor shall incorporate all changes required by this modification on the as-built drawings.

C. CHANGE IN CONTRACT SPECIFICATIONS

Item 1. Reference Section 01270 MEASUREMENT AND PAYMENT. DELETE paragraph 1.1.15 DEMOLITION OF GRACE STREET PUMP STATION (Bid Item 0026) in its entirety.

Item 2. Reference Section 01270 MEASUREMENT AND PAYMENT. INSERT Paragraph 1.3 as follows:

"1.3 FIELD CHANGE SS020 - DEMOLITION OF EXISTING GRACE ST. PUMP STATION OUTLET STRUCTURES (CLIN No.0031)

1.3.1 Payment

Payment will be made at the contract lump sum price for the work associated with the demolition of the existing Grace Street Pump Station outlet structures, including the headwall and all but 15 feet of the outlet piping as well as the reconfiguration of the area to allow for the pump station to remain in place. Payment constitutes full compensation for all labor, equipment, materials and incidentals including excavation, backfill, disposal of materials and non-shrink grout.

1.3.2 Unit of Measure
MODIFICATION OF CONTRACT

Contract No: W912P6-04-C-0007 NA
Modification No: A00005
Contractor: Illinois Constructors Corporation
Contract Title: Local Flood Protection, Stage VI-1 South
Location: Little Calumet River, Indiana

Unit of measure: Lump Sum (LS)

Item 3. Reference Section 01270 MEASUREMENT AND PAYMENT. INSERT Paragraph 1.4 as follows:

"1.4 FIELD CHANGE SS023 - CHANGE NORTH DRIVE PUMP STATION 4" OUTLET (CLIN No.0032)

1.4.1 Payment

Payment will be made at the contract lump sum price for the work associated with modifying the new North Drive Pump Station 4" diameter Dry Weather Pump outlet to exit into the pump station discharge basin. Payment constitutes full compensation for all labor, equipment, materials and incidentals including concrete demolition, reinforcing steel supply and installation, formwork and concrete supply, placement and finishing.

1.4.2 Unit of Measure

Unit of measure: Lump Sum (LS)

Item 4. Reference Section 01270 MEASUREMENT AND PAYMENT. INSERT Paragraph 1.5 as follows:

"1.5 FIELD CHANGE SS025 - CB 183/NORTH DRIVE PUMP STATION INLET PLUG (CLIN No.0033)

1.5.1 Payment

Payment will be made at the contract lump sum price for the work associated with supply, installation, maintenance and removal of the temporary 60" diameter pipe plug in the inlet piping leading to the new North Drive Pump Station. Payment constitutes full compensation for all labor, equipment, materials and incidentals including dewatering and maintenance.

1.5.2 Unit of Measure

Unit of measure: Lump Sum (LS)

Reference Specification Section 00700 Contract Clauses

SPECIAL CONTRACT REQUIREMENTS, paragraph 1, 52.211-10 COMMENCEMENT, PROSECUTION, AND COMPLETION OF WORK (APR 1984) Subparagraph (c). REPLACE the text "complete the entire work ready for use not later than 904 calendar days" (as established by Modification No. A00004) with "complete the entire work ready for use not later than 946 calendar days".
D. CHANGE IN CONTRACT PRICE

Total contract price is increased by $18,293.68.

<table>
<thead>
<tr>
<th>CLIN No.</th>
<th>DESCRIPTION</th>
<th>QUANTITY</th>
<th>UNIT PRICE</th>
<th>CHANGE AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0026</td>
<td>DEMOLITION OF GRACE STREET PUMP STATION</td>
<td></td>
<td></td>
<td>-$15,000.00</td>
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New CLINs

<table>
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<th>CLIN No.</th>
<th>DESCRIPTION</th>
<th>QUANTITY</th>
<th>UNIT PRICE</th>
<th>CHANGE AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0031</td>
<td>Field Change SS020 - Demolition of Existing Grace St. Pump Station Outlet Structures</td>
<td>1.00LS</td>
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<tr>
<td>0032</td>
<td>Field Change SS023 - Change North Drive Pump Station 4&quot; Outlet</td>
<td>1.00LS</td>
<td>$5,309.00</td>
<td>$5,309.00</td>
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<tr>
<td>0033</td>
<td>Field Change SS025 - CB183/North Drive Pump Station Inlet Plug</td>
<td>1.00LS</td>
<td>$18,910.68</td>
<td>$18,910.68</td>
</tr>
</tbody>
</table>

Total Change Amount $18,293.68

E. CHANGE IN CONTRACT TIME

It is understood and agreed that time for completion of all work in this contract, including all work defined by all finalized modifications, is extended 42 calendar days from 27 April 2007, as established by Modification A00004, to 08 June 2007.

F. CLOSING STATEMENT

It is understood and agreed that pursuant to the above, the contract price is increased by $18,293.68 from $7,522,544.51 to $7,540,838.19, which reflects all credits due the Government and all debits due the Contractor.

It is further understood and agreed that this adjustment constitutes compensation in full on behalf of the Contractor and its Subcontractors and Suppliers for all costs and markups directly or indirectly attributable for the change ordered, for all delays related thereto, for all extended overhead costs, and for performance of the change within the time frame stated.

This modification hereby obligates an amount of $18,293.68 for this contract; thus, increasing the total Contract funded amount from $7,522,544.51 to $7,540,838.19.
MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. W912P6-04-C-0007
Local Flood Protection
Little Calumet River, Indiana
Stage VI-1 South Levee
Modification No. A00008 – Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. A00008, under the subject contract.

2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763.

Enclosures

Sheldon D. Edd, P.E.
Project Engineer
Calumet Area Office

Distribution:
CELRC-TS-C-S (Complete Mod. File)
CELRC-TS-C-C (Complete Mod. File)
CELRC-CT (Complete Mod. File)
CELRC-TS-C-S (Complete Mod. File) S. Edd
CELRC-TS-C-S (Mod. Only) C. Lee
CELRC-TS-C-S (Mod. Only) Project Binder
CELRC-PM-PM (Mod. Only) I. Samara
LCRBDC (Mod. Only) J. Pokrajac
AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT

1. CONTRACT ID CODE: Construction 1 3

2. AMENDMENT/MODIFICATION NO.: A00008

3. EFFECTIVE DATE: SEE BLOCK 16C

4. REQUISITION/PURCHASE REQ. NO.: W81P68S0265276

5. PROJECT NO.: (If Applicable) 866C00

6. ISSUED BY: CHICAGO DISTRICT

7. ADMINISTERED BY: USAID, Chicago (TS-C-S)

CHICAGO DISTRICT
111 North Canal Street
Suite 600
Chicago, IL 60606-7206

Calumet Area Office
906 Griffith Boulevard
Griffith, IN 46319

8. NAME AND ADDRESS OF CONTRACTOR: (No., Street, County, State and Zip Code)

Illinois Constructors Corporation
PO Box 745
St. Charles, IL 60174
Cook

9. AMENDMENT OF SOLICITATION NO.: 

10A. MODIFICATION OF CONTRACT/ORDER: W912F6-04-C-0007 NA

10B. DATED (SEE ITEM 10) 30 Sep 2004

11. THIS ITEM APPLIES ONLY TO AMENDMENTS OF SOLICITATIONS

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

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:
(a) By completing items 6 and 15, and returning copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitations and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA

See Page 2.

Contract Amount Unchanged

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS

IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify Authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.

B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.104B.

C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:

☐ 52.0249-0010 - DEFAULT (FIXED-PRICE CONSTRUCTION)

☐ D. OTHER (Specify type of modification and authority)

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

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

Contract for Local Flood Protection, Stage VI-1 South at Little Calumet River, Indiana.
Reference No. R00023
SSC29 Time Extension, Unusually Severe Weather

See Page 2.

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

15A. NAME AND TITLE OF SIGNER (Type or print)
Phillip L. Ross
Project Manager

15B. CONTRACTOR'S ERROR

15C. DATE SIGNED 09/03/2007

15D. SIGNATURE OF PERSON AUTHORIZED TO SIGN

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)
Douglas M. Anderson
Administrative Contracting Officer

16B. UNITED STATES OF AMERICA

16C. DATE SIGNED 09/03/2007

(Signature of Contracting Officer)

STANDARD FORM 30 (REV. 10-43)
MODIFICATION OF CONTRACT

Contract No: W912P6-04-C-0007 NA
Modification No: A00008
Contractor: Illinois Constructors Corporation
Contract Title: Local Flood Protection, Stage VI-1 South
Location: Little Calumet River, Indiana

12. ACCOUNTING AND APPROPRIATION DATA (Continued)

96X3122 (S1GB82) FED No change
96X8862 (J7ZJB27) NON-FED No change

This modification increases the contract time and not the total Contract funded amount, therefore the total contract amount remains the same at $7,567,601.19

14. DESCRIPTION OF MODIFICATION (Continued)

A. SCOPE OF WORK

SS029 Time Extension, Unusually Severe Weather

Add 12 Calendar days to the required completion date due to actual adverse weather days incurred above that specified to be anticipated during the period 01 August 2007 to 31 August 2007.

B. CHANGE IN CONTRACT DRAWINGS

None

C. CHANGE IN CONTRACT SPECIFICATIONS

Reference Technical Section 00700 - Contract Clauses, Paragraph 52.211-10 COMMENCEMENT, PROSECUTION, AND COMPLETION OF WORK (APR 1984), remove the paragraph and replace with the following:

The Contractor shall be required to (a) commence work under this contract within TEN (10) CALENDAR DAYS after the date the Contractor receives the notice to proceed, (b) prosecute the work diligently, and (c) complete the entire work ready for use not later than one thousand thirty five (1035) CALENDAR DAYS after receipt of the notice to proceed. The time stated for completion shall include final cleanup of the premises.

D. CHANGE IN CONTRACT PRICE

Total contract price is unchanged.

E. CHANGE IN CONTRACT TIME

The contract completion date shall be extended by 12 calendar days by reason of this modification.

F. CLOSING STATEMENT

It is understood and agreed, that pursuant to the above, time for