

Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

WILLIAM BILLER, Chairman
Governor's Appointment

ROBERT MARSZALEK, Vice Chairman
Governor's Appointment

R. KENT GURLEY, Treasurer
Lake County Commissioners' Appointment

CHARLIE RAY, Secretary
Porter County Commissioners' Appointment

GEORGE CARLSON
Hammond Mayors' Appointment

ARLENE COLVIN
Gary Mayors' Appointment

STEVE DAVIS
IN. Dept. of Natural Resources Appointment

ROBERT HUFFMAN
Governors' Appointment

JOHN MROCZKOWSKI
Governor's Appointment

DR. MARK RESHKIN
Governors' Appointment

VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

MEETING NOTICE

THERE WILL BE A MEETING OF THE
LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION
AT 6:00 P.M. WEDNESDAY, MAY 9, 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 April 4, 2007
5. Chairman's Report
 - Policy meeting with IDNR Director Rob Carter, Deputy Director John Davis, and Chief Counsel Dave Certo regarding Little Calumet River project, status funding, and needs to complete project
 - Report and discussion of results of the 2007 state legislative session - 2007/09 state budget.
 - > \$8 million need and requested
 - > \$2 million included in final budget

6. Action Required:

Finance: Approval of claims for April 2007
Approval of O&M claims for April 2007

Land Acquisition: Any action?

Engineering: Action required for acceptance of Corps proposal to do engineering for Griffith levee

Sandy

5:30
5:23
W.S.S.

Conf. call
m Fri. to
talk about
W.S.S.

need to schedule
W.W. Session -
finance mtg.

Get George -
progress reports
for the last year

get names
Albion -
ask Dan

1-4

may 2
last
wed. 2

5-10

11-14
15

16-17

+ bill
protestes

no 3EP

2 po. paidley print
green + ivory side w/
green jacket.

7. Executive Director's Report

- Status of NSRR design and legal issue resolution

8. Standing Committees

A. Finance Committee – Report by Treasurer Kent Gurley

- Financial status report
- Directors and Officers liability policy renewal
- Issues for discussion

18

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

Land Acquisition

- Appraisals, offers, acquisitions
- Status of activity for Stage V-2, VII, and VIII
- Corps notice to acquire Stage VIII

19

Land Management

- View Outdoor has constructed 3 billboards; 6 more scheduled
- Lamar request for billboard information
- RFP update for 32 acres east of Clay Street
- Issues for discussion

C. Project Engineering Committee – Committee Chair Bob Huffman

- Update on Cabela's coordination – April 18 engineering coordination meeting with INDOT/Cabela's representatives
- Update on V-2 pipeline corridor – engineering coordination meeting on April 20 with NIPSCO on pipeline corridor
- Engineering coordination meeting with CPWW held on April 23
- Final comments on 90% review set given to Corps on April 25
- "Plan in Hand" with municipalities scheduled for May 3
- "Plan in Hand" with pipelines/utilities scheduled for May 8
- Burr Street II Gary final inspection was held on May 1
- Issues for discussion

D. Operation & Maintenance – Committee Chair Bob Huffman

- Status of O&M turnover
- Upcoming East Reach inspection with Corps and Gary to be scheduled no later than early summer
- Issues for discussion

E. Legislative Committee – Committee Chair George Carlson

- Need to schedule Executive Session to develop funding strategy to meet schedule for completion in 2009
- Issues for discussion

20-23

F. Environmental Committee – Committee Chair Mark Reshkin

- Issues for discussion

G. Recreational Development Committee – Committee Chair Bob Huffman

- Kennedy Avenue bridge issue
 - > Meetings on April 16, April 19, and April 25 with Hammond & Highland Redevelopment Commissions
 - > News articles
- Issues for discussion

24-27

H. Policy Committee – Committee Chair Bob Marszalek

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, APRIL 4, 2007
6100 SOUTHPORT ROAD
PORTAGE, INDIANA

Chairman William Biller called the meeting to order at 6:10 p.m. Eight (8) Commissioners were present. Pledge of Allegiance was recited. The guests were recognized.

Development Commissioners:

Charlie Ray
Robert Huffman
Steve Davis
Bill Biller
Mark Reshkin
Arlene Colvin
George Carlson
Kent Gurley

Visitors:

Bill Petrites – Highland resident
Imad Samara – Project Manager, Corps of
Engineers
Stan Petrites – 8200 Indpls.Bld, Highland
Frank Petrites – 8200 Indpls Blvd. Highland
Steve Enger – Munster resident
Jim Guelcher – Munster resident

Staff:

Dan Gardner
Sandy Mordus
Lou Casale
Jim Pokrajac
Judy Vamos

After a correction to the minutes of the March 7, 2007 meeting was made adding the words "motion passed unanimously" to the discussion on the RFP on page 2, second bullet – the motion to approve the minutes was made by Arlene Colvin; motion seconded by Bob Huffman; motion passed unanimously.

Chairman's Report – Chairman William Biller announced that the Commission is in the House and the Senate 2007/09 budget for \$2 million. Our budget request was for \$8 million; this was the estimated amount that was needed to leverage the Corps project construction to State line. Chairman Biller and Dan Gardner talked with several legislators a few weeks past and we are hopeful that we can still receive an additional \$6 million in conference committee. Staff was directed to write another letter to the delegation (copying the Congressman and the municipalities) reiterating our need for the full \$8 million to complete the construction by December 2009 and listing out the consequences if we do not receive it. The end of the session is early May, with the new biennium starting July 1st. The first release of new money will be in August. Commissioner Kent Gurley asked whether or not the Congressman has been in contact with the Governor and/or delegation. Mr. Gardner replied that he did not know if there had been any direct contact lately. Staff was directed to make contact with the Congressman's Office and ask him to contact the State as we write to Representative Bob Kuzman and Senator Frank Mrvan.

Action Required – Treasurer Kent Gurley presented the claims for approval in the amount of \$105,579.68. He made a motion to approve the claims as presented; motion seconded by Arlene Colvin; motion passed unanimously. Mr. Gurley then presented the revised O&M

claim sheet for approval in the amount of \$506.85. Mr. Gurley made a motion to approve the O&M claims as presented; motion seconded by Bob Huffman; motion passed unanimously.

- There were no other action items

Executive Director's Report – Executive Director Dan Gardner referred to an IDNR letter that gives approval to the technical aspects of the various modeling submitted by the ACOE for the Little Calumet River. Discussion followed on scheduling a meeting with FEMA to see where we are and what needs to be done to assure that we move ahead according to FEMA regulations and what they expect once the project is completed. Commissioner Mark Reshkin suggested a committee be formed to work with FEMA; the Griffith levee area also needs to be considered. Imad Samara stated that the Corps is drafting a letter that will go to FEMA; the Corps has been working with IDNR on the same model since the beginning of the project.

- Mr. Gardner presented a draft letter to be sent to Deputy District Engineer Roy Deda expressing our concern about the current schedule as it is now and the delay in receiving detailed engineering plans for Stage V-2. We have just received and distributed the 90% plans to the utilities and municipalities on April 3. For all the work that has to be done, that is not much time for the Commission to finalize everything and be able to supply a ROE by the end of June. Dr. Reshkin made a motion to send the letter as presented; motion seconded by Bob Huffman; motion passed unanimously.
- Regarding the Griffith levee, Imad Samara stated that Bill Rochford is doing a letter to send to us stating what the Corps can do in an engineering review for us.

Finance Committee – Finance action was already taken. The financial statement for this period can be found on page 10 of the agenda packet.

Land Acquisition/Land Management Committee – Judy Vamos distributed an update of the land acquisition for Stages VII and VIII. Mr. Gardner has already talked about Stage V-2. The 90% review has just been received and comments are due to the Corps by April 25.

- In Stage VII, there are 52 acquisitions of easements. We are not sending out offers yet. They will be ready to send out once new money has been received. We are hoping that the town of Munster may be able to help the Commission with funding.
- In Stage VIII there are 90 easements. Judy has met with seven appraisers, who will be giving us their cost estimates and time frame. Other than the initial title work and survey work, there are no new monies to do any work in Stage VIII at this point.
- Jim Pokrajac reported that we do have a signed License Agreement for 3120 Gerry Street.
- In regard to View Outdoor, the areas are staked out for the new billboards and they are starting construction. Discussions with View have been encouraging to possibly providing lease money upfront. Those monies would be a tremendous help in our O&M commitment to Gary.
- Mr. Gardner stated that we have not been able to put an RFP on the street yet for the 32 acres west of Clay Street. Staff will schedule an O&M committee meeting within two weeks so the packet can be reviewed in order to advertise in early to mid May.

LCRBDC Minutes

April 4, 2007

Page 3

- Attorney Lou Casale informed the Board members that he received a letter from LAMAR's attorney saying that we should have advertised for locations of the signs. Attorney Casale has wrote of letter of response stating that we were not obligated to do so.

Project Engineering Committee – Committee Chairman Bob Huffman asked Jim Pokrajac how Cabela's was moving along. Jim reported that we have been working with Lawson-Fisher, consultant to INDOT for access to Cabela's, and we still need some final engineering from the Corps to finalize our easement requirements with INDOT. We have modified legal descriptions and will be sending them to Cabela's corporate headquarters to get signed easement agreements.

- In regard to Burr Street II – Little Cal portion, a pre-construction meeting was held today, April 4. Dyer Construction (contractor) will be doing stake outs of the work limits next week and setting up a staging area. NIPSCO is replacing a culvert near Clark Street. We may have to work with NSRR to clean out the culvert again.
- SEH is doing the utility coordination on Stage VIII.
- Mr. Gardner suggested the LCRBDC rent a van for a Saturday tour to see some of the key points of construction on the project.

Operation & Maintenance Committee – Jim Pokrajac distributed a colored chart of O&M items that have been completed and those items that remain to be completed. We put together a target date sheet with a proposed schedule that was given to Gary as a goal for completion. We will continue to meet with Gary and progress forward. Mr. Gardner publicly thanked Arlene Colvin for her help in setting up meetings with the pertinent people and keeping the issue moving forward.

- Mr. Huffman asked about the North 5th Avenue pump station in Highland. A few minor items are being addressed and then we will turn it over to the town for O&M, after final inspection. Chairman Biller asked Imad Samara what happened with Overstreet. He replied that the Corps terminated their contract. The Corps is soliciting another contractor to finish up the work in coordination with the bonding company. Imad added that five contractors are interested so it is hoped that a contractor can be selected to finish up this work.
- Mr. Pokrajac indicated that five flap gates will be completed on April 9 and will be inspected.
- As the construction segments in the West Reach are completed, it is the intention of the Commission to turn over the operation and maintenance as soon as possible.

Legislative Committee – Legislative items have already been discussed.

Environmental Committee – Committee Chairman Mark Reshkin referred to Mr. Gardner regarding the meetings he has been attending for the Gary sub-watershed plan. He talked to Phil Gralik, consultant from R. W. Armstrong, who is putting a report together on the pertinent issues regarding the stormwater management. Biggest issues raised was e-coli, combined sewers, and recreation improvements. They received a Section 319 grant to do this work.

Recreation Committee – Committee Chairman Bob Huffman asked if a fishing pier was being added at Carlson Oxbow Park. Jim Pokrajac replied that it was, as well as a canoe launch. Mr. Huffman also inquired about some trail paving. After some discussion, a motion was made by Bob Huffman authorizing the Executive Director to send a letter to the Corps asking them that an option be included in the bid package on V-2 for trail paving of the section between Cabela's and Wicker Park. Mr. Huffman will see if funding would be available from other sources after knowing what the incremental difference would be. Motion seconded by Steve Davis. Mark Reshin abstained. Motion passed.

Policy Committee - There was no report.

Other Issues – After discussion, the normal meeting date of the first Wednesday, which would be May 2, was changed to the second Wednesday, May 9. A reminder will be sent to the Commission members prior to the date.

Statements from the Floor – Bill Petrites mentioned that the trail has been cut off along the west side of Indianapolis Blvd because of construction at Cabela's and could something be done to keep it open. Staff indicated that it would remain closed because of the safety issue. Mr. Petrites also questioned why there were not paths on either side of the new Kennedy Avenue bridge construction. Mr. Gardner replied that the Army Corps and the Commission were currently working with Hammond and Highland to resolve this issue.

- Steve Enger thanked the Commission for the plans submitted to him on April 3. He inquired about the April 25 deadline because his group had questions and needed clarifications on the plans. Imad Samara said the project was on a tight time schedule, but could still correct deficiencies. Commissioner Kent Gurley stated the 3-week deadline applied to all parties.

There being no further business, the meeting was adjourned. The next scheduled Board meeting is set for 6:00 p.m. on Wednesday, May 9, 2007.

THE TIMES

WEDNESDAY
APRIL 25, 2007



2007 INDIANA GENERAL ASSEMBLY

Provide the funding necessary to finally complete levee project

The issue: State funding for the Little Calumet River Basin Development Commission
Our opinion: Give the agency the \$8 million it needs to finish its work instead of letting it drag on.

Anyone who believes the Little Calumet River Basin Development Commission work has gone on way too long should look to the Indiana General Assembly for the explanation.

Decades ago, the commission began constructing a series of levees along the western leg of the Little Calumet River. Executive Director Dan Gardner hopes the project will finally be completed in 2009.

But that would require the Legislature to provide the \$8 million necessary for the local share of the project cost. The state budget now on the table includes only \$2 mil-

Your opinion, please

Should the Little Calumet River Basin Development Commission be given the \$8 million it needs to complete the levee project?

Share your thoughts at
www.nwi.com/opinion

lion for the project.

The U.S. Army Corps of Engineers is paying the lion's share of the project, but it won't and shouldn't foot the entire cost of the project. Indiana needs to pay its fair share.

Completing the project will remove thousands of properties

from the floodplain, saving the owners hundreds of dollars annually in flood insurance. That alone should provide plenty of political cover to lawmakers who need to increase the funding by an additional \$6 million to get the work done.

Rep. Bob Kuzman, D-Crown Point, is on the legislative conference committee working out differences between the House and Senate versions of the budget. He, along with his fellow committee members, should adjust the budget to include the full \$8 million so this perennial struggle over funding can finally be brought to a close.



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DR. MARK RESHKIN
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VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

April 18, 2007

Honorable Robert Kuzman
IN State Representative
Vice Chairman, Ways and Means
State House
200 W. Washington
Indianapolis, Indiana 46204

Bob
Dear Representative Kuzman:

We are again communicating on behalf of the Development Commission, the cities of Gary and Hammond, the towns of Griffith, Highland, and Munster, and the owners of over 8,000 structures along the Little Calumet River that are depending upon the Federal project completion to remove them from the floodplain designation. As you prepare for the conference committee on the state budget, we are submitting some additional documentation for your use in pursuing, as we discussed at the Legislative Reception in January, the full \$8 million funding to leverage the Federal completion of the project by the end of 2009. We cannot emphasize enough the necessity for the full \$8 million as we submitted as our budget need.

We fully understand the difficulty in accomplishing the full \$8 million appropriation and absolutely appreciate your support and efforts on behalf of our appropriations to date; but without the full \$8 million, the project schedule to complete flood control construction by the end of year 2009 is an impossibility. This schedule has been charged to the U. S. Army Corps of Engineers and the Development Commission by Congressman Visclosky. Since our discussion in January, the Development Commission has accessed all of its remaining state funds and allotted them to the critical path to stay on the committed schedule. In February of 2007, the Corps of Engineers awarded the final levee construction contract in Gary with additional funds (\$1,442,568) released by the IEDC to help Cabela's development. With the remaining \$1 million available from the second year of the state budget and additional \$700,000 made available as part of the Cabela's development agreement, the Development Commission is providing land available to the Corps of Engineers by the end of June 2007 for the letting of an approximately \$13,720,000

April 18, 2007

Page 2

contract for the next construction segment between Kennedy Avenue and Northcote in Hammond and Highland. This will deplete all of our finances and without the \$8 million appropriation, the \$2 million in the budget currently will be needed for non-Federal cost sharing in this contract. The result is that no additional acquisition work can be funded between essentially Columbia Avenue and the Illinois state line and only expected donations of needed easements would be acquired between Northcote and Columbia (Hammond land donations and Munster funding participation). The result inevitability would be moving back the construction lettings on the two contracts between Northcote and Columbia and Columbia and the state line for three years (until the next biennial budget appropriation can be made and after allocation approximately one year of acquisition catch up can take place). This is clearly unacceptable to Congressman Visclosky, the communities, and residents/ businesses currently being threatened by flooding and paying the required flood insurance payments as a result of remaining in the floodplain. As a matter of record, these yearly payments are increasing dramatically as reported to us by homeowners and businesses.

We have also included the earlier communication dated January 24, 2007 as background, most importantly the chart showing the use of the needed /\$8 million and the roughly \$40 million of Federal construction appropriations that Congressman Visclosky will be unable to utilize if we cannot secure the easements necessary, relocate the needed utilities, and have the available non-Federal cash match to complete the project (This is shown on the chart on page 3 of the letter). Thank you for your work to date. We do appreciate your efforts in obtaining the \$2 million; however, with the assurance of the Federal funding, we critically need the full amount of \$8 million. Please call Dan once you receive this communication to indicate anything the Commission or other local officials can do to support you for the budget conference.

Sincerely,



William E. Biller
Chairman



Dan Gardner
Executive Director

/encl.

Cc: Congressman Peter Visclosky, Elizabeth Johnson
Frank Mrvan Sr., State Budget Committee, and the other
Northwest Indiana Legislative delegation
Kari Evans, Governor's Staff
Charles Schalliol, Tony Armstrong, State Budget Agency
Robert Carter, Ron McAhron, IDNR
Chad Sweeney, IEDC
Mayors Rudy Clay, Gary; and Tom McDermott, Hammond
Town Council Presidents of Highland, Munster, and Griffith
Dewey Pearman, Chairman, N.W. IN Forum Legislative committee



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VACANCY
Governor's Appointment

DAN GARDNER
Executive Director

LOU CASALE
Attorney

January 24, 2007

Honorable Robert Kuzman
IN State Representative
819 Savannah Drive
Crown Point, Indiana 46307

Re: \$8 million State Capital Budget Funding

Bob
Dear Representative Kuzman:

The Little Calumet River Basin Development Commission congratulates you on your appointment as Vice Chairman of the House Ways and Means Committee. Your appointment is truly significant for northwest Indiana and for the Little Calumet River flood control and Recreation project to successfully complete the Federal construction by the end of calendar year 2009 as directed by Congressman Pete Visclosky. As the result of the Congressman's directive (Attachment 1), the U.S. Army Corps of Engineers and the Development Commission developed an aggressive schedule to meet flood control completion to the Illinois State line by the end of CY2009 (Attachment 2).

In 2006, this commitment produced over \$13,000,000 in Federal construction through seven contracts. Construction has extended west through Hammond and Highland to Kennedy Avenue; all while final construction is being completed in Gary and a needed tieback levee in Griffith is pursued. Also, the Cabela's commitment to develop in Hammond bringing \$78 million in development and approximately 400 jobs is directly dependent upon the flood control project being completed on the aggressive schedule to Northcote/Hart Ditch. The State of Indiana has committed additional funding (up to \$6 million - Attachment 3)) through IEDC negotiations to accommodate the construction schedule. These dollars have helped match Federal project requirements and speed the construction. Additionally, significant property easement donations have been made by Cabela's, North Township (Wicker Park), Whiteco Advertising, the Lake County Convention and Visitors Bureau, the city of Hammond and the Town of Highland to assist the non-federal commitments (Attachment 4- 2006 Progress)

To complete the remaining non-federal project requirements, \$8 million state funding is needed in this Biennial budget to have real estate available, utility relocations accomplished, and non-federal cash match in hand to allow the remaining Federal construction contracts to be let on schedule. The Federal construction will total over \$40 million in completing the project and finally allowing the corridor to be removed from the floodplain designation (over 8,000 homes and businesses). The use of the \$8 million needed is shown on Attachment 5).

[Handwritten signature]

Honorable Robert Kuzman
January 24, 2007
Page 2

The Development Commission worked with the State Budget Agency, the IDNR, the IEDC, and the Governor's Office in submitting and documenting the \$8 million capital budget request in June 2006. The Development Commission strongly petitioned for inclusion in the Governor's budget. The Governor's budget did contain a positive commitment to this project by including it in his recommended budget, but the amount included was \$2 million. This will not be sufficient to leverage the Federal funding Congressman Visclosky has committed to appropriating, nor to be sufficient to complete the project construction.

We respectfully request the House Budget markup include the full \$8 million requested. The non-federal share must be appropriated and available up front of the Federal appropriations. Our funding will be used to acquire the over 140 easements remaining; to relocate the over 190 utility lines to be relocated; and to have available the required 7% non-federal cash participation to allow the Federal contracts to be let. As stated, over \$40 million in Federal construction will be directly leveraged by the \$8 million.

The Development Commission has the capacity to utilize the full \$8 million in the biennium, with \$6.5 million needed in the first year to accomplish the aggressive schedule. Surveys, title work, and appraisals are now underway to fully utilize new funding as it comes available. Additional contract help is available, pending funding, to meet the schedule.

This accelerated project schedule, as mentioned, was directed to be prepared by Congressman Visclosky, and is strongly supported by Mayor Clay, Mayor McDermott, and the Town Councils of Highland, Munster, and Griffith. To solidify support, the Development Commission submitted the full \$8 million funding request to the legislative committee at NIRPC which recommended and was approved by both the NIRPC Commission and the Northwest Indiana forum as part of the "V8" regional priorities.

We stand ready to work with you and members of the northwest Indiana delegation to pursue this full funding request. We sincerely thank you and the delegation's efforts and support in the past and respectfully request consideration of this project funding.

Respectfully submitted,



William Biller
Chairman



Dan Gardner
Executive Director

/encl.

Cc: Congressman Peter Visclosky, Elizabeth Johnson
Northwest Indiana Legislative Delegation
Kari Evans, Governor's Staff
Charles Schalliol, Tony Armstrong, Deanna Oware, State Budget Agency
Robert Carter, Ron McAhron, IDNR
Chad Sweeney, IEDC
Mayors Rudy Clay, Gary, and Tom McDermott, Hammond
Town Council Presidents, Highland, Munster, and Griffith

USE OF \$8 MILLION BUDGET REQUEST

Stage	Activity	Non-Federal Funding Needed	Federal Construction
<i>Stage V</i>	<ul style="list-style-type: none"> • Complete Easement Acquisitions & Utility Relocations • 7% Cash Match of Construction 	Accounted for in State Commitment to Cabela's \$ 960,000 total needed est.	\$ 13,720,000 est.
<i>Stage VII</i>	<ul style="list-style-type: none"> • 52 Easement Acquisitions • Utility Relocations • 7% Cash Match of Construction 	\$ 1,216,000 est. \$ 450,000 est. <u>\$ 434,000 est.</u> \$ 2,100,000 total needed est.	\$ 6,200,000 est.
<i>Stage VIII</i>	<ul style="list-style-type: none"> • 100 Easement Acquisitions • Utility Relocations • 7% Cash Match of Construction 	\$ 2,060,000 est. \$ 910,000 est. <u>\$ 630,000 est.</u> \$ 3,600,000 total needed est.	\$ 9,000,000 est.
<i>Pump Stations II Construction</i>	<ul style="list-style-type: none"> • 7% Cash Match of Construction 	\$ 610,000 total needed est.	\$ 8,500,000 est.
<i>Burr Street Gary</i>	<ul style="list-style-type: none"> • Contingency for Construction Completion 	\$ 200,000 est.	\$ 2,301,518 (Ongoing)
<i>Burr Street LCRBDC</i>	<ul style="list-style-type: none"> • Project Cash Match 	Accounted for in State Commitment to Cabela's (\$1,443,000)	\$ 3,400,000 Bid
<i>Griffith Levee</i>	<ul style="list-style-type: none"> • FEMA requiring East-West units tie-in Certification 	\$ 500,000 est.	Construction for 100 yr. flood needing tie-back certification
<i>East Reach</i>	<ul style="list-style-type: none"> • Final Flowage Easements Acquisition 	<u>\$ 50,000 est.</u> \$ 8,020,000	Construction Complete

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
MONTHLY BUDGET REPORT,

	2007							UNALLOCATED	
	BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	ALLOCATED	BUDGETED
								TOTAL	BALANCE
5801 PER DIEM EXPENSES	7,500.00	0.00	0.00	0.00	0.00			0.00	7,500.00
5811 LEGAL EXPENSES	3,500.00	283.33	283.33	283.33	283.33			1,133.32	2,366.68
5812 NIRPC SERVICES	145,000.00	11,742.56	12,743.90	12,536.24	13,188.58			50,211.28	94,788.72
5821 TRAVEL/MILEAGE	2,500.00	38.40	41.00	12.40	14.00			105.80	2,394.20
5822 PRINTING/ADVERTISING	2,000.00	0.00	0.00	0.00	0.00			0.00	2,000.00
5823 BONDS/INSURANCE	8,000.00	0.00	150.00	0.00	6,406.25			6,556.25	1,443.75
5824 TELEPHONE EXPENSES	6,500.00	469.54	472.65	527.86	553.80			2,023.85	4,476.15
5825 MEETING EXPENSES	5,000.00	79.50	188.50	106.95	0.00			374.95	4,625.05
5840 PROFESSIONAL SERVICES	700,000.00	35,139.96	72,326.12	77,003.90	163,308.17			347,778.15	352,221.85
5860 PROJECT LAND PURCHASE EXP.	76,000.00	1,783.00	49,686.00	15,109.00	15.00			66,593.00	9,407.00
5882 UTILITY RELOCATION EXP.	1,250,000.00	0.00	0.00	0.00	3,229.90			3,229.90	1,246,770.10
5883 PROJECT LAND CAP. IMPROV.								0.00	0.00
5884 STRUCTURES CAP. IMPROV.								0.00	0.00
5892 PROJECT COSTSHARE/ESC ACCT	1,442,583.00							0.00	1,442,583.00
	3,648,583.00	49,536.29	135,891.50	105,579.68	186,999.03	0.00	0.00	478,006.50	3,170,576.50

	2007							UNALLOCATED	
	BUDGET	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	ALLOCATED	BUDGETED
								TOTAL	BALANCE
5801 PER DIEM EXPENSES	7,500.00							0.00	7,500.00
5811 LEGAL EXPENSES	3,500.00							1,133.32	2,366.68
5812 NIRPC SERVICES	145,000.00							50,211.28	94,788.72
5821 TRAVEL/MILEAGE	2,500.00							105.80	2,394.20
5822 PRINTING/ADVERTISING	2,000.00							0.00	2,000.00
5823 BONDS/INSURANCE	8,000.00							6,556.25	1,443.75
5824 TELEPHONE EXPENSES	6,500.00							2,023.85	4,476.15
5825 MEETING EXPENSES	5,000.00							374.95	4,625.05
5840 PROFESSIONAL SERVICES	700,000.00							347,778.15	352,221.85
5860 PROJECT LAND PURCHASE EXP.	76,000.00							66,593.00	9,407.00
5882 UTILITY RELOCATION EXP.	1,250,000.00							3,229.90	1,246,770.10
5883 PROJECT LAND CAP. IMPROV.								0.00	0.00
5884 STRUCTURES CAP. IMPROV.								0.00	0.00
5892 PROJECTCOSTSHARE/ESC ACCT	1,442,583.00							0.00	1,442,583.00
	3,648,583.00	0.00	0.00	0.00	0.00	0.00	0.00	478,006.50	3,170,576.50

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5811	CASALE, WOODWARD & BULLS LLP	283.33	MONTHLY RETAINER THROUGH APRIL 20, 2007
5812	NIRPC	12,506.67	SERVICES PERFORMED MJARCH 2007
5824	UPS	50.24	OVERNIGHT MAIL ✓
5824	UPS	430.05	OVERNIGHT MAIL ✓
5824	UPS	184.46	OVERNIGHT MAIL ✓
5824	UPS	17.16	OVERNIGHT MAIL ✓
5821	SANDY MORDUS	14.00	MILEAGE FOR APRIL
5823	DON POWERS AGENCY INC.	6,406.25	DIRECTORS & OFFICERS RENEWAL POLICY
5824	AT & T	419.76	BILLING PERIOD 3/14/07-4/13/07(TOTAL BILL 440.91 KRBC 21.15) ✓
5824	VERIZON NORTH	134.04	BILLING PERIOD 4/16/07-5/16/07(TOTAL BILL 246.56 KRBC 112.52) ✓
5841	HERITAGE APPRAISAL SERVICE	1,250.00	APPRAISAL RE: DC-1254
5841	HERITAGE APPRAISAL SERVICE	1,500.00	APPRAISAL RE: DC-1172
5841	HERITAGE APPRAISAL SERVICE	750.00	PROPERTY REVIEW DC-1049A
5841	HERITAGE APPRAISAL SERVICE	17,500.00	APPRAISAL RE: DC-1226, 1236, 1232, 1239, 1237, 1221-1225, 1227, 1229, 1248
5841	HERITAGE APPRAISAL SERVICE	6,500.00	APPRAISAL RE: DC-465 A-J
5841	THE GORMAN GROUP LTD	1,000.00	APPRAISAL RE: DC-59
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1229
5841	THE GORMAN GROUP LTD	1,000.00	APPRAISAL RE: DC-59
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1228
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1226
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1225
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1230
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1231
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1232
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1235
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1236
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1237
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1239
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1243
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1244
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1245
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1246
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1247
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1249
5841	THE GORMAN GROUP LTD	750.00	APPRAISAL RE: DC-1254
5843	STEWART TITLE SERVICES	685.00	TITLE WORK RE: DC-1337 PARTIAL
5843	STEWART TITLE SERVICES	585.00	TITLE WORK RE: DC-1337 PARTIAL
5843	STEWART TITLE SERVICES	585.00	TITLE WORK RE: DC-1337 PARTIAL
5843	STEWART TITLE SERVICES	100.00	TITLE WORK RE: DC-1242
5843	STEWART TITLE SERVICES	100.00	TITLE WORK RE: DC-1231
5843	STEWART TITLE SERVICES	2,085.00	TITLE WORK RE: DC-1199
5843	STEWART TITLE SERVICES	490.00	TITLE WORK RE: DC-1246 LOT 5 BLK 3
5843	STEWART TITLE SERVICES	100.00	TITLE WORK RE: DC-1246 LOT 4 BLK 3 INV#14197
5843	STEWART TITLE SERVICES	400.00	TITLE WORK RE: DC-1246 LOT 4 BLK 3 INV#14002
5843	STEWART TITLE SERVICES	490.00	TITLE WORK RE: DC-814
5843	STEWART TITLE SERVICES	200.00	TITLE WORK RE: DC-59
5843	STEWART TITLE SERVICES	490.00	TITLE WORK RE: DC-1174 (1 OF 4)
5843	STEWART TITLE SERVICES	490.00	TITLE WORK RE: DC-1174 (3 OF 4)
5843	STEWART TITLE SERVICES	490.00	TITLE WORK RE: DC-1174 (4 OF 4)
5843	STEWART TITLE SERVICES	490.00	TITLE WORK RE: DC-746
5843	STEWART TITLE SERVICES	490.00	TITLE WORK RE: DC-812
5843	STEWART TITLE SERVICES	490.00	TITLE WORK RE: DC-309
5843	TICOR TITLE INSURANCE COMPANY	5.00	TITLE WORK RE: DC-758
5843	TICOR TITLE INSURANCE COMPANY	5.00	TITLE WORK RE: DC-323
5843	TICOR TITLE INSURANCE COMPANY	5.00	TITLE WORK RE: DC-741
5846	VALPARAISO INSURANCE PROFESSIONALS	44,603.99	RENEWAL OF GENERAL LIABILITY POLICY
5847	GARCIA CONSULTING	147.50	SURVEYING SERVICES RE: DC-1308A
5847	GARCIA CONSULTING	65.00	SURVEYING SERVICES RE: DC-1308B
5847	GARCIA CONSULTING	212.50	SURVEYING SERVICES RE: DC-1308C
5847	GARCIA CONSULTING	65.00	SURVEYING SERVICES RE: DC-1308D
5847	GARCIA CONSULTING	180.00	SURVEYING SERVICES RE: DC-1309
5847	GARCIA CONSULTING	472.50	SURVEYING SERVICES RE: DC-1311
5847	GARCIA CONSULTING	472.50	SURVEYING SERVICES RE: DC-1312
5847	GARCIA CONSULTING	490.00	SURVEYING SERVICES RE: DC-1313
5847	GARCIA CONSULTING	492.50	SURVEYING SERVICES RE: DC-1314
5847	GARCIA CONSULTING	232.50	SURVEYING SERVICES RE: DC-1315
5847	GARCIA CONSULTING	332.50	SURVEYING SERVICES RE: DC-1316
5847	GARCIA CONSULTING	445.00	SURVEYING SERVICES RE: DC-1317

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5847	GARCIA CONSULTING	282.50	SURVEYING SERVICES RE: DC-1318
5847	GARCIA CONSULTING	330.00	SURVEYING SERVICES RE: DC-1319
5847	GARCIA CONSULTING	297.50	SURVEYING SERVICES RE: DC-1320
5847	GARCIA CONSULTING	297.50	SURVEYING SERVICES RE: DC-1321
5847	GARCIA CONSULTING	97.50	SURVEYING SERVICES RE: DC-1323
5847	GARCIA CONSULTING	97.50	SURVEYING SERVICES RE: DC-1324
5847	GARCIA CONSULTING	97.50	SURVEYING SERVICES RE: DC-1325
5847	GARCIA CONSULTING	390.00	SURVEYING SERVICES RE: DC-1326
5847	GARCIA CONSULTING	65.00	SURVEYING SERVICES RE: DC-1327
5847	GARCIA CONSULTING	65.00	SURVEYING SERVICES RE: DC-1328
5847	GARCIA CONSULTING	265.00	SURVEYING SERVICES RE: DC-1329
5847	GARCIA CONSULTING	65.00	SURVEYING SERVICES RE: DC-1330
5847	GARCIA CONSULTING	65.00	SURVEYING SERVICES RE: DC-1331
5847	GARCIA CONSULTING	462.50	SURVEYING SERVICES RE: DC-1332
5847	GARCIA CONSULTING	365.00	SURVEYING SERVICES RE: DC-1333
5847	GARCIA CONSULTING	365.00	SURVEYING SERVICES RE: DC-1334
5847	GARCIA CONSULTING	365.00	SURVEYING SERVICES RE: DC-1335
5847	GARCIA CONSULTING	555.00	SURVEYING SERVICES RE: DC-1336
5847	GARCIA CONSULTING	97.50	SURVEYING SERVICES RE: DC-1337
5847	GARCIA CONSULTING	92.50	SURVEYING SERVICES RE: DC-1338
5847	GARCIA CONSULTING	227.50	SURVEYING SERVICES RE: DC-1339
5847	GARCIA CONSULTING	395.00	SURVEYING SERVICES RE: DC-1340
5847	GARCIA CONSULTING	65.00	SURVEYING SERVICES RE: DC-1341
5847	GARCIA CONSULTING	150.00	SURVEYING SERVICES RE: DC-1343
5847	GARCIA CONSULTING	200.00	SURVEYING SERVICES RE: DC-1344
5847	GARCIA CONSULTING	712.50	SURVEYING SERVICES RE: DC-1346
5847	GARCIA CONSULTING	465.00	SURVEYING SERVICES RE: DC-1347
5847	GARCIA CONSULTING	452.50	SURVEYING SERVICES RE: DC-1348
5847	GARCIA CONSULTING	32.50	SURVEYING SERVICES RE: DC-1349
5847	GARCIA CONSULTING	327.50	SURVEYING SERVICES RE: DC-1350
5844	JAMES E POKRAJAC	3,240.45	ENGINEERING/LAND AGENT 3/15/07-3/31/07
5844	JAMES E POKRAJAC	236.00	MARCH MILEAGE
5844	JAMES E POKRAJAC	4,945.95	ENGINEERING/LAND AGENT 4/1/07-4/15/07
5844	JUDITH VAMOS	3,928.25	LAND ACQUISITION AGENT SERVICES 3/16/07-3/31/07
5844	JUDITH VAMOS	25.20	MARCH MILEAGE
5844	JUDITH VAMOS	2,108.85	LAND ACQUISITION AGENT SERVICES 4/2/07-4/13/07
5844	G. LORRAINE KRAY	991.70	CREDITING TECH & LAND ACQUISITION ASST 3/19/07-3/29/07
5844	G. LORRAINE KRAY	949.50	CREDITING TECH & LAND ACQUISITION ASST 4/3/07-4/12/07
5844	SANDY MORDUS	237.50	CREDITING TECHNICIAN SERVICES 3/19/07-3/28/07
5844	SANDY MORDUS	212.50	CREDITING TECHNICIAN SERVICES 4/2/07-4/13/07
5847	DLZ	1,436.25	PROFESSIONAL SERVICES RE: DC-1394
5847	DLZ	78.00	PROFESSIONAL SERVICES RE: DC-1395
5847	DLZ	1,312.00	PROFESSIONAL SERVICES RE: DC-1396
5847	DLZ	1,362.00	PROFESSIONAL SERVICES RE: DC-1400
5847	DLZ	921.25	PROFESSIONAL SERVICES RE: DC-1392
5847	DLZ	1,702.50	PROFESSIONAL SERVICES RE: DC-1391
5847	DLZ	1,424.50	PROFESSIONAL SERVICES RE: DC-1390
5847	DLZ	921.25	PROFESSIONAL SERVICES RE: DC-1389
5847	DLZ	921.25	PROFESSIONAL SERVICES RE: DC-1388
5847	DLZ	1,296.25	PROFESSIONAL SERVICES RE: DC-1387
5847	DLZ	78.00	PROFESSIONAL SERVICES RE: DC-1386
5847	DLZ	195.00	PROFESSIONAL SERVICES RE: DC-1385
5847	DLZ	640.00	PROFESSIONAL SERVICES RE: DC-1384
5847	DLZ	1,062.00	PROFESSIONAL SERVICES RE: DC-1383
5847	DLZ	874.50	PROFESSIONAL SERVICES RE: DC-1382
5847	DLZ	1,171.00	PROFESSIONAL SERVICES RE: DC-1381
5847	DLZ	1,093.25	PROFESSIONAL SERVICES RE: DC-1380
5847	DLZ	1,218.25	PROFESSIONAL SERVICES RE: DC-1379
5847	DLZ	983.75	PROFESSIONAL SERVICES RE: DC-1378
5847	DLZ	921.25	PROFESSIONAL SERVICES RE: DC-1377
5847	DLZ	1,460.25	PROFESSIONAL SERVICES RE: DC-1376
5847	DLZ	1,491.50	PROFESSIONAL SERVICES RE: DC-1375
5847	DLZ	1,385.25	PROFESSIONAL SERVICES RE: DC-1374
5847	DLZ	1,460.25	PROFESSIONAL SERVICES RE: DC-1373
5847	DLZ	1,015.25	PROFESSIONAL SERVICES RE: DC-1372
5847	DLZ	921.25	PROFESSIONAL SERVICES RE: DC-1371
5847	DLZ	843.25	PROFESSIONAL SERVICES RE: DC-1370

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5847	DLZ	671.25	PROFESSIONAL SERVICES RE: DC-1369
5847	DLZ	2,311.50	PROFESSIONAL SERVICES RE: DC-1300
5849	CASALE.WOODWARD & BULS LLP	6,945.78	LAND ACQUISITION/LEGAL SERVICES FOR PERIOD ENDED 4/20/07
5849	CASALE WOODWARD & BULS LLP	583.00	LAND UTILITY RELOCATION/LEGAL SERVICE THROUGH 4/20/07
5861	CASALE WOODWARD & BULS LLP	15.00	RECORDING FEE DC-1101
5882	SHORT ELLIOTT HENDRICKSON INC	3,229.90	PROFESSIONAL SERVICES RE: SVIII

TOTAL 186,999.03

185,999.03
15-
185,984.03

**APPROVAL TO PAY THE FOLLOWING INVOICES
FROM O&M FUND
MAY 9, 2007**

-
- **\$52.71 to T-Mobile for costs incurred for cell phone for engineer field work; monthly service 3/11/07 – 4/10/07**
 - **\$7.71 to NIPSCO for gas & electricity costs incurred at 3120 Gerry Street (Commission-owned property); Statement date 4/16/07**
 - **\$351.20 to Lock & Key for new locks made for gates in the West Reach area**
 - **\$37.05 to UPS for the mailing of plans & specs for Stage V-2**
 - **\$4,876 to Austgen Electric Inc. for flap gate cleaning 10A & 10B**
 - **\$3,329 to Austgen Electric Inc. for flap gate cleaning 11**
 - **\$4,735 to Austgen Electric Inc. for flap gate cleaning 14A & 14B**

TOTAL \$ 13,388.67

MEMORANDUM FOR CELRC-PM (Samara)

SUBJECT: Preparation of Documentation for FEMA Certification of Griffith Levee

1. Reference:

- a. River Road Levee - Town of Griffith, Indiana Phase I Report by Lawson-Fisher, dated May 15, 2006
- b. Memorandum CECW-EG, Geotechnical Activities in Support of Levee Certification for Federal Emergency Management Agency (FEMA) Flood Insurance Purposes, 30 Jun 1997
- c. Memorandum Institute for Water Resources, USACE Levee Certification Policy and Risk Analysis, 11 Dec 06

2. We provide the following response to the Little Calumet River Basin Development Commission request for an estimate of the work effort involved to prepare documentation for FEMA certification of the subject levee. This information is provided based on our review of the subject report (ref 1a) and the knowledge of our staff working on the Little Calumet River Flood Control project. FEMA certification guidelines are currently in transition. Our interpretation of present guidelines is used as a basis for estimate of this work. Currently, for a geotechnical assessment we are to follow our normal 'deterministic' procedures for evaluation of levees as described in reference 1b. However, HQUSACE is indicating that this is soon to change to a risk analysis similar to that performed in the hydraulic analysis in accordance with ER 1110-2-101 (ref 1c). As a result the new guidance, when issued, may change the work required.

3. To determine the suitability of the levee for certification we will need to perform a field inspection to evaluate the existing physical conditions of the levee and verify the design and the construction records. If the design is not adequately documented, the missing or inadequate parts will need to be regenerated. In addition, the following information is needed for a Geotechnical assessment; a reasonably current topographic survey of the levee (say within the last 5 years), geologic information consisting of borings and groundwater conditions, records of utility crossings, design water levels, maintenance and/or repairs performed to the levee, flood fighting information especially with respect to seepage under or through the levee, Operation and Maintenance Manuals, and As-Built drawings and specifications. If basic data is not available or insufficient,

such as borings, surveys, utilities, these will need to be acquired. The standard for borings is 3 borings every 1000 feet of levee. A preliminary estimate of cost would be \$25,000 to \$40,000 plus additional labor for contract acquisition (\$5000). Survey data to acquire topographic and utilities would be in the range of \$25,000 plus labor (\$5000). This work may not be necessary if the levee owners can provide the necessary information

4. A preliminary estimate of in-hose labor to make a condition assessment, perform necessary hydraulic and geotechnical analysis, and identify any needed repairs or modifications includes;

Field Inspection - 1 day plus report	\$2,000
Review Design documents (w/spot checks - 5 days (min)	\$5,000
Redevelop geotechnical design analyses (one X-section)	\$10,000
Hydraulic Verification and Interior Drainage Analysis	\$5,000
Hydraulic Risk Analysis	\$2,000
Preliminary cost estimate for modification/repair	\$5,000
Technical Oversight and Review	\$3,000
Total	\$32,000

5. Preparation of a design analysis and construction bid documents will follow approval of the repairs or modifications identified in the report. An estimate for this effort can be provided when the recommended repairs receive FEMA concurrence.

6. Please call Bill Rochford at extension 5450 or the undersigned at extension 5410 to discuss any of this information. We are committed to assisting you in the success of this effort on the Griffith levee.

No encl

J. Schmidt
JOSEPH J. SCHMIDT, P.E.
Chief, Design Branch

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
FINANCIAL STATEMENT
JANUARY 1, 2007 - MARCH 31, 2007

CASH POSITION - JANUARY 1, 2007

CHECKING ACCOUNT

LAND ACQUISITION	180,024.55
GENERAL FUND	52,129.93
TAX FUND	0.00
INVESTMENTS	
SAVINGS	760,563.12
ESCROW ACCOUNT INTEREST	4,411.06

997,128.66

RECEIPTS - JANUARY 1, 2007 - MARCH 31, 2007

LEASE RENTS	13,770.32
LEL MONIES (SAVINGS)	
INTEREST INCOME(FROM CHECKING)	486.38
LAND ACQUISITION	1,668,905.68
ESCROW ACCOUNT INTEREST	5.40
MISC. RECEIPTS	
KRBC RE	
TRANSFERRED FROM SAVINGS	309,768.29
PROCEEDS FROM VOIDED CHECKS	
TOTAL RECEIPTS	1,992,936.07

DISBURSEMENTS - JANUARY 1, 2007 - MARCH 31, 2007

ADMINISTRATIVE

2004 EXPENSES PAID IN 2005	150,159.58
PER DIEM	2,650.00
LEGAL SERVICES	849.99
NIRPC	36,274.76
TRAVEL & MILEAGE	462.60
PRINTING & ADVERTISING	
BONDS & INSURANCE	75.00
TELEPHONE EXPENSE	1,837.63
MEETING EXPENSE	374.95

LAND ACQUISITION

LEGAL SERVICES	22,728.38
APPRAISAL SERVICES	8,750.00
ENGINEERING SERVICES	31,066.25
LAND PURCHASE CONTRACTUAL	36,590.00
FACILITIES/PROJECT MAINTENANCE SERVICES	
OPERATIONS SERVICES	
LAND MANGEMENT SERVICES	52,684.43
SURVEYING SERVICES	30,749.55
MISCELLANEOUS EXPENSES	
ECONOMIC/MARKETING SOURCES	
PROPERTY & STRUCTURE COSTS	126,454.86
MOVING ALLOCATION	
TAXES	
PROPERTY & STRUCTURES INSURANCE	
UTILITY RELOCATION SERVICES	
LAND CAPITAL IMPROVEMENT	
STRUCTURAL CAPITAL IMPROVEMENTS	
BANK CHARGES MERCANTILE	28.50
PASS THROUGH FOR SAVINGS	310,092.81
PAYBACK TO SAVINGS	
TOTAL DISBURSEMENTS	661,669.71

CASH POSITION - MARCH 31, 2007

CHECKING ACCOUNT

LAND ACQUISITION	206,266.55
GENERAL FUND	23,508.68
TAX FUND	
TOTAL FUNDS IN CHECKING ACCOUNT	229,775.23

BANK ONE SAVINGS ACCOUNT BALANCE

(LAND ACQ IN HOUSE PROJECT FUNDS)
(O & M MONIES)

208,518.45
**75,242.56

308,370.10

*Note: Original \$700,000 note

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

SAVINGS INTEREST 24,609.09

BANK ONE SAVINGS ACCOUNT

BURR ST PHASE II GARY 129,662.25
INTEREST 19,681.05

149,343.30

TOTAL SAVINGS

457,713.40

ESCROW ACCOUNT INTEREST AVAILABLE

4,416.46

TOTAL OF ALL ACCOUNTS

691,905.09

18

(11,940) April 30



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

DETROIT, MICHIGAN 48231-1027

IN REPLY REFER TO

04 April 2007

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

RE: Little Calumet River Flood Control Project – Stage VIII - Notice to Acquire

Dear Mr. Gardner:

As you are aware, the Stage VIII project real estate plans have been reviewed and are approved for acquisition purposes.

Please accept this letter as formal Notice to Acquire to proceed with acquisition of required real estate interests for parcels identified in the Stage VIII reach.

Please contact us to discuss any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor L. Kotwicki", is written over the typed name.

Victor L. Kotwicki
Chief, Real Estate
Detroit District
477 Michigan Ave. 7th Floor
Detroit, Michigan 48226
Phone: 313.226.3480

cc: Imad Samara, PM
LRC

LEGISLATORS MANDATE 1% COUNTY TAX



Indiana study approved
from I-57 to I-65 **A7**



\$26B budget includes
cig tax hike, health plan

BY PATRICK GUINANE
pguinane@nwtimes.com
317.637.9078

INDIANAPOLIS — A last-minute addition to property tax legislation approved late Sunday will force Lake County to impose a 1 percent income tax next year and dedicate all of the resulting proceeds to tax relief for homeowners.

The provision, which only applies to Lake County, was added as lawmakers worked to meet an 11 p.m. deadline to approve a two-year state budget that provides more than \$500 million in tax relief to homeowners this year and next.

"We're just trying to send a message that we need property tax relief," said Rep. Bob Kuzman, D-Crown Point. "Everybody keeps saying it, and we just put \$550 mil-

lion into it, and we need to see what the locals can do to help out, and this is a way to help out."

If Lake County doesn't approve the 1 percent income tax, which would raise about \$76 million, county property tax levies would be frozen, forcing cities, schools and other taxing units to survive without a penny in new spending.

Sen. Luke Kenley, R-Noblesville, said negotiators from both parties agreed it was time to give Lake County a final shove to join Porter and 89 other counties that have some form of income tax.

Lawmakers approved legislation that requires almost everyone to wear seat belts in Indiana. **A2**

See **LEGISLATURE, A7**

Times,
April 30, 2007



2007 INDIANA GENERAL ASSEMBLY

Details from the final day of the session:

Legislature

\$26 billion, 2-year state budget: House Bill 1001

Schools

- Average base funding boost of 3.6 percent a year. Gary still loses \$11 million; it's one of nine districts to see cuts.
- \$92 million over two years for full-day kindergarten grants to districts that choose to offer the program.
- \$41 million a year for student remediation and testing - a \$10 million annual boost.
- \$39 million a year to cover the full cost of free textbooks to low-income students. The state had paid 60 percent.
- \$6.9 million a year (up from \$700,000) for a program serving students with limited English proficiency.

Other

- \$150,000 a year to the Northwest Indiana Law Enforcement Academy, which doesn't come at expense of Lake County tourism.
- Governor must get State Budget Committee approval for contracts exceeding four years or \$10 million.
- \$100,000 to study efficiency and effectiveness of charter schools.
- Universities must get approval from lawmakers for tuition hikes that exceed recommended amounts.

Projects

- \$2 million for Little Calumet River levee work.
- \$2 million to dredge Cedar Lake.
- \$2.4 million in bonding authority for architectural and engineering work on the new Gyte Building at Purdue University Calumet.
- \$8 million in bonding authority for a parking garage at Purdue University North Central.
- \$1 million in bonding authority for architectural and engineering for a student services and recreation center at Purdue North Central.

Continued from A1

"We're gonna try to push them to get them in the right position. I think they know that," Kenley said. "There will be political fallout. When you change your tax system, some people are going to be mad."

The income tax requirement is tied to legislation that spends \$550 million in tax relief the state will raise by permitting thousands of slot machines at downstate horse tracks.

Several changes to Indiana's property tax system came to a head this year, prompting dire predictions of a 24 percent spike in tax bills homeowners will receive this summer and fall. Property owners will have to pay the exorbitant tabs in full, but the state will spend \$300 million to send homeowners partial refund checks around the first of the year.

Counties will be required to mail notices giving legislators credit for the tax breaks, which lawmakers say should drop the average increase in homeowner tax bills to no more than 8 percent.

House Minority Leader Brian Bosma, R-Indianapolis, called the rebates a "hare-

brained idea" that "helps politicians and not the taxpayers." But, most of all, House Republicans complained it wasn't enough, demanding Democrats cut pet initiatives like full funding of free textbooks to poor children to squeeze out another \$100 million in tax relief.

The demand was ignored. And Democrats who control the House spent the day persuading several recalcitrant colleagues to provide the 51 votes that were needed to pass the \$26 billion state budget out of the chamber on a party-line vote. Crafted in unison with Senate Republican leadership, the two-year spending plan stays within anticipated revenue growth while providing 3.6 percent average annual funding increases to schools.

Beset by falling enrollment, Gary Community School Corp. is one of only nine Indiana school districts that will see a drop in state support, losing \$11 million in tuition dollars by 2009. Rep. Vernon Smith, D-Gary, reluctantly provided the final vote needed to pass the budget.

"I voted for the bill because it's the best I could get," Smith said, fighting

tears. "But what we did to Gary Community School Corp. is wrong."

The budget this year became inexorably linked to the property tax plan, which spends another \$250 million in slots money in 2008 to ensure homeowners don't face more sticker shock in an election year.

Lawmakers abandoned efforts to shift school and child welfare costs to the state, but they stuck with provisions allowing local officials to freeze property taxes and move future spending growth to county-level income taxes. The legislation, House Bill 1478, also relaxes the circuit breaker for landlords and businesses, a move expected to dramatically reduce the budget shortfalls Lake County cities, schools and other governmental units were expected to face when the tax cap takes full effect in 2010.

On the final day of the session, lawmakers also approved a 44-cent cigarette tax hike to help fund health care for up to 374,000 Hoosiers. The plan was a top priority for Republican Gov. Mitch Daniels, and it raises the tax to 99.5 cents per pack.

Property tax relief:

House Bill 1478

- Forces Lake County to adopt a 1 percent income tax or lose the ability to increase property tax levies above .07 levels.
- Homeowners get "rebates" around first of year to reduce average tax hike from 24 percent to 10 percent. Costs state \$300 million.
- Homeowners get another \$250 million in direct homestead credits in 2008.
- Circuit breaker stays at 2 percent for homeowners statewide. Caps tax bills at \$2,000 on a home assessed at \$100,000.
- Circuit breaker increased to 3 percent for landlords and businesses. Takes effect on payable 2010 bills.
- Homestead deduction stays at \$45,000 this year and next year. Drops \$1,000 per year to settle at \$40,000 in 2013.
- Property value caps on senior and disabled veteran deductions increased 26 percent to offset trending.
- Taxpayers given 45 days (this year only) to appeal property assessments.
- Counties allowed to freeze property taxes and shift new spending to income tax equal to what they'd receive in levy growth.
- Counties can pass new income tax of up to 1 percent if all proceeds are dedicated to property tax relief.
- Counties that pass income tax for property tax relief can impose an additional 0.25 percent income tax for public safety spending.
- County control boards created to decide fate of construction projects exceeding \$7 million.
- Circuit breaker appeal boards created for "distressed" counties where local units face heavy losses under cap.
- School operating (general) funds exempted from countywide budget shortfall created by circuit breaker.

	<i>FY 2007-2008 Appropriation</i>	<i>FY 2008-2009 Appropriation</i>	<i>Biennial Appropriation</i>
1	STATE PARKS AND RESERVOIR MANAGEMENT		
2	Preventive Maintenance		2,900,000
3	Repair and Rehabilitation		7,110,000
4	Nature Education Center		2,500,000
5	Water and Wastewater		3,000,000
6	Inn Rehabilitation		3,500,000
7	Campground Rehabilitation		3,890,000
8	Marina Rehabilitation		3,000,000
9	Pool Rehabilitation		6,000,000
10	Lincoln State Park Amphitheater Maintenance		810,000
11	Cigarette Tax Fund (IC 6-7-1-29.1)		
12	Preventive Maintenance		3,600,000
13	DIVISION OF WATER		
14	Preventive Maintenance		250,000
15	Repair and Rehabilitation		8,925,000
16	Dredging Cedar Lake - Lake County		2,000,000
17	ENFORCEMENT		
18	Preventive Maintenance		250,000
19	STATE MUSEUM		
20	Preventive Maintenance		650,000
21	Repair and Rehabilitation		300,000
22	OIL AND GAS		
23	Repair and Rehabilitation		400,000
24	ENTOMOLOGY		
25	Invasive Species		1,000,000
26	Hydrilla Eradication		500,000
27	WHITE RIVER STATE PARK		
28	Preventive Maintenance		500,000
29	Repair and Rehabilitation		480,000
30	WAR MEMORIALS COMMISSION		
31	Preventive Maintenance		1,512,094
32	Civil War Battle Flags		238,500
33	Repair and Rehabilitation		815,300
34	INDIANA STATE FAIR		
35	Ice Skating Academy		4,000,000
36	LITTLE CALUMET RIVER BASIN COMMISSION		
37	Repair and Rehabilitation		2,000,000
38			
39	D. TRANSPORTATION		
40			
41	AIRPORT DEVELOPMENT		
42	Airport Development		3,650,000
43			
44	Of the foregoing allocation for the Indiana department of transportation, two million		
45	four hundred thousand dollars (\$2,400,000) are for airport development and shall		
46	be used for the purpose of assisting local airport authorities and local units of		
47	government in matching available federal funds under the airport improvement program		
48	and for matching federal grants for airport planning and for the other airport studies.		
49	Matching grants of aid shall be made in accordance with the approved annual capital		

Bridge proposal for Highland in troubled water?

Officials would prefer
walkway on Kennedy

BY CHARLES F. HABER
Times Correspondent

HIGHLAND | Highland and the federal government are a bridge apart on a proposal for pedestrian traffic between Hammond and the town.

The U.S. Army Corps of Engineers, which is building the Little Calumet River levee on both sides of the river, has proposed building two steel trestle pedestrian bridges over the river from Hammond into Highland. The bridges would stretch between the levees on both sides of the river.

"I'm concerned with what is being proposed by the corps," Redevelopment Director Cecile Petro said Wednesday.

One bridge would go west of Kennedy Avenue, and the other would be positioned east of Kennedy. But neither would be convenient for walking from one side to the other, the Redevelopment Commission said.

Petro said the town prefers that a pedestrian bridge be attached to both sides of the existing vehicle bridge on Kennedy.

"I want it to be a bridge for people to stop and enjoy the water," she said.

Such a bridge could become a destination point and help redevelopment in Highland and Hammond, Petro said.

Town Manager Richard Underkoffler said the commission and its counterpart in Hammond might talk with the Army Corps and see if that would be possible. Both communities might have to provide funding if the bridge exceeds the federal government's budget for this project, he said.

Underkoffler also said the vehicle bridge is a county bridge, so the two communities might have to maintain the pedestrian portions and assume liability.

The Hammond and Highland redevelopment commissions are slated to have a joint meeting in Highland on Thursday and the bridge will be on the agenda, Petro said.

BY CHARLES F. HABER
Times Correspondent

Times, April 21, 2007

HIGHLAND | Hammond and Highland officials huddled Thursday to discuss the future of both sides of the border along the Little Calumet River.

They expect significant development to occur where the River Park Apartments once stood.

On Highland's side, redevelopment could take place in conjunction with a future Hammond project. The 23-acre Public Works garage and Sharp Athletic Complex would be relocated if a developer wanted to build there.

Key to the development is access, they said,

What is missing is a way to walk back and forth, said Highland Redevelopment Commission President Adam Gawlikowski.

Two pedestrian bridges the U.S. Army Corps of Engineers plans to build as part of its levee project along the river may provide that link.

Levee Project Manager Imad Samara said one might span the river west of Kennedy near the Norfolk & Southern Railroad tracks to connect Highland's bike trail with a Hammond trail.

The other would go east of Kennedy, but not very close to the vehicle bridge.

But Samara said he would consider moving it as close to the vehicle bridge as possible.

He also said more input from the commissions is needed by April 25 because the project, including the next phase of the levee, will soon go out for bids. So representatives from both commissions will meet with Samara next week to discuss the bridge.

Based on what happens during this discussion, both commissions may hold another joint meeting in the next couple of weeks.

Highland Town Council Vice President Joseph Wszolek, R-4th, also suggested a developer wishing to build on both sides of the river might want to build a more aesthetic pedestrian bridge to eventually replace the steel trestle Army Corps bridges.

The 2007 levee project will start around September and go from Kennedy to Northcote Avenue in Munster.

Towns may get wish for walkway

BY CHARLES F. HABER
Times Correspondent

HIGHLAND | The U.S. Army Corps of Engineers is trying to accommodate a joint Highland-Hammond wish for a nicer pedestrian bridge over the Little Calumet River, town officials said.

The Army Corps will build the bridge later this year as part of its river levee project. The redevelopment commissions from Hammond and

Highland met last week to discuss various issues, including the bridge.

Earlier that evening, staff members from both commissions met with Army Corps Project Manager Imad Samara about the bridge.

Instead of the plain steel trestle design originally planned, Highland Redevelopment Director Cecile Petro said Samara will see if a more aesthetic design can fit within the federal government's

budget for the project.

"I think at least we have a start" toward getting pedestrian traffic between the two communities, Petro said. Presently, the main bridge on Kennedy Avenue connecting the two communities is for vehicles only.

If Samara's designers can pull it off, the design could be similar to a pedestrian bridge in Naperville, which features paver block walkways, metal railings and stone planters.

Projects could benefit PUC kids

Dorm residents will be able to walk to businesses on Kennedy Ave.

BY CHARLES F. HABER
Times Correspondent

HIGHLAND | Students from Purdue University Calumet stand to benefit from the redevelopment on the north and south sides of the Little Calumet River along

Kennedy Avenue.

Redevelopment commissioners from Highland and Hammond met last week to discuss the future of the area.

On Hammond's south side sits the area where the River Park Apartments once stood. On Highland's

side stand the Public Works garage and Sharp Athletic Complex.

Students living in Purdue Calumet's dormitory at the south end of campus on 173rd Street are within walking distance of the bridge, said Roy Evans, head of construction and engineering tech-

nologies at Purdue Calumet. Whatever businesses come in, college students likely will be their customers, he said.

There are 364 students living in the dorm, Evans said, and future plans to build a second dorm would increase that number to about 780 students.

They will need various services, restaurants, bookstores and other things, Evans said.

Evans also said a study recommends a series of four-story buildings along 173rd to Kennedy. The buildings would have retail on the ground floor and three stories of living space above. This could add even more patrons for businesses on Kennedy Avenue, he said.

The two commissions invited Purdue Calumet and the Little Calumet River Basin Commission to attend their future joint meetings.

"We would certainly be available to attend and bring advice," said Dan Gardner, executive director of the Little Calumet River Basin Development Commission.

27

Times, April 30, 2007

10/10/18
Jenny
Replacement
Leave
M. J. J.

Sandy Mordus

From: "Dan Gardner" <dgardner@nirpc.org>
To: "Sandy Mordus" <smordus@nirpc.org>
Sent: Wednesday, May 09, 2007 3:42 PM
Subject: Fw: Little Cal Project Agreement and Easement

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

From: Sawyer, Mark
To: Mark A. Goodrich ; Snoeberger, Sarah N.
Cc: Noe, Randy, S. ; dgardner@nirpc.org ; Judy Vamos ; jpokrajac@nirpc.org
Sent: Wednesday, May 09, 2007 2:38 PM
Subject: RE: Little Cal Project Agreement and Easement

If we are referencing the project agreement that was used for Burr street (attached) as a "template" for the new Little Calumet Levee Crossing Project than text changes are needed for the following sections:

Eminent domain proceeding file # in section 8-2 needs to be corrected.

New Exhibit 2 – NS estimate will needed to be added (by me upon final engineering plans receipt)

Exhibit 5 – will the local cooperation agreement still need to be referenced?

It appears the only railroad track location description to the burr street project agreement appears to be only in the exhibit 5 (NS estimate.) and easement agreement exhibit.

The new agreement should reference in the whereas text that there are two levee crossings proposed over NS Track at Hammond / Highland, Lake County, Indiana; Milepost LK-6.25 to 6.35 Kankakee Line (IHB-Schneider)

The easement agreement will need property description revised for new location as well

Who is doing the text changes?

Mark

From: Mark A. Goodrich [mailto:mgoodrich@cwblawfirm.com]
Sent: Tuesday, April 24, 2007 3:03 PM
To: 'Snoeberger, Sarah N.'
Cc: Noe, Randy, S.; Sawyer, Mark; dgardner@nirpc.org; 'Judy Vamos'; jpokrajac@nirpc.org
Subject: Little Cal Project Agreement and Easement

Please find attached the final versions of the Project Agreement and Easement from the Burr Street property. I have also faxed an executed version of the documents for reference.

Mark A. Goodrich
CASALE, WOODWARD & BULS, LLP
9223 Broadway, Suite A
Merrillville, IN 46410
(219) 736-9990 ext. 223
e-mail: mgoodrich@cwblawfirm.com

THIS MESSAGE ORIGINATES FROM THE LAW FIRM OF CASALE, WOODWARD & BULS, LLP. IT CONTAINS INFORMATION THAT MAY BE CONFIDENTIAL OR PRIVILEGED AND IS INTENDED ONLY FOR THE

5/9/2007

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

30 minutes
40 packets
25 committee

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VACANCY		
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STANDING COMMITTEES - 2007

LAND ACQUISITION/MGMT

Bob Marszalek (Chair)
Bill Biller
Arlene Colvin

LEGISLATIVE

George Carlson (Chair)
Bill Biller
Bob Marszalek

ENVIRONMENTAL

Mark Reshkin (Chair)
Bob Huffman
Bob Marszalek

FINANCE

Kent Gurley (Chair)
Bill Biller
George Carlson
Arlene Colvin
John Mroczkowski
Charlie Ray

RECREATION

Bob Huffman (Chair)
Kent Gurley
John Mroczkowski

O&M

Bob Huffman (Chair)
Arlene Colvin
Steve Davis
Bob Marszalek
Charlie Ray

POLICY

Bob Marszalek (Chair)
Steve Davis
John Mroczkowski
Mark Reshkin

PROJECT ENGINEERING

Bob Huffman (Chair)
Bill Biller
Charlie Ray

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24-0530
idy la mos
N. Prairie
46385-7343
947-531-7343
Tamarack
947-2112
Judy Vice
689-8416

Passcodes
Jep-3335
Judy-19326
11/427

May 9, 2007

SU-2 monies for critical path

\$436,950.

(+ \$37,965.72 difference)
our advantage

\$700,000 C.D. note that was
put in Chase account to
be used for SU11 & SU111

\$131,285

On M monies

\$61,347

Burn St interest monies

\$20,220

Miscellaneous interest monies:

\$30,558

Administrative Checking account:

\$23,508.68 (end of march)



mike smith

commentary

Legislative session ends in hugs, not slugs

It was a session that began with all the potential of ending in gridlock.

Democrats had regained the majority in the House, setting up a showdown with Republican Gov. Mitch Daniels — a man whose actions and blunt statements had often irked and even outraged House Democrats and Rep. Patrick Bauer when they were in the minority the two previous years.

Democrats, with Bauer wielding the gavel as speaker, would have to get along with Republicans who still had a commanding majority in the Senate and their first new leader in years — Sen. David Long of Fort Wayne.

And Democrats could not take things for granted in the House, since they had a slim 51-49 majority. They initially failed to pass a major property tax restructuring package because two Democrats bucked their caucus and joined all Republicans in opposing the plan.

Despite all that, at least when it came to House Democrats, Senate Republicans and Daniels, the session ended with hugs, not slugs.

Members of the majority parties in each house were able to compromise on a two-year budget and other, weighty proposals such as property tax relief and restructuring, authorizing slot machines at two horse tracks and raising the cigarette tax to provide more Hoosiers with health insurance.

All passed on the final night of the session. It almost came crashing down, since it seemed certain that all 49 Republicans would vote against the budget and a few Democrats were thinking of joining them.

But Bauer had private talks with his party fence-sitters, and in the end, all 51 Democrats stuck together to pass the budget by the narrowest margin possible — 51-49. The vote avoided a special session and cleared the way for the other top proposals to pass.

Senate Republicans praised Bauer and the governor. Bauer praised Senate Republicans and credited Daniels for his strategy of laying low publicly. And Daniels praised all lawmakers, but primarily Bauer and Senate Republican leaders.

"This year I heard a lot of people say all we really have to do is the budget, and with a divided General Assembly, we'd be lucky to get that done," Daniels said. "Well, I think members of both parties proved that incorrect."

Daniels took a different approach this session than in the previous two, when Republicans controlled both chambers. It seemed to work.

During the 2005 and 2006 sessions, he sometimes ventured into the House and Senate to talk with lawmakers. He met with the Statehouse press corps almost every week and on several occasions took verbal jabs at Bauer and Democrats.

This year, he stopped holding media availabilities early on. He talked to lawmakers privately.

Daniels took a quiet and private route. It's only about results, he said.

"I've listened to members of the Legislature about what will help to get a successful outcome," he said. "I was more than happy to let them occupy center stage, and they performed very well on it."

Mike Smith has covered politics and Indiana state government for The Associated Press since 1993. The opinion expressed in Smith's column is his and not necessarily that of The Times. Readers can write him in care of The Times.

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION ATTENDANCE ROSTER

NAME OF MEETING: LCRBDC DATE: MAY 9, 2007

LOCATION: 6100 Southport Rd, Portage CHAIRMAN: Bill Biller

PLEASE SIGN IN

	NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER
1	Traci Powell	IDNR
2	Imad Samana	ACOE
3	Elizabeth Johnson	Congressman's office
4	Bill Petrides	
5		
6		
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WORK STUDY SESSION

9 May 2007

LAND ACQUISITION COMMITTEE

Robert Marszalek, Chairman

1.) There are no increased offers or condemnations.

2.) Information. Update on Stage V-2 acquisition before 30 June 2007:

NIPSCo: Modifications suggested by NIPSCo are being finalized at the Corps.

NS Railroad: Conference call on 5/15/07 to discuss and agree on final engineering and real estate agreements.

DC 1172 (private): Landowner attorney satisfied with offer and negotiations. He will present his recommendations to the landowner.

DC 1175 (private): Court-appointed appraisers currently appraising property.

Cabela's: LCRBDC attorney preparing Uniform Land Offer to send to Cabela's for signatures.

Visitors Center: Landowner attorney reviewing easement agreements. Visitor's Board has already approved property transfer. Need Executive Director's signature.

3.) It has been discussed that additional real estate (acquisitions) may be needed by the Corps for the Kennedy Avenue Bridge in Stage V-2 which has a deadline of 30 June 07. It will be impossible to acquire this real estate before the Stage V-2 deadline. Attached to this report is the schedule showing the procedure and time limits involved to acquire each parcel. Are these recreation easements that could be acquired after the flood project easements are completed? Discussion.

4.) Following is the breakdown of the amount needed from Munster to fund the Uniform Land Offers to landowners in Stage VII:

34 Uniform Land Offers total to Munster landowners = \$261,983

Corps approved contingency of 15% (increased offers/condemnation) = \$39,297

TOTAL to be requested from Munster = \$301,280

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

LAND ACQUISITION PROCEDURE/TIMETABLE

(CFR Chapter 24, Uniform Relocation Assistance and Real Property Acquisition Policies Act for Federal and Federally Assisted Programs)

The following acquisition schedule explains a general procedure and the amount of time needed for each LCRBDC acquisition. Times may shorten or lengthen depending on the workload of appraisers, surveyors, appraisal reviewers, or the courts. Each parcel of land goes through the same procedure. Land Acquisition handles many parcels at one time.

LCRBDC reviews Corps 50% real estate and engineering drawings. (30 days)

LCRBDC sends drawings back to the Corps for revisions, if needed. (30 days)

Corps sends final mapping. Once final mapping is received:

- LCRBDC assigns surveyor, surveyor completes survey. (4 to 6 weeks)
- LCRBDC orders/receives title work. (30 days, however, survey/title work are concurrent)
- LCRBDC assigns appraisal. (1 week, visual inspection, job estimate, packet assembly)
- Appraiser completes appraisal. (4 to 5 weeks, complex appraisals take longer)
- LCRBDC reviewer reviews appraisals for compliance - appraiser revises - reviewer reviews again to approve appraisal. (3 weeks)
- LCRBDC assembles then sends all info on property to attorney. (1 day)
- Attorney prepares and certified mails Uniform Land Offer to landowner. (1 week)
- LCRBDC negotiates with landowner who has 30 days to accept/reject offer. (4 weeks)

If offer rejected attorney prepares and files condemnation documents. (1 week)

- Attorney publishes a 30 day condemnation notice twice. (60 days)
- First court hearing, court appoints 3 appraisers to do another appraisal. (4 weeks)
- Second court hearing, appraisers submit appraisal, judge awards value, LCRBDC pays court award into court. Court issues deeds/easement agreements. (1 month)
- Attorney processes and records deeds/easement agreements. (1 week)
- LCRBDC orders final title, closes, and credits acquisition. (2 weeks)

If offer accepted, owner returns signed Uniform Land Offer to attorney. (1 week)

- Attorney prepares second packet of documents (easements, just compensation statement, W-9, purchase order, etc.) then mails to landowner. (1 week)
- Attorney waits for response. LCRBDC may call landowner, if necessary. (2 weeks)
- When returned, attorney mails deeds/easement agreements to LCRBDC. (1 week)
- LCRBDC processes and records deeds/easements agreements. (1 week)
- Lake County Recorder takes 5 weeks to return recordings. (5 weeks)
- LCRBDC orders final title, closes, and credits acquisition. (2 weeks)

*If relocations are involved the same procedure applies. Additionally, LCRBDC prepares relocation eligibility report (3 weeks), and supports the Displaced Landowner through the entire relocation procedure. Relocation regulations allow Displacees another 90 days to make moving arrangements and vacate the property.

S

WORK STUDY SESSION

MAY 9, 2007

5:30 – 6:00 p.m.

ACTION ITEMS:

Finance

Approval of claims for May 2007

Approval of O&M claims for May 2007

Land Acquisition

Any Condemnations or increased offers?

Engineering

Action required for acceptance of Corps proposal to do engineering for Griffith levee

\$32,000

P. 16 v 17

ITEMS OF IMPORTANCE/POLICY:

- Project Funding Status – State Budget results
- ~~Executive~~ Session to develop strategy for additional funding

W. S.

Q for R.
NOA 6 CDE
d6 1 \$32,000

LAND ACQUISITION REPORT

For meeting on Wednesday, May 9, 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 March 29 – May 3, 2007)

EAST REACH – REMAINING ACQUISITIONS

1. In compliance with the Congressman's request to complete the project by December, 2009, we are reviewing remaining East Reach acquisitions for acquisition either on tax sale or from landowner. (Ongoing)
2. The offer on DC813 (WLTH Radio) has been rejected and we are preparing condemnation filings.
 - **The condemnation will be filed May 8. Owner is contending that increased water from our project forces him to lose air time. He has requested that we relocate his tower.**

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

1. Construction on the SALEM Corporation (formerly the WIND Radio station property) has been completed using a right-to-construct. We need an easement on the WIND property for maintenance purposes.
 - The appraisal has been approved for \$29,200 just compensation to the landowner. The offer will be made to the landowner when LCRBDC funding is secured. **(Ongoing)**

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

1. All 30 offers have been made to landowners since 1/4/06. We have 24 closed, 6 open .
 - **We are waiting for NSRR, NIPSCO, INDOT to approve the engineering plans so their real estate will sign the easements. We are waiting for the Visitors Center attorney to approve the easement language. Two private landowners (commercial lots) are still considering the offers.**
 - Current schedule indicates LCRBDC needs to get all real estate by the end of June, 2007 in order to advertise the project no later than July 2007.
 - Plans for the sheet piling in the utility corridor were received by LCRBDC on January 26, 2007 & forwarded to NIPSCO for review & comment on January 29, 2007. Comments due to COE by March 1, 2007 (Refer to Engineering Report for details).
2. We are in communication with Cabela's and they have verbally agreed to donate the easements and are more interested in the construction than the appraisal amount. **(Ongoing)**
 - **The appraisal completed on 9/28/06 was rejected by the Corps. A new appraisal has been ordered and will be completed mid-June.**
 - **Cabela's has been sent the new engineering acceptable to them and the Corps.**
 - In a meeting with Cabela's on January 22, 2007, the LCRBDC will modify our drawings and legal descriptions of the easements on their property based upon their design modifications for site layout.
 - COE Real Estate is disagreeing with the land value (appraisal) set by the appraiser. This is important for crediting. Appraisal sets value at \$3.3 million. Detroit COE believe it should

be \$1 million. Discussion continues. There are some questions from the Detroit Corps about land value and Detroit Real Estate is insisting we obtain another appraisal based on the date Woodmar transferred the property to Cabela's; not as Cabela's is appraised now.

3. Norfolk Southern Railroad has received the offer and has **received the new innovative design for the at-grade crossing. Several conference calls have been held to discuss the engineering and easement language and exhibits. Another "last minute" conference call will be held on May 15, 2007 to finish the details.** They must have approval from their engineering department to sign the agreements. The Corps contracted Bergman Associates in September, 2006 to work with the railroad engineers in the hope of eliminating the problems recently experienced on the Burr Street railroad acquisitions.
 - **Our condemnation suit against NSRR is continuing to a hearing on 6/4/07. It is hoped that our May 15th call will be productive and eliminate the need for a court battle.**
 - The city of Hammond has turned the Southeast Gardens property adjacent to Cabela's (DC-1185) over to INDOT.
 - A meeting was held with Hammond, INDOT, the COE, and Cabela's on January 22, 2007 to review the coordination for ingress/egress to their facility.
 - LCRBDC and the COE have received current layout drawings on U.S.41 R/W and the LCRBDC needs permanent access to Cabela's on Block 90. LCRBDC waiting for COE to provide us coordinates to do legals in order to begin acquisition process with INDOT (as of January 31, 2007). (Ongoing)
 - **Court has appointed appraisers to be sworn in on May 8th to complete appraisals in 30 days on one Interstate Plaza parcel. Property is DC1175 south of old K-Mart and east of Indianapolis Blvd.**
5. NIPSCO easements
 - Pipeline corridor drawings showing sheet piling and alignment were received from the COE on January 26, 2007. LCRBDC sent to NIPSCO (and all other pipelines) on January 29, 2007, with comments due by March 1, 2007.
 - Conference call held with NIPSCO on January 29, 2007 to discuss coordination. NIPSCO will not proceed until all information is received, including details of access. Drawings sent only showed relation of sheet piling to their pipes. (The Corps anticipates this design review set will be available in mid-March, 2007)
 - A meeting is scheduled for early April to discuss final issues with engineering. NIPSCO Real Estate has indicated they will sign once the engineering is approved.
6. **An email was sent to the Corps on April 28 indicating LCRBDC has had GLE provide coordinates for both INDOT easements, and to incorporate those into their V-2 final design set (See Item #1), to keep existing work limits on DC-1172 (See Item #2), minimize or eliminate the need for additional real estate west of Kennedy Avenue (See Item #3), and that the appraisal for DC-1174 in back of K-Mart is ongoing and we hope to have this roadway easement available soon to include as part of final set of drawings.**

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

1. Construction is continuing on this segment.

STATUS (Stage VI-Phase 1 North) – Cline to Kennedy – North of the river:
Land Acquisition deadline April 30, 2005

1. Construction is continuing on this segment.

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

Land Acquisition deadline April 15, 2005

1. Construction is continuing on this segment.

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. Stage VII has 14 acquisitions on the Hammond (north) and the appraisals are completed and approved. Offers to private landowners have been sent. Hammond easements will be taken to City for appropriate signing (City, Park Board, and Redevelopment Commission) **(Ongoing)**
 - On the Hammond side, we are negotiating with the private landowners and assembling the offers to Hammond to present to them.
 - **On the Munster side, we have received all the approved appraisals and are forwarding them to our attorney's office. Paperwork on the offers will be prepared but not sent until we get a positive answer from Munster that they will help with the offers.**

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

1. The preliminary real estate drawings were submitted by the Corps for review on January 30, 2007. We have identified 90 parcels (+) as acquisitions.
 - LCRBDC submitted comments for review & submitted to Buffalo on February 6, 2007.
 - Received responses back from Buffalo on February 22, 2007, as well as the hard copies to do final review. (Copies of comments & responses available upon request)
 - Distributed copies to Munster/Hammond on February 22, 2007.
 - Meetings held with Munster on February 28 and Hammond on March 1 to discuss and review general work limits.
 - Final comments sent to Buffalo no later than March 7, Buffalo to distribute final set of real estate no later than March 16.
 - Surveys starting legals and plats on February 28 on those properties where no questions or concerns appear on preliminary drawings.
 - Received responses to comments from Buffalo on March 22, 2007. Received final real estate drawings on March 20, 2007 and distributed to all (3) surveyors to begin legals.
 - **Received the Notice to Acquire from the Corps on April 4, 2007 indicating that they have reviewed the current real estate plans and that they are approved for acquisition. Property identification and title work is almost complete.**
2. Conference calls with the Chicago Corps, Buffalo Corps, and the LCRBDC are held every other Wednesday to discuss status & update of tasks.
3. Meetings were held on March 21, 2007 with seven (7) new appraisers/reviewers to develop a plan to complete this large stage.
 - **We have received four estimates from appraisers to either complete or review the 90+ appraisals. All are within a similar cost range. For the 90 appraisals, we will assign 20 or 25 appraisals each to possibly four appraisers. Our current appraisers will also be considered for review work.**
 - **Our time frame was to start appraisals mid-May and finish 60 days (mid-July), plans must be reworked in view of our budget crisis.**
4. A neighborhood meeting was held with Dan Gardner, Jim Pokrajac, and several residents west of Hohman Avenue on Forest Avenue.
 - Levee was constructed to Federal standards years ago, but it appears no easements exist for maintenance, flood fighting, or inspections.

2

- Received an email from the COE on December 15, 2006 indicating this section will not be part of Stage VIII contract. The LCRBDC will be responsible for any work on that levee.
- A meeting is to be scheduled with the COE to discuss coordination and responsibilities to this area.

STATUS (Betterment Levee – Phase 1 - Gary) Colfax to Burr Street:

Land Acquisition is completed.

1. Engineering, contract, or technical information may be referred to in the monthly Engineering Report.

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.

27th and Chase – Pump Station Remediation

1. We received a request to obtain real estate from the Army Corps on July 24, 2006. There are five new acquisitions that need to be surveyed, appraised, etc. (Two private landowners; one INDOT; one city of Gary; one Gary Sanitary District).
 - Discussions with the Corps that a right-to-construct may be sufficient rather than a recorded easement.

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

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

PUMP STATION REHABILITATION – CONTRACT 2

1. A letter was sent from the Corps to the Hammond Sanitary District requesting a field visit to gather information, and requesting real estate information to begin the easement process.
 - A letter of response was sent by the HSD to the COE on January 9, 2007; and the COE responded on January 24, 2007. Refer to Engineering Report – Pump Station Rehabilitation – Contract 2.

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

1. LCRBDC was directed by the COE to obtain a flowage easement on the entire property in a letter dated October 7, 2005.
2. The offer to the landowner was certified mail (as all offers are) on August 15, 2006. The landowner has 30 days to accept or reject.
 - We received a letter of rejection on 8/7/06. We are considering a meeting with the landowner to negotiate a settlement before condemnation is filed.
3. LCRBDC attorney sent letter to landowner's attorney on December 20, 2006 acknowledging rejection of Uniform Easement Offer and offering to have meeting and discuss one more time.
4. Letter also puts a ten-day limit on response from the landowner or condemnation will be filed.

5. Army Corps sent a letter and memorandum to the golf course property A/E regarding grading and compensatory storage calculations on March 2, 2007. **Landowner is waiting on Corps drawings which approve his suggestions on the modified real estate boundaries.**

+CREDITING:

1. LCRBDC had a conference call with John Weaver of INDOT on March 16, 2005 requesting incremental cost data at Cline Avenue that would substantiate crediting. Best estimate still is in the range of \$600,000 (Ongoing) A letter was sent to INDOT on August 29, 2006 requesting technical information and associated costs for the Broadway and Grant interchanges on I-80/94.
 - INDOT indicated they had the package put together with “as-built” drawings, quantities, and breakdowns and would forward this to the LCRBDC on February 26, 2007. **(Ongoing)**
2. Total credited properties is \$6,717,024 from the Detroit Corps. There is still **\$619,953** outstanding as of March 2007. (Ongoing)
3. **In an email dated April 25, 2007, the Detroit Corps questioned that donations from tax sales may not be creditable. We researched and found under Chapter 12-37-0 “any LERRD is creditable even if donated. It must have a land value either by appraisal or in-house waiver valuation”. Tax sale acquisitions are donations because we do not pay the Lake County Commissioners for the properties or pay back taxes.**

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Lavicka, Kelsey W CPT LRC" <Kelsey.W.Lavicka@lrc02.usace.army.mil>; "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; "Groboski, John A LRC" <John.A.Groboski@lrc02.usace.army.mil>
Cc: <glh@garcia-consulting.com>; <jvamos@nirpc.org>; "Kotwicki, Victor L LRE" <Victor.L.Kotwicki@lre02.usace.army.mil>
Sent: Saturday, April 28, 2007 12:07 PM
Subject: Fw: Garcia items of Note at Railroad and Indy Blvd

Gentlemen,

I forwarded a couple comments from Garcia (Gregg Heinzman) that should be addressed as part of the V-2 set of plans. These issues are as follows:

1. GLE is providing the Indot easements for both sides of Indianapolis Boulevard as coordinated with Indot and Lawson/Fisher, and the corps should assure that they re-work their work limits and real estate drawings accordingly.

2. The ongoing issue with the Conoco/Phillips pipelines needs to be confirmed, as well as the turnarounds for both lines of protection West of the NSRR. The South line seems to be finalized, but the North line may have some problems by moving it 65' to the North. As Gregg notes this will put it in a very wet area that may cause considerable additional cost. We discussed the possible use of Sheet piling as a retaining wall to assure that we will not need any additional real estate on DC-1172, and could stay within the existing real estate, which the LCRBDC has almost obtained. Confirm the center line of protection so we can get the 2 pipelines located for you with Atlas Daylightung.

3. Not shown is this e-mail, but for your information, GLE is providing you with modified data for review West of Kennedy Ave. and North of the river to allow thr recreational trail to tie in without needing additional real estate from either Wendys' or the Visitors Center.

4. DC-1174 Land in back of the old K-Mart is currently being appraised and hopefully be done in the near future so we can include that permanent roadway easement as part of the bid documents to simplify the haul routes.

Hope this can still be addressed,

Jim

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

From: Gregg Heinzman
To: Jim Pokrajac
Sent: Saturday, April 28, 2007 8:14 AM
Subject: Garcia items of Note at Railroad and Indy Blvd

Jim,

Here's my email from 4/17/07 about my concerns at the railroad crossing.
My only other concern is that the Corps use our INDOT easements at the Boulevard to rework their real estate drawings, since we are creating those easements on our own and not from Corps drawings.

Gregg L. Heinzman PE SE LS
Vice President



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

DETROIT, MICHIGAN 48231-1027

IN REPLY REFER TO

04 April 2007

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

RE: Little Calumet River Flood Control Project – Stage VIII – Notice to Acquire

Dear Mr. Gardner:

As you are aware, the Stage VIII project real estate plans have been reviewed and are approved for acquisition purposes.

Please accept this letter as formal Notice to Acquire to proceed with acquisition of required real estate interests for parcels identified in the Stage VIII reach.

Please contact us to discuss any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor L. Kotwicki", is written over the typed name.

Victor L. Kotwicki
Chief, Real Estate
Detroit District
477 Michigan Ave. 7th Floor
Detroit, Michigan 48226
Phone: 313.226.3480

cc: Imad Samara, PM
LRC

LAND MANAGEMENT REPORT

For meeting on Wednesday, May 9, 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 March 29 – May 3, 2007)

A. LAMAR OUTDOOR ADVERTISING

- We currently have 3 leases with LAMAR for billboards

B. VIEW OUTDOOR BILLBOARDS

- A letter was received from the COE on December 27, 2006 indicating the billboards **could be installed as long as they did not impact project flood control features, and that the proposed locations were in areas where they would not.**
- Received a memo from View Outdoor on January 29, 2007 with color, aerial copies of the sign locations. It appears only 2 of the 9 locations will be on the river side of the levee.
- Received a letter from the IDNR on February 8, 2007 indicating there will be “no discernable impact to the flood stage”. Also received a letter from the Corps dated February 20, 2007 expressing their concurrence that the signs should go forward.
- View Outdoor obtained construction permits; met on site on March 12 to verify exact locations of billboards construction
- **As of May 1, 2007 (3) of the proposed (9) billboards have been installed.**

C. 32 acre parcel of Excess Land (East of Clay Street, north of Burns Ditch)

- A letter was sent to LEL on December 27, 2006 requesting they sign a waiver to terminate their option on this land. If signed, the LCRBDC could then put together a bid package to qualified entities to develop this land as a wetland mitigation bank.
- Staff is in the process of developing an RFP for the 32 acres east of Clay.
- Attorney has drafted a proposed RFP; in process of finalizing

PROJECT ENGINEERING MONTHLY STATUS REPORT

For meeting on Wednesday, May 9, 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 March 29 – May 3, 2007)**

COMPLETED CONSTRUCTION

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

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

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

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

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

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

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

1. Project completed in September, 1998.
Rausch Construction – Contract price: \$3,288,102
2. Received “as-built” drawings from the Corps on 11/6/06.

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

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

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

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

STATUS (Stage III) Chase to Grant Street:

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

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

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

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

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

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

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

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

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

A letter will be sent to the COE requesting their participation for a design modification to prevent this sloughing from re-occurring. (The Corps suggested that this issue be addressed as part of the upcoming levee Inspection Reports in spring, 2007).

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

1. Project completed in November, 1998.
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):

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

STATUS (Stage V Phase 1) Wicker Park Manor:

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

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

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

The lift station at the Southwest corner of the existing levee that will handle interior drainage has been completed as part of the Stage III remediation project. (See Stage III remediation in

this report for details.) Pump station final inspection 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 August 22 and 23 of 2006. Both stations were found to be satisfactory as per COE plans and specs.

West Reach Pump Stations – Phase 1B:

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

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 February 28, 2006 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).
6. Received monthly construction status report from the COE.

STAGE III Drainage Remediation:

1. Project completed on June 23, 2005.
 - 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 will be 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%)
 - D. Received (4) modifications to contract on February 13 (dated Feb. 7), 2007
 - Modification #4 – Increased total contract amount by \$30,235.55 for adding access road to pump station. Contract amount currently \$1,288,070.57
 - Modification #6 – Increased total contract amount by \$8,252.34 for miscellaneous field changes. Contract amount currently \$1,310,053.17
 - Modification #10 – Decreased total contract amount by \$8,900.00 to omit geoweb & aggregate fill. Contract amount currently \$1,616,156.81

- Modification #11 – Decreased total contract amount by \$1,045.57 after final quantities calculations. Contract amount currently \$1,615,111.24

*Note: Copies of total modification reports available upon request.

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

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 - \$2,374,191
 - Amount overrun - \$72,673 (3.1%)
 - Percent completed – 90.6%
 - Current contract completion date – August 24, 2007
2. This portion of construction was advertised, partially paid for, and coordinated by the City of Gary. The Army Corps is overseeing the design and construction to assure compliance with Federal specifications.
3. A progress meeting was held with the city of Gary, Superior Construction, army corps, and the LCRBDC on April 12, 2007 to review status of contract, scheduling, and extras to the contract. 1-3
 - Change Order #1 for Ditch #5 riprap was reviewed and discussed
 - A cost summarization letter was comprised by Gary on April 6, 2007 4-5
 - All stoning for Ditch #5 has been completed; miscellaneous seeding was done; all gates and bollards were installed as of April 18.
4. Received monthly construction status report from COE.
5. Final inspection was held on May 1, 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.
 - The Army Corps provided a progression of the construction cost estimates, on 11/10/06, from April 2006 to the bid opening on August 31, 2006.
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. The GSD (on behalf of the city of Gary) sent a letter to the Corps on April 27, 2007 with concerns they feel should be resolved prior to construction. 6-8
- The Army Corps responded on May 2, 2007 clarifying and addressing their concerns. 9-10

STATUS (Stage V Phase 2) Kennedy Avenue to Northcote

The Army Corps is distributing the 90% review set of drawings (excluding NSRR) on April 3, 2007 and will do the distribution as per LCRBDC request on March 16. This segment is scheduled to advertise mid-July; award the contract mid-September; issue Notice to Proceed October 2007; with a tentative construction start date in early February 2008 (weather permitting).

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. 11-12
- LCRBDC coordinated a “plan-in-hand” meeting with the utilities and pipelines as part of the final review process on May 8. 13
- LCRBDC submitted a summarization of all the issues with each utility and/or pipeline, including agreements & cost estimates. 14-15

B. NIPSCO

- An engineering coordination meeting was held with NIPSCO, LCRBDC, and the Corps on April 20.

C. Conoco Phillips Pipe Line

1. An email was sent to the Corps on April 28 requesting the confirmation of re-locating the north levee 65' west of the NSRR (See Item #2) 16-19
 - This needs to be confirmed to contract out Atlas Daylighting to expose pipes to get vertical and horizontal data for the Corps.
 - As part of the Stage V-2 90% review set, the north and south levee center lines are finalized (this was April 25, 2007).

2. Norfolk Southern Railroad coordination

- The Army Corps has 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.
- NSRR (Mark Sawyer) responded on December 5 that the report submitted to them was “slanted toward the needs for levee operation and purpose not what is workable for the railroad”. He also suggested other options and what he was opposed to.
- The current schedule by Bergman indicates the 50% engineering due date is the end of March 2007; with 100% completion no later than mid-April 2007.
- Bergman sent a letter to the NSRR (Mark Sawyer) on December 19, 2006 indicating the preferred closure option was a slide gate.
- Received a memorandum for record from the Corps on March 12, 2007 indicating that the selection for the closure alternative will be the use of a sliding gate.
- LCRBDC sent comments on the review set by Bergmann on March 12, 2007

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.

- LCRBDC received an email from INDOT on September 21, 2006 indicating that their schedule is to let their contract in the fall of 2007.
- An email was sent to the INDOT consulting firm requesting updated information regarding their scheduling and status of design.

B. **GLE Surveying has coordinated with INDOT, Lawson-Fisher, and property owners to complete the legals for easements with INDOT on both sides of Indianapolis Blvd. (See Note #1)** 16

- Corps to incorporate in their plans

4. Cabelas' Development (West of 41, adjacent to Little Calumet River)

- **Modified Cabela's easements have been approved by the Corps and Cabela's; have been completed and forwarded to the LCRBDC attorney to proceed with easement agreements on April 23.**

5. **A clarification and informational meeting was held on April 23 with the Committee for the Preservation of Wicker Woods. A Memo for Record was distributed on May 1.** 20-22

6. **Kennedy Avenue bridge coordination with Hammond and Highland (Refer to Recreation Report)**

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

1. Low Bidder was Illinois Constructors Corporation (awarded September 30, 2004)

- Original Contract Amount - \$6,503,093.70
- Current Contract Amount - \$7,463,681.54
- Amount Overrun - \$960,587.80 (14.7%)
- Percent Completed - 90.2%
- Original Completion Date - December 4, 2006
- Current Completion Date - June 15, 2007

2. **Received monthly construction status report from the COE**

3. Received an email from the Corps on 11/20/06 indicating that the existing North Drive pump station will remain to supplement our new pump station.

- Pumps scheduled to be installed mid-March, tested, and be operational by the end of March 2007.

- **Final testing of pumps is scheduled all day May 7 and May 8**

4. Construction progress meeting held with I.C.C. & COE on March 13, 2007 (available copies upon request).

5. Received Modification #14 to contract on April 19 (dated February 1, 2007) requesting an increase in incremental funding in the amount of \$340,000. 23-24 25-27

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 - \$5,612,789
- Amount Overrun - \$45,918 (.8%)
- Percent Completed - 76.55%
- Bid is \$958,382 (or 14.7%) under the Federal estimate
- Original Complete Date - July 21, 2007
- Current Completion Date - October 6, 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

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 - **\$4,228,422**
 - Percent Completed – 89.81%
 - 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)
 - Low bid (awarded amount) - \$4,205,645 (approx. 26% under Corps estimate)
 - **Received Modification #2 to the contract from the Corps on April 19 (dated March 19, 2007) increasing the contract by \$22,778.25 for additional excavation to remove debris from the overflow wier.**
 - **Requested clarification from the Corps on April 28 for this additional cost.**
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**
4. Recreation trail ramp north and west of the NIPSCO substation on Liable is being raised, and the trail tie-in is being coordinated with the town of Highland (Refer to Monthly Recreation Report).

28-31
32

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.

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

1. Survey work has been completed and LCRBDC has divided work between DLZ, GLE, and Torrenga 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. A neighborhood meeting was held with Dan Gardner, Jim Pokrajac, and several residents west of Hohman Avenue on Forest Avenue.
 - Levee was constructed to Federal standards years ago, but it appears no easements exist for maintenance, flood fighting, or inspections.
 - Received an email from the COE on December 15, 2006 indicating this section will not be part of Stage VIII contract. The LCRBDC will be responsible for any work on that levee.
 - A meeting is to be scheduled with the COE to discuss coordination and responsibilities to this area. (Ongoing)

4. Landside drainage is currently being reviewed by the COE, Munster, and LCRBDC to determine if existing, abandoned storm sewer lines can be used. (A field meeting was held to review these potential locations with the COE, town of Munster, and the LCRBDC on January 12, 2007).
 - Munster is currently contracting Robinson Engineering to do condition testing of lines & LCRBDC will coordinate surveys. If COE concurs, this could save time & money on construction and real estate, as well as lessen construction impacts to residents.
5. Real estate drawings are being finalized and Buffalo Corps is scheduled to submit the final set on March 16, 2007 (Refer to Land Acq. Report for details).
 - **Received the Notice to Acquire from the Corps on April 4, 2007 indicating that they have reviewed the current real estate plans and that they are approved for acquisition purposes.**
6. Agreement for utility coordination with SEH signed on March 8, 2007 at a cost not to exceed \$7,500

33

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 – 96.14%
 - 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**
5. **Received Modification #21 to the contract on April 19 (dated March 30, 2007) increasing available funding by \$36,000 for a new total funded of \$1,405,940.96.**

34-36

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 Hohman/Munster.
3. **Received monthly construction status report from the COE**
4. HSD wants this contract completed before Pump Station Phase II can begin

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 was sent from the Corps to the Hammond Sanitary District requesting a field visit to gather information, and requesting real estate information to begin the easement process.
3. 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.

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.

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 memo from the Corps on April 30, 2007 for Corps participation to determine requirements for certification in the amount of \$32,000 for their services. 37-38

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.
 - Plan development starting February 12, 2007 and construction contract Notice to Proceed December 7, 2007.

GENERAL

- 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.

- B. A meeting was held on July 27, 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.
- 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.

**LITTLE CALUMET RIVER, INDIANA: BURR ST
W912P6-06-XX-0099**

**AGENDA
PROGRESS MEETING NO. 7
APRIL 12, 2007**

1. Participants:

USACE: Curtis Lee

Murl Nielsen

Doug Anderson

Imad Samara

Superior: Steve Fernandez

Rich Draschil

Grimmer: John Dudlicek

City of Gary: Geraldine Tousant

Sam Shapira

North-West engineering: Arnie Muzumdar

LCRBDC: Jim Pokrajac

Dan Gardner

Greeley and Hansen: Jay Niec

2. Progress:

Notice to Proceed: May 31, 2006

Original Contract Completion Date: 24 AUG 2007

Original Ditch 5 Completion Date: 27 NOV 2006

Original Contract Amount: \$2,301,518.00

Net Increase due to Change Order: \$72,673.00

Contract Price with all approved Change Orders: \$2,374,191.00

Current Required Completion Date: 24 AUG 2007

Current Ditch 5 Completion Date: 27 NOV 2006

Current Contract Amount: \$2,374,191.00

Earnings To Date: \$2,145,590.37 (Pay Request #5) thru 11/30 (94% complete)

Payments To Date: \$1,547,994.10 (Pay Request #4) thru 10/31

Pay Request #5 is being reviewed by the City of Gary for payment.

Total contract amount

Original Contract Amount: \$2,301,518.00

Net Increase due to Change Order No. 1: \$72,673.00

Net Increase due to Change Order No. 2: \$175,694.45

Total Amount = \$2,549,885.45

3. Work Since Last Meeting

- a. Levee work completed.
- b. Road raise at Calhoun completed
- c. Work on various ditches completed
- d. Sewer work complete

**AGENDA
PROGRESS MEETING NO. 5
APRIL 12, 2006**

(Continued)

4. Work Expected or Scheduled Within Next Two Weeks:

- a. Misc. seeding
- b. Re-shaping Ditch #4
- c. Swing Gates and Vehicle Barriers (Bollards)

5. Critical Work Activities in Project Schedule:

- a. All critical activities are complete.

6. Old Business:

Levee Material Overages	\$93,962.90
Riprap Overage @	\$56,545.20
Misc./ Asphalt overage @	\$18,144.35
Erosion Control/Rip Rap @ Ditch #5,	\$4,000.00
Additional debris on site @	<u>\$3,042.00</u>

TOTAL = \$175,694.45

7. New Business:

- a. Change Order #2 = \$175,694.45
- b. Completion of all work 16 April 2007
- c. Final Inspection 20 April 2007

7.1 Potential Conflicts Requiring Resolution:

 None

7.2 Potential Items of Public Interest:

None

7.3 Other Concerns/Actions/Discussions:

None

AGENDA
PROGRESS MEETING NO. 5
APRIL 12, 2006

(Continued)

8. Submittal Status:

Outstanding Submittals:

- None.

Key Submittals in Review:

The Calumet Area Office is currently reviewing the following submittals:

- As-Built Drawings

Upcoming Submittals:

None

9. Field Changes/Modifications:

None

NOTE: Any comments or questions concerning this document should be directed to Murl Nielsen or Curtis Lee 219-923-1763/4 or curtis.a.lee@usace.army.mil.

April 6, 2007

City of Gary
401 Broadway
Gary, Indiana 46402

Attention: Ms. Geraldine Tousant,
Deputy Mayor

RE: Burr Street Betterment Levy
Proposed Change Order No. 2 - \$174,182.45
For Changes proposed by USCOE - E/M 4-3-07

Dear Ms. Tousant:

We have been advised by Mr. Curtis Lee, USCOE that there has been considerable discussions regarding this project between your office, Dan Gardner of NIRPC, COE and Luci Horton of the Gary Storm Water Management District.

Enclosed is a copy of the E-Mail dated April 3, 2007 listing the following additional costs and their reason:

< Ditch No. 5 - Sta. 16+50 South Embankment, Erosion Control at Natural Spillway. All the water to the ditch comes from a large area and enters the ditch through an unprotected spillway, thus washing out the embankment. COE recommends the installation of geo-textile and stone in the spillway - Cost:	\$ 4,000.00
< Ditch No. 5 at Burr Street And Calhoun Street. The drainage pipe at both locations did not have adequate quantities for the installation of geo-textile and riprap to prevent soil erosion. - Cost:	\$ 56,545.20.
< Additional Levee fill and excavation quantities - Were insufficient based on available design topography and actual topograph at site. Cost:	\$ 93,962.90.
< Calhoun Street crossing and ramps - Crossings and ramps were shown at lower elevation than required for the crossings and ramps at Calhoun Street - Cost:	\$ 18,144.35.
< Removal of excess debris accumulation than shown in plans. Cost:	\$ 1,530.00
Total Additional Cost:	\$174,182.45

The original bid on this project was \$2,492,245.00. The City of Gary and the LCRBDC agreed that LCRBDC would pay up to 25% of the original bid of \$2,492,245.00 equal to \$623,061.00 and Gary's share would be 75% equal to \$1,869,184.00.

The bid was negotiated down to	\$2,301,518.00
Plus Change Order No. 1 -	\$ 72,673.00
Proposed Change Order No. 2 -	\$ 174,182.45
New Total Contract Amount:	\$2,548,373.45

April 6, 2007

-2-

City of Gary

Attention: Ms. Geraldine Tousant, Deputy Mayor

RE: Burr Street Betterment Levy

Proposed Change Order No. 2 - \$174,182.45

For Changes proposed by USCOE - E/M 4-3-07

In our opinion, anything over \$2,492,245.00 should be the responsibility of the LCRBDC as the City of Gary did not anticipate that much of an increase in cost. This would result in

	\$2,548,373.45
Less original bid:	<u>\$2,492,245.00</u>

Difference to be paid by LCRBDC	\$ 56,128.45
Plus original agreed amount of	<u>\$ 623,061.00</u>

New amount suggested for LCRBDC is equal to 26.65% of the revised construction contract amount of \$2,548,373.45.

\$ 679,189.45

Gary's original commitment was	\$1,869,184.00
At this time Gary only has available	<u>\$1,400,000.00</u>
A shortage of	\$ 469,184.00
Less earlier contribution by the GSWMD	<u>- 326,138.50</u>
An additional amount from by GSWMD	\$ 143,045.50

I have prepared a change order for the additional cost of \$174,182.45, but request that the above distribution of cost sharing be agreed to prior to the finalization of Change Order No. 2.

I have also been informed by Mr. Lee that the project has been completed and they would like to have a final inspection by the City, LCRBDC, GSWMD on April 20, 2007, subject to weather conditions.

Very truly yours,

ARAVIND MUZUMDAR, P.E.,
President

Enclosures: Change Order No. 2
Cost Summation of Proposed Change Order by COE
Addendum No. 2 - to Agmt between LCRBDC & City of Gary

cc: Mr. Hamilton Carmouche, Corporation Council, City of Gary
Mr. Dan Gardner, Executive Director, LCRBDC
Mr. Rinzer Williams III, Director, Dept. Of Public Works
Mr. Curtis Lee, U.S.COE
Mr. Imad Samara, U.S.COE
Ms. Luci Horton, Director, GSWMD
Mr. Richard Comer, President, GSWMD



MAYOR CITY OF GARY
Honorable Rudolph Clay

DEPUTY MAYOR
Geraldine Tousant

BOARD of DIRECTORS

Richard Comer, President
Charles W. Jackson, Vice-President
Cynthia Watts, Secretary/Treasurer
Harlee Currie, Member
Emmett Sellers, Member

April 27, 2007

Luci L. Horton, Director
Certified Mail No. 7001 2510 0003 3881 5087

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

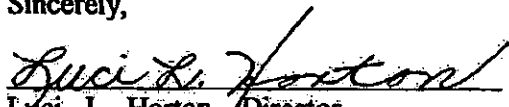
Subject: Burr Street Levee Phase II East, Gary, Indiana

Dear Mr. Samara:

Our consultant, Greeley and Hansen, has reviewed the drawings for the subject project (100% BCOE Contract Set, dated March 2, 2007). Based upon the review, the Gary Storm Water Management District (GSWMD) has concerns, specified in the attachment to this letter.

Please respond to these concerns at your earliest convenience, as we would like to have these issues resolved prior to construction of the project. Thank you for your consideration and attention to this request.

Sincerely,


Luci L. Horton, Director
Gary Storm Water Management District

Attachment:

- C:** GSWMD Board of Directors
Hamilton L. Carmouche, GSWMD Attorney
Dwain Bowie, General Project Manager, United Water
Jay Niec, Greeley and Hansen

Attachment

CONCERNS – BURR STREET LEVELL PHASE II EAST, GARY, INDIANA

1. Sheet C-02: Under Utilities and Contacts
 - i. City of Gary
 1. First contact: Replace “Spike Peller” with “Sam Shapira”.
 2. Second contact: Replace “Gary Sanitary District” with “United Water”.
 3. Add: “Gary Sanitary District, Luci L. Horton, (219) 944-0595”.
2. Sheet C-03: Station 58+40 shows a 24-inch RCP culvert penetration through the Levee. Why is this culvert required? Would it be more cost effective to eliminate this culvert and simply fill the area on the south side of the Levee? If the USCOE must retain this culvert, does it matter that the culvert does not have a flap gate on its downstream end?
3. Sheet C-04, (also shown on sheet R-01): Station 75+52.6 shows a 24-inch RCP culvert penetration through the Levee. Why is this culvert required? Why is Ditch 9 required? Would it be more cost effective to delete Ditch 9, eliminate the culvert at Station 75+52.6 and then simply move the Levee in alignment with its west end and then fill the area between the tracks and new Levee alignment? If the USCOE must retain this culvert, does it matter that the culvert does not have a flap gate on its downstream end?
4. Sheet C-08, Plan view 1/C-08 and 2/C-08: The callout note on each of these two plan views indicate a “Gatewell” construction, yet the plan title and plan view indicates a “Culvert” construction.
5. Sheet C-08, Plan view 3/C-08, and Sheet C-09, 36” Gatewell System Profile @ Station 82+67.45: The details on these sheets call for the use of a Gatewell structure and Sluice gate to control the flow of water from the interior side of the Levee. Would it be more cost effective (construction costs and long-term maintenance) to use a Tideflex Series 35 Check valve rather than a Sluice gate and Flap gate combination? Or, What about the use of Tideflex with the Sluice gate? (see attached Literature)
6. While 327 IAC 15-5 (Rule 5) governs soil and erosion control with respect to construction activity, there is no mention in the Contract Documents of compliance with Rule 13 as it relates to the Phase II MS4 storm water program.

As you are aware, the Phase II MS4 program requires, among other criteria, reduction of the discharge of pollutants to the "maximum extent practicable", protection of water quality, and compliance with the appropriate water quality requirements of the Clean Water Act. What "plan" will be employed to address Rule 13? This will be important, especially if the USCOE intends to install the two (2) overflow penetrations through the Levee that will receive run-off from the railroad right-of-way (north of the tracks).

MEMORANDUM FOR: CELRC-PM-PM
FROM: CELRC-TS-DC

02 May 2007

SUBJECT: Little Calumet River, Burr Street Stage II East, Response to Comments from Local Sponsor A/E.

1. Reference letter from the Gary Storm Water Management District addressed to Imad Samara and dated 27 April 2007.
2. These comments have arrived very late in the process and may require formal modification to execute. TS-DC defers to PM-PM any decisions regarding this action.
3. Comment #1: The name changes can easily be modified pending PM-PM guidance.
4. Comments #2 and #3: The culverts and ditches were included to satisfy Norfolk and Southern Railroad drainage requirements. For example, the drainage for Stage IV-1 was totally redesigned to accommodate Norfolk & Southern Railroad drainage requirements and no fill was allowed near the railroad due to their strict requirements.

Although COE believes that the minor amount of runoff in this small drainage pocket could seep south through the railroad ballast into the ditch on the south side of the railroad without incorporating culverts, ditches or fill; this would not satisfy the railroad's drainage requirements. It has been Chicago District's experience that it is best to accommodate the railroad requirements rather than assume other design options.

Flexible check valve (duckbill) gates can be used instead of the steel flap gates.

Regarding the aspect of simply adding fill to certain areas, if this area was filled, it could not include locations within in the railroad right of way nor the area on top of the pipelines in the utility corridor crossing. Hence, low drainage pockets would still exist after any such filling. Filling this area would require approximately 20,000 cubic yards of material to fill to the top of the levee (approximately \$200,000, which is not an inexpensive option). If the fill area was sloped to drain over the levee to the river, considerations would need to be given to the aspect of drainage concentrating into rivulets that would cause erosion on the riverward face of the levee slope. This would require either more maintenance in the future or an engineered solution to pass the flow over the levee slope without erosion.

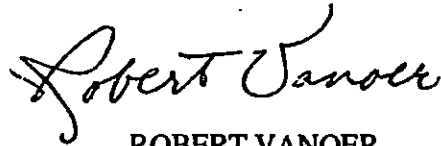
5. Comment #4: LS reviewer must possess a superseded set of drawings. The views mentioned in the comment are shown correctly in the TS-DC drawings.
6. Comment #5: Two flexible check valve (duckbill) gates can be used instead of the steel flap gate and sluice gate combination. That is, one flex-valve inside the gatewell and one at the outlet.

9

02 May 2007

SUBJECT: Little Calumet River, Burr Street Stage II East, Response to Comments from Local Sponsor A/E

7. POC for this memorandum is the undersigned.

A handwritten signature in black ink, reading "Robert Vanoer". The signature is written in a cursive, flowing style.

ROBERT VANOER
Civil Engineer
Civil Design Section

MAY 3 "PLAN-IN-HAND"
(MUNICIPALITIES)

Page 1 of 2

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Jim Pokrajac" <jpokrajac@nirpc.org>; "Jim Mandon" <jmandon@munster.org>; "John Bach" <jbach@highland.in.gov>; <dostatnis@gohammond.com>; "Michael Johnston" <mjohnston@lawson-fisher.com>; <troy.kurz@cabelas.com>; <simalad@ntto.net>
Cc: "Lavicka, Kelsey W CPT LRC" <Kelsey.W.Lavicka@lrc02.usace.army.mil>; "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; "Groboski, John A LRC" <John.A.Groboski@lrc02.usace.army.mil>; "Anderson, Douglas M LRC" <Douglas.M.Anderson@lrc02.usace.army.mil>
Sent: Friday, April 27, 2007 10:19 AM
Subject: Re: Stage V-Phase 2- Plan-in-Hand Meeting

Gentlemen:

This is to inform you that we have scheduled the "Plan-In-Hand" meeting with the Little Calumet River Basin, the Army Corps, and the municipalities to have a general discussion of the project and then to afford the opportunity to the municipalities to physically take the plans and go to the field to review impacts or address questions with all attendees.

The meeting is scheduled for Thursday, May 3rd, at the Griffith Army Corps office at 10:00A.M. (Chicago Time). Their office is located approx. 1/2 mile South of Ridge Road and 2 blocks East of Cline Avenue in Griffith. More specifically it is just North of 45th St. on Griffith Boulevard, directly West of the Griffith Post Office Located at the Northwest corner of 45th and Broad Street. If you need more detail please contact me at (219) 763-0696, or send me an e-mail. If you can not attend, please send a representative of your community or organization, or request to be on a dial-in to this meeting (We will let you know this number and code upon request). If you request the dial-in, we suggest you have the plans on hand for discussion.

Any questions, please let me know.

Thank you,

Jim Pokrajac

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

From: Jim Pokrajac
To: Jim Mandon ; John Bach ; dostatnis@gohammond.com ; Michael Johnston ; troy.kurz@cabelas.com ; simalad@ntto.net
Cc: [Lavicka, Kelsey W CPT LRC](mailto:Lavicka,Kelsey.W.CPT.LRC) ; [Samara, Imad LRC](mailto:Samara,Imad.LRC) ; [Groboski, John A LRC](mailto:Groboski,John.A.LRC)
Sent: Wednesday, April 25, 2007 12:12 PM
Subject: Stage V-Phase 2- 90% Engineering Review Set

To all,

On April 3, 2007 I delivered, or mailed, you a 90% set of plans and specifications from the Army Corps from which we needed comments prior to proceeding to the final drawings which will be used as part of their bid set. We requested your input no later than April 25, and to date have received little or no response. The corps also requested that these comments be submitted in their "Dr.Checks" format which would be coordinated through Captain Kelsey Lavicka with the Chicago Corps. He may be reached through his e-mail, which is kelsey.w.lavicka@lrc02.usace.army.mil, or call him at his office at (312) 846-5563. If you have no comments, we would also need to know that in writing. Secondly, the corps would like to schedule a "plan-in-hand" meeting whereby the corps would meet with you to discuss your comments or concerns. I will be getting back to you to set up this meeting, which the corps hopes to have no later than the first week of May.

Please remember that this will be your last opportunity to comment on behalf of your municipality or

**Little Calumet River
90% BCOE Plan-In-Hand Meeting
May 3, 2007
Agenda
10:00 AM
USACE Calumet Area Office**

Introductions

Design Team to discuss Changes to the plans since the 90% Submittal

Design Team to Discuss Comments that raise concerns

- Local sponsor comments
- Construction Comments
- Other comments

Local Sponsor Discuss Comments that raise concerns to them

- LCRBDC

Municipalities Discuss comments that raise concerns to them

- Hammond
- Highland
- Munster
- Other entities

Any comments regarding recreation features will be discuss last

Break to Lunch

Site visit to be determined by comments discussions

May 8 - "PLAN-IN-HAND"
PIPELINES/UTILITIES

Page 1 of 2

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Jim Pokrajac" <jpokrajac@nirpc.org>; <Bob.L.Hardt@conocophillips.com>; "Hanten, Gary L" <Gary.L.Hanten@conocophillips.com>; <pnwakoby@expl.com>; <dlwoodsmall@marathonpetroleum.com>; <rbandy@f-w.com>; <jeffrey.jackson@wiltel.com>; "Samala, Donald G." <DSamala@buckeye.com>; "Foster, Marcie L" <Marcie.Foster@bp.com>; "Graham, Dane A" <Dane.Graham@bp.com>; <fredhipshear@wplco.com>; <mlpasyk@nisource.com>; <jpwegner@nisource.com>; <akosier@buckeye.com>
Cc: "Groboski, John A LRC" <John.A.Groboski@lrc02.usace.army.mil>; "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; "Lavicka, Kelsey W CPT LRC" <Kelsey.W.Lavicka@lrc02.usace.army.mil>; "Anderson, Douglas M LRC" <Douglas.M.Anderson@lrc02.usace.army.mil>
Sent: Friday, April 27, 2007 10:43 AM
Subject: Re: Stage V- Phase 2- 90% Engineering Review Set

Gentlemen and Lady,

This is to inform you that we have scheduled the "Plan-In-Hand", for the utilities and pipelines, with the Little Calumet River Basin, and the Army Corps to have a general discussion of this project and then afford the opportunity to the pipelines to physically take the plans and specs to the field to review and discuss impacts and address questions with the attendees.

The meeting is scheduled for Tuesday, May 8th, at the Griffith Army Corps office at 10:00A.M.(Chicago Time). their office is located approx. 1/2 mile South of Ridge Road and 2 blocks East of Cline Avenue in Griffith, Indiana. More specifically, it is just North of 45th Street (Glen Park Avenue) on Griffith Boulevard, directly West of the Griffith Post Office located at the Northwest corner of 45th and Broad Streets. If you need more detail please contact me at (219) 763-0696, or send me an e-mail. If you can not attend, please send a representative of your company, or request to be in on a dial-in to this meeting (We will let you know this number and code upon request). If you request the dial-in, we suggest you have the plans on hand for discussion.

Any questions, please let me know.

Jim Pokrajac

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

From: Jim Pokrajac

To: danny.young@nscorp.com ; Bob.L.Hardt@conocophillips.com ; Hanten, Gary L ; pnwakoby@expl.com ; dlwoodsmall@marathonpetroleum.com ; rbandy@f-w.com ; jeffrey.jackson@wiltel.com ; Samala, Donald G. ; Foster, Marcie L ; Graham, Dane A ; fredhipshear@wplco.com ; mlpasyk@nisource.com ; jpwegner@nisource.com

Cc: Groboski, John A LRC ; Samara, Imad LRC ; Lavicka, Kelsey W CPT LRC

Sent: Tuesday, April 24, 2007 5:34 PM

Subject: Stage V- Phase 2- 90% Engineering Review Set

To All,

On April 3, 2007 I mailed you, and/or representatives of your company, a 90% set of plans and specifications from the Army Corps from which we needed comments prior to proceeding to their final drawings which will be used as part of their bid set. We requested your input no later than April 25, and to date we have received very few comments, or very little input. The corps also requested that these comments be submitted in their "Dr. Checks" format which would be coordinated through Cpt. Kelsey Lavicka with the Chicago Corps. He may be reached through his e-mail, which is kelsey.w.lavicka@lrc02.usace.army.mil, or call him at his office at (312) 846-5563. If you have no comments, we would also need to know that. Secondly, the corps would like to schedule a "plan-in-hand" meeting whereby the corps and the Little Calumet River Basin would meet with you to discuss your comments or concerns. I will be getting back to you to set up this meeting, which the corps hopes to have no later than May 3.

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: <Bob.L.Hardt@conocophillips.com>; "Hanten, Gary L" <Gary.L.Hanten@conocophillips.com>; <pnwakoby@expl.com>; <dlwoodsmall@marathonpetroleum.com>; <rbandy@f-w.com>; "Foster, Marcie L" <Marcie.Foster@bp.com>; "Graham, Dane A" <Dane.Graham@bp.com>; <fred_hipshear@wplco.com>; <mlpasyk@nisource.com>; <jpwegner@nisource.com>; <akosior@buckeye.com>; <Jeffrey.jackson@wiltel.com>
Cc: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; "Kotwicki, Victor L LRE" <Victor.L.Kotwicki@lrc02.usace.army.mil>; "Lavicka, Kelsey W CPT LRC" <Kelsey.W.Lavicka@lrc02.usace.army.mil>; "Anderson, Douglas M LRC" <Douglas.M.Anderson@lrc02.usace.army.mil>; "Groboski, John A LRC" <John.A.Groboski@lrc02.usace.army.mil>
Sent: Wednesday, May 02, 2007 3:24 PM
Subject: Fw: Pipeline Coordination for Stage V-2

Gentlemen and Lady,

Following are a list of items that require the coordination between your company, the Army Corps of Engineers, and the Little Calumet River Basin Development Commission for our upcoming Stage V Phase 2 construction. These items all pertain to the pipeline corridor that is west of Kennedy Avenue in both Hammond and Highland IN. along both sides of the Little Calumet River. There are five items as follows:

(1) The engineering review of the 90% set of plans and specifications from the Army Corps.

- * These were transmitted to you on April 3, 2007 with a due date of April 25.

- * We are having a "plan-in-hand" meeting on Tuesday, May 8, whereby we can visit the upcoming construction site with the plans in hand to address questions in the field. It will also be an opportunity to allow some time to discuss coordination and agreements between yourselves and the LCRBDC.

(2) The LCRBDC is in the process of obtaining the necessary real estate, both north and south of the Little Calumet River on the NIPSCO right-of-way (this applies to NIPSCO), and for some pipelines, we are also working with the Norfolk Southern RR, who also need to concur with the proposed engineering both real estate issues should be resolved as soon as the engineering issues are agreed upon.

(3) The LCRBDC needs to obtain information from your company as to what your requirements are while construction activities are ongoing on this site. We realize each company have their own construction requirements and will need representatives to be on the site at the time the construction is going on.

- * It is the intent that, prior to solicitation, that your points of contact, and specific construction requirements become part of the plans and/or specifications to assure your pipeline is protected.

- * Please provide me with a proposal with an estimated cost of what you anticipate your costs will be during the construction on this pipeline corridor. I realize it is hard to tell how many hours will be charged but try to give me your best estimate. Would you also include a cost for field time and engineering that your company will require to review the plans and specifications as well as your field familiarization costs (we will work out an agreement for your reimbursement).

(4) In addition, your company will be reimbursed for any reasonable and necessary

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modifications to your pipeline/pipelines as a relocation expense. Will you provide me a total cost for any work you need to perform on your pipeline prior to construction.

* Submit this to me and I will facilitate the review of these costs with the Army Corps to assure they are fair and reasonable. Upon their concurrence, I will enter an agreement with you to reimburse you for these expenses.

* By completing this work along both center lines of protection prior to our starting construction, it will allow our contractor to work unimpeded during the period of time they will be driving sheetpiling and pouring concrete.

(5) The LCRBDC needs to develop an agreement whereby your company will allow the construction of our flood control features around and in the vicinity of your pipeline/pipelines. We will be working with you to establish an agreement that is agreeable to both parties.

* I will be contacting you in the near future to submit a preliminary agreement for review and discussion.

I realize some of you have already submitted cost estimates for both the relocation costs and/or estimates for your time and field visits. If you have not, please provide me with proposals for these items at your earliest convenience in order that I can initiate the appropriate agreements for your reimbursement. If you have any questions regarding these requests, please let me know. If you could get these cost estimates together for our meeting on May 8, it would help us to expedite this process. If you feel that a field visit on May 8 would help you to get me those estimates, we could discuss it that day.

Thank you for your attention to this matter. I really appreciate your help.

Jim Pokrajac, Agent
Engineering/Land Management



Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Lavicka, Kelsey W CPT LRC" <Kelsey.W.Lavicka@lrc02.usace.army.mil>; "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; "Groboski, John A LRC" <John.A.Groboski@lrc02.usace.army.mil>
Cc: <glh@garcia-consulting.com>; <jvamos@nirpc.org>; "Kotwicki, Victor L LRE" <Victor.L.Kotwicki@lrc02.usace.army.mil>
Sent: Saturday, April 28, 2007 12:07 PM
Subject: Fw: Garcia items of Note at Railroad and Indy Blvd

Gentlemen,

I forwarded a couple comments from Garcia (Gregg Heinzman) that should be addressed as part of the V-2 set of plans. These issues are as follows:

1. GLE is providing the Indot easements for both sides of Indianapolis Boulevard as coordinated with Indot and Lawson/Fisher, and the corps should assure that they re-work their work limits and real estate drawings accordingly.
2. The ongoing issue with the Conoco/Phillips pipelines needs to be confirmed, as well as the turnarounds for both lines of protection West of the NSRR. The South line seems to be finalized, but the North line may have some problems by moving it 65' to the North. As Gregg notes this will put it in a very wet area that may cause considerable additional cost. We discussed the possible use of Sheet piling as a retaining wall to assure that we will not need any additional real estate on DC-1172, and could stay within the existing real estate, which the LCRBDC has almost obtained. Confirm the center line of protection so we can get the 2 pipelines located for you with Atlas Daylightung.
3. Not shown is this e-mail, but for your information, GLE is providing you with modified data for review West of Kennedy Ave. and North of the river to allow thr recreational trail to tie in without needing additional real estate from either Wendys' or the Visitors Center.
4. DC-1174 Land in back of the old K-Mart is currently being appraised and hopefully be done in the near future so we can include that permanent roadway easement as part of the bid documents to simplify the haul routes.

Hope this can still be addressed,

Jim

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

From: Gregg Heinzman
To: Jim Pokrajac
Sent: Saturday, April 28, 2007 8:14 AM
Subject: Garcia items of Note at Railroad and Indy Blvd

Jim,

Here's my email from 4/17/07 about my concerns at the railroad crossing.

My only other concern is that the Corps use our INDOT easements at the Boulevard to rework their real estate drawings, since we are creating those easements on our own and not from Corps drawings.

Gregg L. Heinzman PE SE LS
Vice President

Garcia Consulting

7501 Indianapolis Boulevard 219.989.1954
Hammond, IN 46324 Fax: 219.989.3321

From: Gregg Heinzman [mailto:glh@garcia-consulting.com]
Sent: Tuesday, April 17, 2007 2:00 PM
To: Jim Pokrajac
Subject: FW: Locates on Berm @ Little Calumet (UNCLASSIFIED)
Importance: High

Jim,

The below email notes that the line of protection north of the river has been moved 65 feet north. We staked out the previous line of protection and it fell in the south slope of the north levee. Moving it 65 feet north puts the line of protection north of the existing levee and into the wetlands. Is this the intent? Exposing the pipelines for elevation checks at this new location will be more difficult than the old location. Even the old location on the south face of the levee is virtually inaccessible without closing the railroad for a period of time. On a positive note, it currently appears that the move north would not exceed the current easement limits.

On another note, the current planned line of protection south of the river and west of the railroad may require additional easements from Virginia Young.

Gregg L. Heinzman PE SE LS

Vice President

Garcia Consulting
7501 Indianapolis Boulevard 219.989.1954
Hammond, IN 46324 Fax: 219.989.3321

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

From: Groboski, John A LRC [mailto:John.A.Groboski@lrc02.usace.army.mil]
Sent: Thursday, April 12, 2007 2:11 PM
To: glh@garcia-consulting.com;
Cc: Jim Pokrajac;
Subject: FW: Locates on Berm @ Little Calumet (UNCLASSIFIED)
Importance: High

Classification: UNCLASSIFIED
Caveats: NONE

Greg,

Please post the existing easements that you have on file at:

<ftp://155.79.114.198/caddftp/LittleCalumetStage5Phase2/LCRBDC-Easements/>

username = coecadpri
password = pelaDARA##_24

We want to double check what is shown on our drawings. Also if you picked up any additional planmetrics, please post those as well. Jim, mentioned that you may have some more current data around Kennedy Ave.

The alignment has been adjusted north of Little Calumet River near the Rail Road. It has moved 65 ft to the north. You will need
LCS5P2_C-SP_ALIGNMENT.dgn.

ftp://155.79.114.198/caddftp/LittleCalumetStage5Phase2/ModelFiles/

Thanks,

John

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

From: Jim Pokrajac [mailto:jpokrajac@nirpc.org]
Sent: Wednesday, April 11, 2007 2:47 PM
To: Samara, Imad LRC; glh@garcia-consulting.com; Groboski, John A LRC;
Lavicka, Kelsey W CPT LRC; davidk@atlasexcavating.com
Subject: Fw: Locates on Berm @ Little Calumet

Gentlemen,

Attached is an e-mail from Atlas Daylighting outlining problems we will have exposing the 2 Conoco/ Phillips pipelines North of the Little Calumet River. It appears we could get the locates South of the river, but is it possible to expose the pipes North of the river slightly North or South of the center line of protection. Currently we would have to daylight 15- 20' which would require the specialized equipment. With a shallower depth they might be able to use different equipment, or do it by hand, because of inaccessability. Any other suggestions?

Thanks,

Jim Pokrajac

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

From: David Kerper <mailto:davidk@atlasexcavating.com>
To: jpokrajac@nirpc.org
Cc: David Kerper <mailto:davidk@atlasexcavating.com>
Sent: Wednesday, April 11, 2007 12:40 PM
Subject: Locates on Berm @ Little Calumet

Jim,

I wanted to send a quick note concerning the locates up at the Little Calumet river basin. The locates themselves are no problem to complete. Our issues arise from the lack of access to the dig sites.

Initially we were hoping to drive our Hydro-Excavator down the berm to the first, most southern location. You mentioned that any ruts made from vehicles must be repaired to the Corps standards. That is a problem as our trucks are rated at 66,000 pounds empty, and we are not equipped to refurbish job sites.

The next issue is the locates on the North side of the river. Ideally we would like to drive down the railroad tracks and work off the side of our Hydro-Excavator. If the Railway would cooperate and allow a four hour gap to accomplish this task we could complete the locates fairly easily.



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

MEMORANDUM FOR RECORD

Subject: Committee for the Preservation of Wicker Woods – Public Meeting

1. This memorandum for record is to document the discussion between USACE-Chicago District, Committee for the Preservation of Wicker Woods (CPWW), the LCRBDC, and the town of Munster. The discussion was held at the Munster town hall on April 23, 2007 from 6 p.m. to 8:30 p.m. Sign-in sheet is attached.
2. The discussion covered the concerns of local Wicker park residents located along Hawthorne Drive about the construction of flood control structures along the Little Calumet River. Specifically, the Little Calumet River then around the bend into Hart Ditch around stations 3+16 to about 24+00 including everything up to the flood wall that runs along Hart Ditch. This was a final summarization meeting of the 90% plan and review set of Stage V Phase 2.
 - The LCRBDC distributed the Memorandum for Record from the ACOE dated August 21, 2006, September 8, 2006, and September 25, 2006. These memorandums summarized the previous meetings to discuss design and coordination for construction in this area and what was previously agreed upon by the ACOE, LCRBDC, town of Munster, and the CPWW.
3. Items discussed are below:
 - a. CPWW wanted a clarification of the 90% review set. The ACOE explained the plans and specifications to their satisfaction.
 - CPWW questioned who had the plans and specifications to review. LCRBDC indicated they presented the plans & specs for review to the town of Munster and to Steve Enger on April 3 with a cover letter indicating comments were due no later than April 25.
 - CPWW questioned why the town of Munster did not notify the residents they had these plans in their possession. LCRBDC explained that from previous meetings, that it was indicated the town would have these plans available and that they could go to the Town Hall to address their questions and concerns or review the plans.
 - b. Several residents questioned the removal of trees relative to the work limits.
 - ACOE/LCRBDC indicated that all of the areas up to the toe of the levee would require the removal of the trees. The remaining trees can possibly be flagged to prevent the contractor from damaging or removing them.
 - LCRBDC indicated that to keep the contractor within the work limits that the contractor be required to provide "orange plastic construction fencing".

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- c. Revised planting zone for landscaping
 - The ACOE indicated that a 4:1 planting zone would be provided on the landward side of the levees to accommodate the planting of "landscape type" trees, bushes, and shrubs.
 - Referencing a previous meeting, the town of Munster had agreed to provide a landscape architect to work with the residents to come up with a landscape plan in these areas over a several year period. The CPWW questioned whether or not they could be assured that the town had money set aside to do this or whether it may be used for other Munster projects.
 - At this point in the meeting, Tom DeGiulio, Munster Town Manager, was invited into the meeting. He explained that Munster had set this money aside with Board approval to be responsible for the coordination and cost for the design, installation, and maintenance, of these features.
 - Once again, Munster reiterated that they preferred the 4:1 slope in order to provide an easier method of maintaining the levee and doing the mowing required.
- d. One of the residents requested the coloring of the concrete which would be used for the form liner.
 - The ACOE indicated that it was not to be included as part of this contract.
 - Mr. DeGiulio also indicated that if the coloring was done, there could be a problem with matching the color every time a new pour was made, which would create an insufficiency for the appearance of the wall.
- e. Project scheduling
 - The ACOE indicated that they would like to advertise the project no later than mid July 2007; award the contract no later than mid September 2007; and anticipate a late fall 2008 completion.
 - The ACOE also indicated that if the contract was awarded in mid September, the earliest work may start late in the fall which would include the clearing and grubbing of the site and initial sheet piling work.
 - The ACOE indicated that they could not direct their contractor as to which segment of the contract would begin first; that would be the responsibility of the contractor to coordinate.
- f. Residents had concerns about the impacts of the sheet piling
 - The LCRBDC explained that in the segments that had just been completed, Highland was minimally invasive to the adjacent residents, who were much closer relative to the driving of the sheet piling.
 - LCRBDC explained that the equipment used to drive sheet piling was in reality a vibratory-type of device that would only be used when the sheet piling reached a point where it could not be pushed into the ground.
- g. Residents had concerns regarding impacts to the neighborhood during construction activities.
 - ACOE indicated that there were provisions in the specifications for the contractor to keep the dust and noise to a minimum.

- If residents felt that this was inefficient, they could contact the ACOE field representative to assure the contractor was in compliance with the specifications indicating his responsibilities to the community.
 - The ACOE indicated that any damage to either the pavement or the residents' property would be the responsibility of the contractor to repair to pre-construction conditions.
- h. The residents questioned when they would be coming out of the floodplain and how FEMA would proceed to remove the residents from the floodplain.
- Dan Gardner explained the process to the residents. The Stage V-2 construction would be advertised and the construction would be approximately one year in length. Efforts would be made to work with the ACOE and FEMA to begin the paperwork to remove Hammond (up to Northcote) and all of Highland from the floodplain designation. Dan also explained that to stay on schedule west of Northcote and Hart Ditch, the State Budget must contain the \$8 million requested. This would allow the completion of the construction to the state line by the year 2009. He added that the last year, once all of the contracts were let, would be spent preparing the paperwork to allow the remainder of the area (all of Munster) to be removed upon the physical completion of the construction.
 - The ACOE also explained their current coordination with FEMA and how they would work together to modify the floodplain mapping and remove the residents from the floodplain.
- i. Barb Whitaker (CPWW) agreed to submit her minutes along with their questions and concerns regarding that night's meeting.

Submitted by:
James E. Pokrajac, Agent
Engineering/Land Management

/attach

Jim Pokrajac

From: "Edd, Sheldon D LRC" <Sheldon.D.Edd@lrc02.usace.army.mil>
To: "John Bach" <jbach@highland.in.gov>
Cc: "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; "Anderson, Douglas M LRC" <Douglas.M.Anderson@lrc02.usace.army.mil>; "Lee, Curtis A LRC" <Curtis.A.Lee@lrc02.usace.army.mil>; "Jim Pokrajac" <jpokrajac@nirpc.org>; "Phil Ross" <philross@icceo.com>
Sent: Tuesday, May 01, 2007 2:48 PM
Subject: FW: Pump Testing VI-1 South (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Mr. Bach,

As discussed in the last progress meeting, please see the following email regarding the pump test at the new North Drive Pump Station. Please distribute this notice to all interested parties and departments at the Town of Highland.

Please make sure that Mr. Pipta is aware of the schedule for this test.

Please respond to Mr. Curtis Lee at {curtis.a.lee@usace.army.mil} no later than Thursday COB 03 May 2007 with a list of the personnel that you expect to attend. Please indicate which of these personnel will need to attend the training portion of the test session. At this time, I do not have a specific schedule for the test day.

There is limited room in the Motor Control Center and I need to make sure that the essential personnel are where they need to be during the test. The tests will take a while, so I am sure that there will be plenty of opportunity for learning.

Please be aware, that since this is new construction with integrated systems, there is no guarantee that the testing will be completed in one day, or even the two that are scheduled. Although that is what we hope happens, please be as flexible as you can with your schedule.

If there is any change to this schedule, again, this is construction, the Calumet Area Office will let you know as soon as possible.

On a Safety note, please brief all personnel attending that they must be properly attired, with a minimum of a safety Hi Vis vest (if possible), hard hat, long pants, shirts with sleeves, and appropriate footwear. This is an active construction site, all visitors need to be aware of the dangers involved and take extra precautions to assure a safe experience.

Thank you for your support and attendance.

Sheldon

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

From: Phil Ross [mailto:philross@icceo.com]

Sent: Tuesday, May 01, 2007 1:49 PM

To: Edd, Sheldon D LRC

Subject: Pump Testing VI-1 South

Sheldon,

Just a confirmation that we, ICC & Sweney, are on for the pump(s) testing on Monday May 7, 2007 at 8:00am at the North Drive pump station. Plan on testing and training to take two full days, May 7th and May 8th. I have arranged for representatives from ICC, Sweney Electric, HydroAir, and Piping Tech to be present. I have contacted Mike Pipta with the Town to assist in backing up the existing storm water system so as to provide adequate water for testing. Anthony Jarvis with HydroAir will assist in the testing procedure(s) and aid in training.

Please pass this information on to all other concerned parties.

Thank you

Phil Ross, ICC PM

Classification: UNCLASSIFIED

Caveats: NONE

• STAGE VII - PHASE I (SOOTH) - MOD. #14

• REQUEST FOR ADDL. INCREMENTAL FUNDING

• INCREASE TOTAL FUNDING BY \$340,000

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

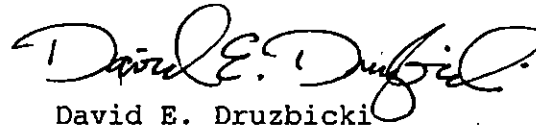
01-FEB-2007

• FUNDING INCREASED FROM \$6,304,010
TO \$6,644,010

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. P00014 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. P00014, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763 or 1764.

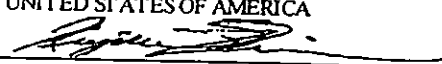


David E. Druzbecki
Project Engineer
Calumet Area Office

Enclosures

Distribution:

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

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J	PAGE OF PAC 1 2
2. AMENDMENT/MODIFICATION NO. P00014		3. EFFECTIVE DATE 01-Feb-2007		4. REQUISITION/PURCHASE REQ. NO. V81G66-4180-3069	
6. ISSUED BY U. S. ARMY ENGINEER DISTRICT, CHICAGO 111 NORTH CANAL STREET SUITE 600 CHICAGO IL 60606-7206		CODE W912P6		5. PROJECT NO. (If applicable) H6L1CSO	
7. ADMINISTERED BY (If other than item 6) CALUMET AREA OFFICE 806 N. GRIFFITH BOULEVARD GRIFFITH IN 46319		CODE			
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) ILLINOIS CONSTRUCTORS CORPORATION JOHN MACKANIN PO BOX 745 ST CHARLES IL 60174				9A. AMENDMENT OF SOLICITATION NO.	
				9B. DATED (SEE ITEM 11)	
				X 10A. MOD. OF CONTRACT/ORDER NO. W912P6-04-C-0007	
				X 10B. DATED (SEE ITEM 13) 09-Aug-2004	
CODE 0F1T6		FACILITY CODE			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS					
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.					
12. ACCOUNTING AND APPROPRIATION DATA (If required) See Schedule					
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF 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:					
X D. OTHER (Specify type of modification and authority) EFARS 52.232-5004 - Incremental Funding Clause					
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.					
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Modification Control Number: h6tcsded07644 Contract for Local Flood Protection, Stage VI-1 South at Little Calumet River, Indiana. Reference No. R00016 SS021 Incremental Funding - \$340,000.00 See Page 2					
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.					
15A. NAME AND TITLE OF SIGNER (Type or print)			16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) REGINA G BLAIR / ADDED BY SUMI TEL: 312.846.5371 EMAIL: regina.g.blair@usace.army.mil		
15B. CONTRACTOR/OFFEROR (Signature of person authorized to sign)		15C. DATE SIGNED		16B. UNITED STATES OF AMERICA BY  (Signature of Contracting Officer)	
				16C. DATE SIGNED 01-Feb-2007	

EXCEPTION TO SF 30
APPROVED BY OIRM 11-84

30-105-04

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

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SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SUMMARY OF CHANGES

SECTION SF 30 - BLOCK 14 CONTINUATION PAGE

The following have been added by full text:

MODIFICATION NO. P00014A. SCOPE OF WORK

SS021 Incremental Funding - \$340,000

Pursuant to the "Incremental Funding Contracts" clause, this modification hereby obligates an amount of \$340,000.00 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 "Continuing Contracts" clause, this modification hereby obligates an amount of \$340,000.00 for this contract; thus, increasing the total Contract funded amount to \$6,934,510.21.

SECTION 00010 - SOLICITATION CONTRACT FORM

The total cost of this contract was decreased by \$0.00 from \$7,522,544.51 to \$7,522,544.51.

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 \$340,000.00 from \$6,594,510.21 to \$6,934,510.21.

Contract Level Funding:

AC: 96 NA X 3122.000 H6 X 08 2426 075325 96112 3230 1C94LF NA B1GB82
was increased by \$340,000.00 from \$6,304,010.21 to \$6,644,010.21

(End of Summary of Changes)

- MOD. #2 - STAGE VII - PHASE 2
- INCREASE TO CONTRACT FOR DIFFERING
- SITE CONDITIONS - REMOVE DEBRIS FROM WIER

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

19 MAR 2007

MEMORANDUM FOR: See Distribution

- INCREASE CONTRACT BY \$22,778.25
- INCREASE FROM \$4,205,644 TO \$4,228,422

SUBJECT: Contract No. W912P6-05-C-0006
 Little Calumet River, Indiana
 Local Flood Protection
 Stage VI-2 Levee
 Modification No. A00002 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. A00002, 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
 LCRBPC (Mod Only) J. Pokrajac

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE Construction	PAGE OF PAGE 1
2. AMENDMENT/MODIFICATION NO. A00002		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		CODE H6L1CS0	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) Dyer Construction Co., Inc. 1716 Sheffield Avenue Dyer Indiana 46311 Lake				9A. AMENDMENT OF SOLICITATION NO.	
				9B. DATED (SEE ITEM 11)	
				10A. MODIFICATION OF CONTRACT/ORDER X W912P6-05-C-0006 NA	
CODE				10B. DATED (SEE ITEM 13) 29 Jul 2005	

11. THIS ITEM APPLIES ONLY TO AMENDMENTS OF SOLICITATIONS

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

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

12. ACCOUNTING AND APPROPRIATION DATA

See Page 2.

Contract Amount Increased \$22,778.25.

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

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

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

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

Contract for Little Calumet River, Stage VI-2 at Little Calumet River, Indiana.
Reference No. R00007

SS003 Overflow Weir: Debris Removal

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) JANET FURMAN	16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Douglas M. Anderson Administrative Contracting Officer
15B. CONTRACTOR/OFFEROR Janet Furman (Signature of person authorized to sign)	15C. DATE SIGNED 3/8/07
16B. UNITED STATES OF AMERICA BY Douglas M. Anderson (Signature of Contracting Officer)	16C. DATE SIGNED 3/15/07

MODIFICATION OF CONTRACT		DATE SIGNED See Block 16C	PAGE OF PAGES 2 3
Contract No:	W912P6-05-C-0006 NA	Reference No. R0000	
Modification No:	A00002		
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-3122-0000	1C64LF	\$22,778.25	INCREASE
96-NA-X-8862-0000	KF4KF0	\$ 0.00	INCREASE
TOTAL		\$22,778.25	INCREASE

14. DESCRIPTION OF MODIFICATION (Continued)

A. SCOPE OF WORK

SS003 Overflow Weir: Debris Removal

The contractor shall excavate and remove the debris discovered in the alignment of the overflow weir as a differing site condition. The excavation shall be approximately 5 feet wide, 80 feet in length to a depth of 11 feet. The Contractor shall test the debris per landfill requirements, stockpile the debris for disposal to a landfill, and backfill the trench with satisfactory material.

Disposal shall be paid under the contract bid item 0022AB.

B. CHANGE IN CONTRACT DRAWINGS

Reference SHEET C-11

The following notes are ADDED to the above referenced drawing:

- The Contractor is required to excavate debris from the SSP driveline prior to placement of the SSP for construction of the overflow weir, test the debris per landfill requirements, stockpile the debris for separate disposal to an off-site landfill facility and backfill the excavation with satisfactory material to provide a suitable foundation for the SSP.
- Excavation shall be approximately 5 feet wide, 80 feet long and 11 feet deep.
- The off-site disposal of the debris will be paid for at the unit price in the contract for Bid Item 0022AB.
- The satisfactory material to be used as backfill shall meet the specifications as described in Section 02300 Par 1.3.1.

C. CHANGE IN CONTRACT SPECIFICATIONS

Specifications SECTION 01270 MEASUREMENT AND PAYMENT

The following paragraphs are ADDED:

1.1.17 Overflow Weir: Debris Removal (Bid Item No. 0023)

1.1.17.1 Payment

Payment will be made at the agreed upon lump sum price for "Overflow Weir: Debris Removal". This payment shall constitute full compensation for all costs necessary to complete this item of work.

1.1.17.2 Unit of Measure

Unit of Measure: Lump Sum (LS)

MODIFICATION OF CONTRACT		DATE SIGNED See Block 16C	PAGE OF PAGES 3 3
Contract No: W912P6-05-C-0006 NA		Reference No. R0000	
Modification No: A00002			
Contractor: Dyer Construction Co., Inc.			
Contract Title: Little Calumet River, Stage VI-2			
Location: Little Calumet River, Indiana			

D. CHANGE IN CONTRACT PRICE

Total contract price is increased by \$22,778.25.

New CLINs

CLIN No.	DESCRIPTION	QUANTITY	UNIT PRICE	CHANGE AMOUNT
0023	Overflow Weir: Debris Removal	1.00 LS	\$22,778.25	\$22,778.25

Total Change Amount \$22,778.25

E. CHANGE IN CONTRACT TIME

The contract completion date shall remain unchanged by this modification.

F. CLOSING STATEMENT

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 cost and markups directly or indirectly attributable to the changes ordered herein, for all delays related thereto, and for performance of the changes within the time frame stated. The total estimated amount of the contract is INCREASED \$22,778.25 from \$4,205,644.17, as established by the original contract, to \$4,228,422.42.

This modification hereby obligates an amount of \$22,778.25 for this Contract, thus increasing the total Contract funded amount from \$4,114,000.00 to \$4,136,778.25.

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Edd, Sheldon D LRC" <Sheldon.D.Edd@lrc02.usace.army.mil>
Cc: "Anderson, Douglas M LRC" <Douglas.M.Anderson@lrc02.usace.army.mil>
Sent: Saturday, April 28, 2007 12:53 PM
Subject: Mod. #2 to Stage VI-Phase 2 conreact

Sheldon,

Could you please explain this additional cost to the contract. I'm not entirely sure what this additional excavation was required for, and why it was not included as part of the bid. I usually include these mods in my monthly distribution to our commissioners and may need to explain.

Thanks,

Jim



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

DETROIT, MICHIGAN 48231-1027

IN REPLY REFER TO

04 April 2007

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

RE: Little Calumet River Flood Control Project -- Stage VIII - Notice to Acquire

Dear Mr. Gardner:

As you are aware, the Stage VIII project real estate plans have been reviewed and are approved for acquisition purposes.

Please accept this letter as formal Notice to Acquire to proceed with acquisition of required real estate interests for parcels identified in the Stage VIII reach.

Please contact us to discuss any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor L. Kotwicki", is written over the typed name.

Victor L. Kotwicki
Chief, Real Estate
Detroit District
477 Michigan Ave. 7th Floor
Detroit, Michigan 48226
Phone: 313.226.3480

cc: Imad Samara, PM
LRC

• MITIGATION IMPLEMENTATION - MOD. #21

• REQUEST FOR ADDL. INCREMENTAL FUNDING

• INCREASE TOTAL FUNDING BY \$36,000

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

30 MAR 2007

• FUNDING INCREASED FROM \$1,369,941

TO \$1,405,941

MEMORANDUM FOR: See Distribution

SUBJECT: Contract No. DACW23-02-C-0011
Local Flood Protection And Recreation
Mitigation Implementation
Little Calumet River, Indiana
Modification No. P00021 - Executed

1. Enclosed for your files is a copy of all pertinent information related to executed Modification No. P00021, under the subject contract.
2. Any questions concerning the enclosed items shall be directed to the undersigned at (219) 923-1763.



Gary R. Anderson, P.E.
Project Engineer
Calumet Area Office

Enclosures

Distribution:

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

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE J	PAGE OF PAGES 1 2
2. AMENDMENT/MODIFICATION NO. P00021		3. EFFECTIVE DATE 29-Mar-2007		4. REQUISITION/PURCHASE REQ. NO. W81G66-1325-0858	
6. ISSUED BY U. S. ARMY ENGINEER DISTRICT, CHICAGO 111 NORTH CANAL STREET SUITE 600 CHICAGO IL 60606-7206		7. ADMINISTERED BY (If other than item 6) CALLUMET AREA OFFICE 906 N. GRIFFITH BOULEVARD GRIFFITH IN 46319		5. PROJECT NO. (If applicable)	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) RENEWABLE FORESTRY SERVICES INC DAVID ELLIS DBA RENEWABLE RESOURCES 285 DEAN ROAD BARNESVILLE GA 30204-3351		9A. AMENDMENT OF SOLICITATION NO.		9B. DATED (SEE ITEM 11)	
		X 10A. MOD. OF CONTRACT/ORDER NO. DACW23-02-C-0011		10B. DATED (SEE ITEM 13) X 29-Sep-2002	
CODE 09QZ0		FACILITY CODE			
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS					
<input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of offer <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.					
12. ACCOUNTING AND APPROPRIATION DATA (If required) See Schedule					
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.					
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.					
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).					
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:					
X D. OTHER (Specify type of modification and authority) EFARS 52.232-5004 Incremental Funding Clause					
E. IMPORTANT: Contractor <input checked="" type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.					
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Modification Control Number: h6lcsrtn07903 Contract for Mitigation Implementation at Little Calumet River, Indiana.					
Reference No. R00021					
SS022 Incremental Funding - \$36,000					
See Page 2.					
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.					
15A. NAME AND TITLE OF SIGNER (Type or print)			16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) Regina G. Blair, Contracting Officer		
15B. CONTRACTOR/OFFEROR			16B. UNITED STATES OF AMERICA		
15C. DATE SIGNED			16C. DATE SIGNED		
(Signature of person authorized to sign)			(Signature of Contracting Officer)		

EXCEPTION TO SF 30
APPROVED BY OIRM 11-84

30-105-04

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

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

The following have been added by full text:

MODIFICATION NO. P00021

Contract No:	DACW23-02-C-0011 NA	Reference No. R00021
Modification No:	P00021	
Contractor:	Renewable Resources	
Contract Title:	Mitigation Implementation	
Location:	Little Calumet River, Indiana	

12 ACCOUNTING AND APPROPRIATION DATA (Continued)

APPROPRIATION	WORK ITEM			CONTRACT CHANGE
			Total	\$0.00
96-NA-X-3122-0000	1C94LF	\$29,420.00	INCREASE	
96-NA-X-8862-0000	KF4KF0	\$ 6,580.00	INCREASE	
TOTAL		\$36,000.00	INCREASE	

14 DESCRIPTION OF MODIFICATION (Continued)**A. SCOPE OF WORK****SS022 Incremental Funding - \$36,000**

Pursuant to the Incremental Funding" clause, this modification hereby increases the total Contract funded amount by \$36,000.00.

B. CHANGE IN CONTRACT PRICE

Total contract price is unchanged

C. CHANGE IN CONTRACT TIME

The contract completion date shall remain unchanged by this modification.

D. CLOSING STATEMENT

Pursuant to the "Incremental Funding" clause, this modification hereby obligates an amount of \$36,000.00 for this contract; thus increasing the total Contract funded amount to \$1,405,940.96.

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

As a result of this modification, the total funded amount for this document was increased by \$36,000.00 from \$1,369,940.96 to \$1,405,940.96.

Contract Level Funding:

AD: 96 NA X 8862.0000 H6 X 08 2426 075325 96112 3230 KF4KF0 NA DD93KF
was increased by \$6,580.00 from \$1,890.00 to \$8,470.00

AC: 96 NA X 3122.0000 H6 X 08 2426 075325 96112 3230 1C94LF NA 723J83
was increased by \$29,420.00 from \$83,110.00 to \$112,530.00

(End of Summary of Changes)

26 Apr 07

MEMORANDUM FOR CELRC-PM (Samara)

SUBJECT: Preparation of Documentation for FEMA Certification of Griffith Levee

1. Reference:

- a. River Road Levee - Town of Griffith, Indiana Phase I Report by Lawson-Fisher, dated May 15, 2006
- b. Memorandum CECW-EG, Geotechnical Activities in Support of Levee Certification for Federal Emergency Management Agency (FEMA) Flood Insurance Purposes, 30 Jun 1997
- c. Memorandum Institute for Water Resources, USACE Levee Certification Policy and Risk Analysis, 11 Dec 06

2. We provide the following response to the Little Calumet River Basin Development Commission request for an estimate of the work effort involved to prepare documentation for FEMA certification of the subject levee. This information is provided based on our review of the subject report (ref 1a) and the knowledge of our staff working on the Little Calumet River Flood Control project. FEMA certification guidelines are currently in transition. Our interpretation of present guidelines is used as a basis for estimate of this work. Currently, for a geotechnical assessment we are to follow our normal 'deterministic' procedures for evaluation of levees as described in reference 1b. However, HQUSACE is indicating that this is soon to change to a risk analysis similar to that performed in the hydraulic analysis in accordance with ER 1110-2-101 (ref 1c). As a result the new guidance, when issued, may change the work required.

3. To determine the suitability of the levee for certification we will need to perform a field inspection to evaluate the existing physical conditions of the levee and verify the design and the construction records. If the design is not adequately documented, the missing or inadequate parts will need to be regenerated. In addition, the following information is needed for a Geotechnical assessment; a reasonably current topographic survey of the levee (say within the last 5 years), geologic information consisting of borings and groundwater conditions, records of utility crossings, design water levels, maintenance and/or repairs performed to the levee, flood fighting information especially with respect to seepage under or through the levee, Operation and Maintenance Manuals, and As-Built drawings and specifications. If basic data is not available or insufficient,

such as borings, surveys, utilities, these will need to be acquired. The standard for borings is 3 borings every 1000 feet of levee. A preliminary estimate of cost would be \$25,000 to \$40,000 plus additional labor for contract acquisition (\$5000). Survey data to acquire topographic and utilities would be in the range of \$25,000 plus labor (\$5000). This work may not be necessary if the levee owners can provide the necessary information

4. A preliminary estimate of in-hose labor to make a condition assessment, perform necessary hydraulic and geotechnical analysis, and identify any needed repairs or modifications includes;

Field Inspection - 1 day plus report	\$2,000
Review Design documents (w/spot checks - 5 days (min)	\$5,000
Redevelop geotechnical design analyses (one X-section)	\$10,000
Hydraulic Verification and Interior Drainage Analysis	\$5,000
Hydraulic Risk Analysis	\$2,000
Preliminary cost estimate for modification/repair	\$5,000
Technical Oversight and Review	\$3,000
Total	\$32,000

5. Preparation of a design analysis and construction bid documents will follow approval of the repairs or modifications identified in the report. An estimate for this effort can be provided when the recommended repairs receive FEMA concurrence.

6. Please call Bill Rochford at extension 5450 or the undersigned at extension 5410 to discuss any of this information. We are committed to assisting you in the success of this effort on the Griffith levee.

No encl


JOSEPH J. SCHMIDT, P.E.
Chief, Design Branch

OPERATION AND MAINTENANCE REPORT

For meeting on Wednesday, May 9, 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 March 29 – May 3, 2007)

GENERAL NOTE:

O&M ACTIVITIES IN THE FIELD WILL RESUME AS THE WEATHER ALLOWS. A FINAL SUMMARIZATION TABLE IS FORTHCOMING.

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 responseMaps, 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.
2. Submitted (8) copies of the O&M Manual to GSD for distribution on August 31, 2006.
3. 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.
 - LCRBDC will start turnover process with State (anticipate six months-end of August, 2007), and anticipate remaining O&M maintenance items to be completed to "as-built" condition by end of July 2007.
 - 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" (Refer to handout)
4. **Received response from the Corps on April 19 agreeing to work with LCRBDC to do** 1-2
all inspections no later than the end of summer.
 - **Currently updating summary of all (6) pump stations (then schedule first inspection)**

OPERATION AND MAINTENANCE BREAKDOWN STATUS

A. PUMP STATION TURNOVER

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 August 22 and 23, 2006 with the COE, representatives from Gary, and the LCRBDC.
 - Each of the three (3) parties have submitted 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 Board meeting.
 - A final punch list has been comprised by the LCRBDC, and is currently being reviewed by the Army COE and representatives from Gary. These items will be paid for and facilitated by the LCRBDC, to assure the stations are operating in "as-built" condition before turnover.
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.
 - Minor items for lubrication or gear boxes are scheduled to be completed by United Water. (Ongoing)
3. Agreements were signed on March 21, 2007 authorizing Austgen Electric to clean, and assure seal for (5) flap gates. This should leave (8) to be completed by May 18 (which is the LCRBDC "repair" commitment to Gary).
 - **The inspection of the (5) flap gates were completed on April 9 and were found to seal.**
 - **LCRBDC had Austgen install cables to the flap gates (fastened overhead to the handrails) to ease opening & cleaning in the future.**

C. LEVEE, I-WALL TURNOVER

1. A levee inspection was held with the COE, LCRBDC, and Gary on April 25, 26, 27, 2006. (Additional levee inspection will be scheduled in **early summer** 2007)
2. LCRBDC received a letter from Col. Drolet (current Chicago District Commander) on August 3, 2006 indicating an additional I-wall inspection needs to be conducted in the near future due to a new Federal analysis following Hurricane Katrina. **(Ongoing)**
 - COE tentatively wants to schedule this for **early summer** 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)**
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.
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 to pick up inventory list of “spare parts for pump stations”, which were stored on GSD facilities in November 2005.
 - Received a letter from GSD on August 30, 2006 acknowledging receipt of spare parts lists and assigning a GSD representative to work with Debra Harris to confirm inventory.
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.

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)**

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 requesting information on turnover; Overstreet legal problems, COE requirements, and inspection requirements. (Ongoing)
 - Turned over (2) sets of "as-built" drawings along with a set of Volumes 1 & 2 of the Operation & Maintenance Manual on March 23, 2007

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.
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.
 - 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)
3. A meeting will be scheduled with all the municipalities in the **summer** of 2007 to provide updated emergency response plans and to incorporate the Little Cal plan accordingly.

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 (afternoon).

- COE provided an update of the status on August 24, 2006. (COE anticipates completion by end of September) (Ongoing)

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.

Jim Pokrajac

From: "Rochford, William A LRC" <William.A.Rochford@lrc02.usace.army.mil>
To: "Jim Pokrajac" <jpokrajac@nirpc.org>; "Ackerson, Rick D LRC" <Rick.D.Ackerson@lrc02.usace.army.mil>; <shamel Abou-el-seoud@lrc02.usace.army.mil>; "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>
Cc: <dgardner@nirpc.org>; <wbiller@hammondsd.com>; "Bob Huffman" <huffmun@sbcglobal.net>
Sent: Thursday, April 19, 2007 7:42 AM
Subject: RE: Upcoming LCRBDC Inspections For 2007 (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Hi Jim,

I don't see any problem in working with your schedule, as long as we complete the inspections by the end of the summer, although sooner will be better on our end. We can break the inspections down as we have in the past

Levee and I-Walls
Sluice Gates
Pump Stations

Rick has been working to arrange the dates. Let us know what will be convenient.

William A. Rochford, P.E.
Chief, Geotechnical & Survey Section

U.S. Army Corps of Engineers, Chicago District
111 North Canal Street, Ste. 600
Chicago, IL 60606-7206
(312) 846-5450
william.a.rochford@usace.army.mil

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

From: Jim Pokrajac [mailto:jpokrajac@nirpc.org]
Sent: Wednesday, April 18, 2007 5:26 PM
To: Rochford, William A LRC; Ackerson, Rick D LRC; shamel Abou-el-seoud@lrc02.usace.army.mil; Samara, Imad LRC
Cc: dgardner@nirpc.org; wbiller@hammondsd.com; Bob Huffman
Subject: Upcoming LCRBDC Inspections For 2007

Bill,

I haven't talked to you for a long time, but had a brief conversation with Rick Ackerson today indicating that we had some sluice/flap gate inspections coming up in the near future. As you are aware, I am in the process of working with the City of Gary to turn over the East Reach for O&M

responsibility. Before we can do this, the LCRBDC has agreed that we would remediate any deficiencies in our flood control project up to "as-Built" condition. It would be very helpful to schedule these inspections to coincide with our ongoing remediation in order to get your blessing as well as the City of Garys'. Currently, I am having a number of flap gates cleaned out and anticipate to have these completed in the near future. We will then follow up with sluice gates. Would it be possible to schedule this inspection after we have completed our remediation ? Secondly, I am trying to condense the outstanding issues regarding the six pump stations. I would then like to schedule an inspection with you and Gary in the near future to comprise a final punch list that I would use to get to the point of turnover with Gary. Could we work together to get a date/dates to do this in the near future ? As far as levee inspections, this could be done in the near future, but I would prefer to do it whwn the grass is at a low elevation. If you have any plans for I-wall inspections, as you indicated to me last year, would you let me know so I could participate. This would also have to be turned over to Gary, and I would like to assure it's condition to Gary.

If you have any questions, or would like to work out a mutually acceptable schedule for these inspections, please let me know.

Thanks,

Jim Pokrajac

Classification: UNCLASSIFIED

Caveats: NONE

RECREATION REPORT

For meeting on Wednesday, May 9, 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 March 29 – May 3, 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.
2. A meeting was held on October 18, 2006 with George Carlson, Hammond Parks, Illinois Constructors (I.C.C.), and Jim Pokrajac to field review a trail tie-in on the west side of the recreation trail to the levee across low ground.
 - I.C.C. agreed, in the spring of 2007, to use excess fill, and provide fines, to do this at no cost to 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 Betterment Levee – Phase II, and the Griffith levee.
- 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 re-visit 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).

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.

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.**

Tri-State recreational trail tie-in for the Highland/Wicker Park/Erie Lackawanna Trail System: (Part of Stage V – Phase 2 construction.)

A. The Army Corps has provided the 90% review set and comments were received on April 25, 2007(Refer to Stage V Phase 2 in engineering Report).

- The plan indicates a recreational trail bridge will be installed west of Indianapolis Blvd. to tie in the Cabela's trail north of the river with the existing levee north of the Tri-State bus terminal. (This will then tie into the new Cabela's south levee & then into the existing trail circling Wicker Park).
- The Erie Lackawanna trail appears to be extended from south of I-80/94 westward, along the north property line of Cabela's to a new north/south tie-back levee east of Northcote. This will then tie into our trail system north of the Little Calumet River, west of Northcote.
- Bridges east and west of Kennedy Avenue (See below)

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. 2-3

- 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. 4

April 19 – Met with both Hammond and Highland Redevelopment Commissions, and their Boards. 5

- 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.
- 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 to provide some options & costs from bridge company to consider as upgrades.

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. 6

- GLE currently doing survey work west of Kennedy to minimize impacts

Stage VIII Trails:

1. The trail alignment in this area will be 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 re-alignment, 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 if coordinating)**

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.
- B. The town of Highland is currently proposing some recreational development, as a local match, in conjunction with a Coastal Grant
 - This will inter-phase with the recreational portion of our Stage VI-1 South project.
 - They currently propose to engineer a boardwalk and bridge along the river near Homestead Park which would also connect the park to the island (Top-Hat area)
 - NIES Engineering provided a cost and scope of work along with associated tasks for the planning stage of this project.

Bridge proposal for Highland in troubled water?

Officials would prefer walkway on Kennedy

BY CHARLES F. HABER
Times Correspondent

HIGHLAND | Highland and the federal government are a bridge apart on a proposal for pedestrian traffic between Hammond and the town.

The U.S. Army Corps of Engineers, which is building the Little Calumet River levee on both sides of the river, has proposed building two steel trestle pedestrian bridges over the river from Hammond into Highland. The bridges would stretch between the levees on both sides of the river.

"I'm concerned with what is being proposed by the corps," Redevelopment Director Cecile Petro said Wednesday.

One bridge would go west of Kennedy Avenue and the other would be positioned east of Kennedy. But neither would be convenient for walking from one side to the other, the Redevelopment Commission said.

Petro said the town prefers that a pedestrian bridge be attached to both sides of the existing vehicle bridge on Kennedy.

"I want it to be a bridge for people to stop and enjoy the water," she said.

Such a bridge could become a destination point and help redevelopment in Highland and Hammond, Petro said.

Town Manager Richard Underkofler said the commission and its counterpart in Hammond might talk with the Army Corps and see if that would be possible. Both communities might have to provide funding if the bridge exceeds the federal government's budget for this project, he said.

Underkofler also said the vehicle bridge is a county bridge, so the two communities might have to maintain the pedestrian portions and assume liability.

The Hammond and Highland redevelopment commissions are slated to have a joint meeting in Highland on Thursday and the bridge will be on the agenda, Petro said.

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Link Truss

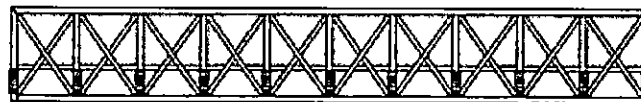


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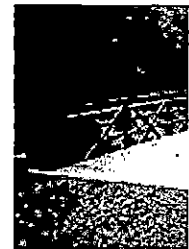
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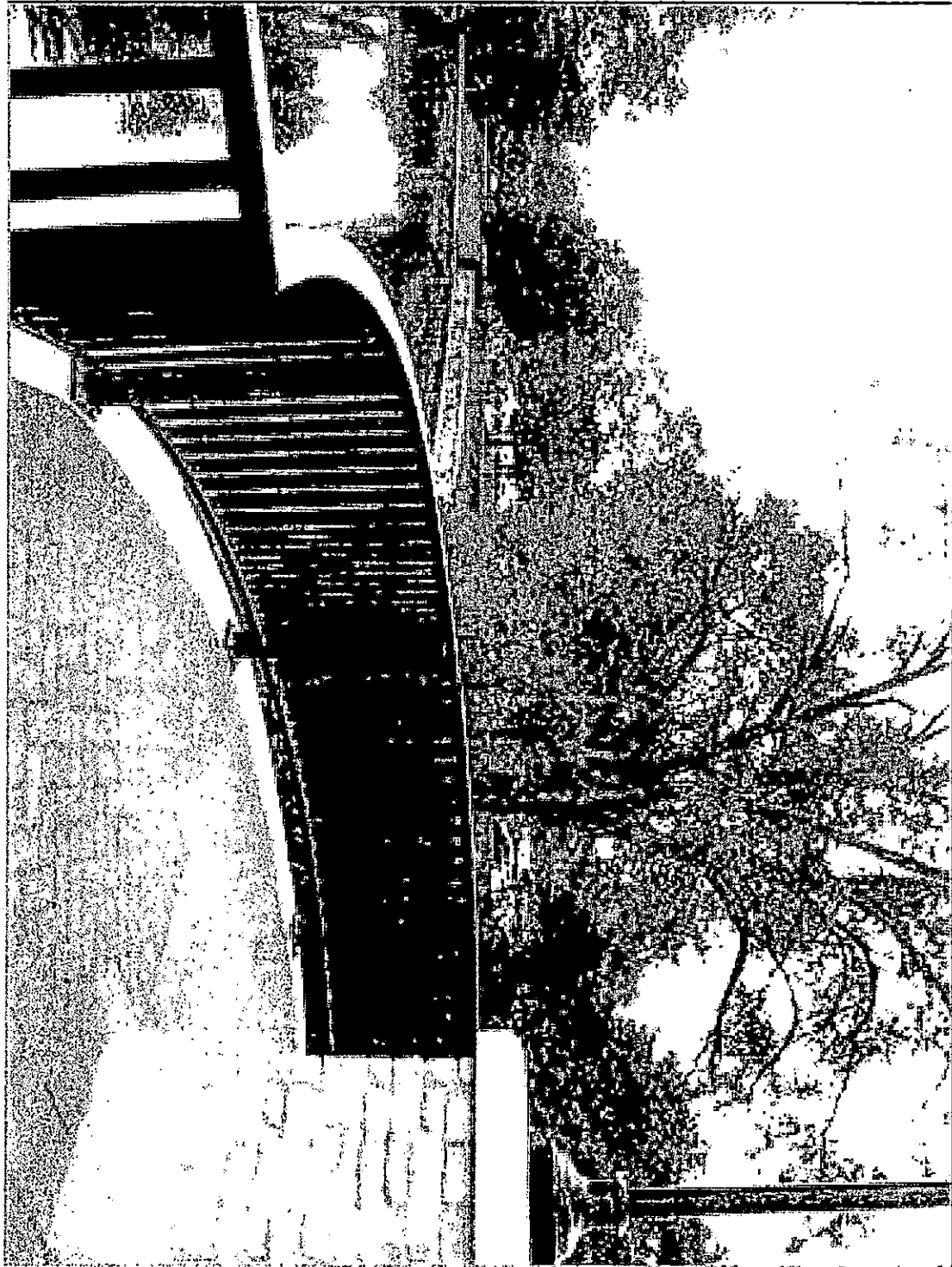
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Little Cal V-2

4/11/2007

Pedestrian Bridges**West of Kennedy**

306ft (160ft + 146ft)

One center pier

	<u>Labor</u>	<u>Equip</u>	<u>Matl</u>	<u>Total</u>
North Abutment	\$14,698	\$4,697	\$35,891	\$55,286
South Abutment	\$6,955	\$822	\$12,311	\$20,088
Intermediate Bent	\$46,916	\$7,988	\$82,191	\$137,095
Ped Bridge	\$37,821	\$7,978	\$308,000	\$353,799

\$566,268 Total Direct Cost

\$162,732 Markups (field and office overhead, profit, bond)

\$729,000**East of Kennedy**

208 ft (16ft + 160ft + 32ft)

Two intermediate piers

	<u>Labor</u>	<u>Equip</u>	<u>Matl</u>	<u>Total</u>
North Abutment	\$17,412	\$5,971	\$41,955	\$65,338
South Abutment	\$16,303	\$5,446	\$38,969	\$60,718
Intermediate Piers	\$40,376	\$5,993	\$83,432	\$129,801
Ped Bridge	\$26,835	\$7,570	\$208,500	\$242,905

\$498,762 Total Direct Cost

\$143,238 Markups (field and office overhead, profit, bond)

\$642,000**Total Cost**

\$1,371,000

Bridge prices are from Continental Bridge - Rep. Terry Solmy 800-328-2047

Connector Type Truss Bridge

Website: http://www.contech-cpi.com/bridges/products/truss/continental_bridges/bridge_styles/connector_truss/369

TOWN OF HIGHLAND
Highland Redevelopment Commission
Municipal Building ♦ 3333 Ridge Road ♦ Highland, Indiana 46322
(219) 972-7598 ♦ Fax (219) 972-5097

Joint Meeting
Hammond Redevelopment Commission
Highland Redevelopment Commission

April 19, 2007 6:30 PM
First Midwest Bank, Second Floor
10322 Indianapolis Boulevard
Highland, Indiana 46322

*"Our shared vision is to develop the areas north and south of the Little Calumet River as one project
that mutually compliments and benefits both of our communities"*

AGENDA

1. Pledge of Allegiance
2. Roll Call and welcome
 - A. Hammond Redevelopment Commissioners
 - B. Highland Redevelopment Commissioners
3. Introduction of Staff and members of the public
4. Motion to Accept the Agenda
5. Motion to Approve Minutes
6. Declaration of Conflict of Interest
7. Draft Memorandum of Understanding
(Discussion by Commissioners)
8. Redevelopment progress update presented by Hammond and Highland
(Presentation by Staff and discussion by Commissions)
- * ☒ 9. Kennedy Avenue Bridge over the Little Calumet River
(Discussion of a possible pedestrian bridge by the Commissioners)
10. Purdue Calumet and the Little Calumet River Commission
(Consider inclusion of both groups in future meetings)
12. Discuss and decide future discussion topics
13. New and unfinished business
14. Public comments
15. Adjournment

5

Jim Pokrajac

From: "Jim Pokrajac" <jpokrajac@nirpc.org>
To: "Lavicka, Kelsey W CPT LRC" <Kelsey.W.Lavicka@lrc02.usace.army.mil>; "Samara, Imad LRC" <Imad.Samara@lrc02.usace.army.mil>; "Groboski, John A LRC" <John.A.Groboski@lrc02.usace.army.mil>
Cc: <glh@garcia-consulting.com>; <jvamos@nirpc.org>; "Kotwicki, Victor L LRE" <Victor.L.Kotwicki@lre02.usace.army.mil>
Sent: Saturday, April 28, 2007 12:07 PM
Subject: Fw: Garcia items of Note at Railroad and Indy Blvd

Gentlemen,

I forwarded a couple comments from Garcia (Gregg Heinzman) that should be addressed as part of the V-2 set of plans. These issues are as follows:

1. GLE is providing the Indot easements for both sides of Indianapolis Boulevard as coordinated with Indot and Lawson/Fisher, and the corps should assure that they re-work their work limits and real estate drawings accordingly.
2. The ongoing issue with the Conoco/Phillips pipelines needs to be confirmed, as well as the turnarounds for both lines of protection West of the NSRR. The South line seems to be finalized, but the North line may have some problems by moving it 65' to the North. As Gregg notes this will put it in a very wet area that may cause considerable additional cost. We discussed the possible use of Sheet piling as a retaining wall to assure that we will not need any additional real estate on DC-1172, and could stay within the existing real estate, which the LCRBDC has almost obtained. Confirm the center line of protection so we can get the 2 pipelines located for you with Atlas Daylightung.
3. Not shown is this e-mail, but for your information, GLE is providing you with modified data for review West of Kennedy Ave. and North of the river to allow thr recreational trail to tie in without needing additional real estate from either Wendys' or the Visitors Center.
4. DC-1174 Land in back of the old K-Mart is currently being appraised and hopefully be done in the near future so we can include that permanent roadway easement as part of the bid documents to simplify the haul routes.

Hope this can still be addressed,

Jim

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

From: Gregg Heinzman
To: Jim Pokrajac
Sent: Saturday, April 28, 2007 8:14 AM
Subject: Garcia items of Note at Railroad and Indy Blvd

Jim,

Here's my email from 4/17/07 about my concerns at the railroad crossing.
 My only other concern is that the Corps use our INDOT easements at the Boulevard to rework their real estate drawings, since we are creating those easements on our own and not from Corps drawings.

Gregg L. Heinzman PE SE LS
 Vice President

6

4/28/2007

With this said, I am at a loss as to how I can gain access to your locate sites. If we can determine a way to allow my Hydro-Excavator access to the locations then we can determine the depth and elevations of the existing gas lines.

Perhaps we could meet again to further discuss this and come to a satisfactory agreement to get these locates done.
Let me know your thoughts on this.

Best Regards,

David M. Kerper
General Manager
Atlas Daylighting, LLC.
Classification: UNCLASSIFIED
Caveats: NONE