

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

MARK GORDISH, Secretary Mayor of Hammond's Appointment

WILLIAM BAKER Governor's Appointment

DAVID BURRUS

Porter County Commissioners'
Appointment

ARLENE COLVIN Mayor of Cary's Appointment

DAN DERNULC V
Governor's Appointment

ROBERT HUFFMAN

Governor's Appointment

RON McAHRON

Dept. of Natural Resources'
Appointment
JOHN MROSZKOWSKI

Governor's Appointmen

VACANCY Executive Director

LOU CASALE Attorney

Lorraine

Jody Jones Sandy Jim

MEETING NOTICE

THERE WILL BE A MEETING OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION AT 6:00 P.M. WEDNESDAY, NOVEMBER 5, 2008

AT THE LAKE COUNTY CONVENTION & VISITORS BUREAU
7770 Corinne Drive, Hammond, Indiana
(Do not use main entrance – Use South Side Door)

5:30 p.m. WORK STUDY SESSION

AGENDA

- 1. Call to order by Chairman William Biller
- 2. Pledge of Allegiance
- 3. Recognition of Visitors and Guests
- 4. Approval of Minutes:
 - Special meeting of September 29, 2008
 - Regular Board meeting October 1, 2008
 - Special meeting of October 16, 2008

4-10

. Chairman's Report

 Welcome to new Board members: IDNR appt. Ron McAhron, and Governor appointments Dan Dernulc and Bill Baker

· Welcome to Interim Director Jody Melton

6. Action Required:

Finance: Approval of claims for October 2008

Approval of O&M claims for October 2008

Approval of town of Munster claim 25

Land Mgmt: Approval of request from IN American Water Company

Consider View Outdoor request for extension of

existing leases

7. Standing Committees:

A. Search Committee - Chairman Dave Burrus

Request for Qualifications

mailent mount of from the forth

- B. Finance Committee Treasurer Kent Gurley Financial Status Report for end of September 2008 Army Corps request for FY2009 - \$606,500 Committee meeting of October 29 – Reference Budget C. Land Acquisition/Land Management Committee - Chairman Bob Marszalek Land Acquisition

Acquisitions for Stage VII & VIII

· Letter from town of Munster to purchase 4 homes west of Hohman Avenue

Land Management

D. Project Engineering Committee - Chairman Bob Huffman

Status of Stage V-2 pipeline corridor

Status of Stage VII & Stage VIII utilities

E. Operation & Maintenance - Chairman Bob Huffman

- F. O&M Funding Committee Chairman Kent Gurley
- G. Legislative Committee Chairman Bob Marszalek • 2009/2011 legislative session starts January 1, 2009
- H. Environmental Committee Chairman Bob Marszalek · Soils contamination at Kennedy Avenue, Hammond Sanitary District 30-34

- I. Recreational Development Committee Chairman Bob Huffman
- J. Policy Committee Chairman Bob Marszalek

7. Other Issues / New Business

- Statements to the Board from the Floor
- Set date for next meeting; adjournment

The se

MINUTES OF THE SPECIAL MEETING OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION HELD AT 4:30 P.M. MONDAY, SEPTEMBER 29, 2008 6100 SOUTHPORT ROAD PORTAGE, INDIANA

Chairman Bill Biller called the meeting to order at 4:30 p.m. Seven (7) Commissioners were present. Pledge of Allegiance was recited.

Development Commissioners:

Mark Gordish Robert Huffman John Mroczkowski

Arlene Colvin Dave Burrus Kent Gurley

Bill Biller

<u> Visitors:</u>

Mark Lopez - Congressman's Office

Elizabeth Johnson - '

Susan Brown - The Times

John Swanson - NIRPC Executive Director

Erik Potter – Post Tribune

Senator Frank Mrvan

Emerson Delaney - Former LCRBDC

Commission member

Staff: Sandy Mordus Lou Casale

Chairman Biller called the special meeting to order. He stated that the purpose of this meeting is to address a letter received from Congressman Visclosky on September 22, 2008. The letter addresses four concerns: (1) the termination of Dan Gardner's employment as Executive Director of the Commission; (2) the establishment of a Search Committee to hire a new Director who has construction management and contracting experience; (3) undertake the review of operations and personnel to propel the project to completion; and (4) make a commitment to transparency and accountability.

Chairman Biller offered his and the Commission's condolences on the loss of homes, businesses, and property incurred in the recent flooding. He said their hearts and prayers go out to all the unfortunate people, especially in the town of Munster, whose areas were devastated by the flooding.

The main reason for tonight's meeting is to consider the resignation of Dan Gardner, Executive Director to the LCRBDC. He has submitted a letter of resignation effective September 26, 2008. Mr. Biller proceeded to read Mr. Gardner's letter (attached hereto and made part of these minutes as Attachment A). Mr. Burrus made a motion to accept Mr. Gardner's letter of resignation; motion seconded by Arlene Colvin; motion passed unanimously.

Mr. Mroczkowski inquired what happens next. Mr. Biller stated that the Commission needs to meet and decide on the next steps. There will be an Executive Session prior to the next regular Board meeting on October 1. A Search committee will be formed to look for a new director and discuss funding. There are numerous properties in condemnation and we need

Special meeting September 29, 2008 Page 2

to have funding in place to pay into court. Executive Session will address some of these issues. Arlene Colvin added that she thought the Commission needed to take any steps it can to engage the communities as well as the Congressman's office. Mark Gordish emphasized the need to keep the project moving forward and as quickly as possible so it is not slowed down. Funding is a big issue so the Commission will not be slowed down. Chairman Biller added that he understands an audit will be conducted of Commission's funds. He welcomes that.

Public Comments:

Emerson Delaney, town councilman from Chesterton, addressed the Commission. Mr. Delaney previously served on the LCRBDC Board for eight years, also serving as chairman. He grew up in a floodplain and lived on River Drive in Hammond. He proceeded to say that this was a record rainfall, falling in other communities away from the river, throughout the entire basin. He opposed the removal of Dan Gardner and opposed Board member replacement. The Commission, since 1980, has had six Governor appointments on this Board. The Board does not need to be streamlined; it needs local representation. No one is going to benefit at this point in time, when the project is so close to completion, to have a new 5-member Board appointed. The Commission has always had "clean" audits. He felt the problem is funding and has always been funding. The Commission never received the State funding it requested. That is the reason this project is not completed. And because sufficient funding was not available to the Commission, construction costs and all related costs thereto, go up. The Congressman has always secured sufficient Federal funding but the State did not and, therefore, could not keep up with land acquisition. Mother Nature was to blame for this flooding; not one man.

Commissioner Bob Huffman added that there is much to discuss in the Executive Session.

Meeting dismissed at 5:30.

Mr. William Biller, Chairman Little Calumet River Basin Development Commission

Little Calumet River Basin Development Commission Membership

Dear members:

I wish to thank the LCRBDC board for their support and commitment to me and the Little Calumet River Flood Protection/Recreation Project. I have always strived to conduct myself and the Commission's business in a professional, honest, and ethical manner. For the project, the Commission and the needed non-federal funding to succeed at this time, the full confidence of the Federal, State, and local elected officials must be restored. That effort and the work to restore it will require a full time Executive Director.

Toward that end, I submit my resignation as the Executive Director of the Little Calumet River Basin Development commission effective immediately. I offer to assist in any way requested by the Commission and area officials to facilitate a successful transition.

Respectfully submitted,

Dan Gardner

Attachment A (3)

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION HELD AT 6:00 P.M. WEDNESDAY, OCTOBER 1, 2008 6100 SOUTHPORT ROAD PORTAGE, INDIANA

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

Development Commissioners:

Mark Gordish Robert Huffman Steve Davis

Arlene Colvin Ron McAhron Kent Gurley

Bill Biller **Dave Burrus**

* Grandet John Mroczkowski

Staff:

Jim Pokrajac **Sandy Mordus** Lou Casale **Judy Vamos** Lorraine Kray Visitors:

Bill Petrites – Highland resident

Kim Poland - Hammond Councilwoman

Susan Brown - The Times Vanessa Villarreal - USACE

Lynne Whelan - USACE

Christine Kutkowski - Hammond resident

Karen Lorenz - Hammond resident Doug Lorenz - Hammond resident Dorreen Carey - City of Gary

Mike Zarantello - Hammond resident David Nellans - Town of Munster

Helen Brown - Town of Munster

Bill Howard - Munster resident

Dan Dernulc - Highland

Mike Mellon - Town of Munster

Elizabeth Johnson - Congressman's Office

Imad Samara – USACE

Bob Markovich - Hammond councilman Senator Frank Mrvan, Jean Mrvan Ed Soliday – Representative District 4

Rob Mangus - Town of Munster

Spero Batistatos – Lake County CVB

Curt Vosti - Hammond

Chuck Brimmer - Congressman's Office

Mark Lopez - Congressman's Office

Mik Brin (?) - Hobart resident

George Janiec - Hammod resident

Anthony Higgs - Hammond councilman

Bill Baker - Gov., Munster

Carolyn Marsh - Sand Ridge Audubon

After a correction to the minutes of the September 3rd meeting was made on page 2, first paragraph, whereby "motion passed unanimously" was struck because motion was withdrawn, minutes were approved by a motion from Bob Huffman; motion seconded by Dave Burrus; motion passed unanimously. Kent Gurley questioned what was said under the Legislative Committee but recommended no correction.

<u>Chairman's Report</u> – Chairman Biller recognized the letter of resignation by Steve Davis, IDNR appointment. He announced and welcomed the new appointment by IDNR, Mr. Ron McAhron, Deputy Director of IDNR.

- Chairman Biller also announced the resignation of Dan Gardner, Executive Director of the Commission, effective as of September 26. His resignation was acknowledged at the September 29 special meeting.
- Mr. Biller continued to say that these last few weeks have been trying for all. The flood event of September 13-16 devastated many people and many homes. Many areas were affected but the town of Munster had incurred the most damage. The Commission's condolences and prayers go out to everyone. He asked Imad Samara to give a report later in the meeting. He continued to say that the Commission did accept the resignation of Dan Gardner; otherwise, he would have been terminated as per the Congressman's request. A Search committee will meet and outline a plan to pursue his replacement. A 5:00 Executive Session discussed issues of personnel and pending litigation. He asked the Finance Committee, headed by Treasurer Kent Gurley, to take responsibility for 2 items: (1) immediate search to come up with plan of action for interim director, and (2) provide a short term budget that will allow the Commission to operate thru the end of December. Funding is most important. He asked that a report be available for another meeting in about two weeks, October 15th.

Action Required - Treasurer Kent Gurley presented items for action.

- Mr. Gurley made a motion to approve the September claim sheet for ongoing project development in the amount of \$85,784.58; motion seconded by John Mroczkowski; motion passed unanimously.
- Mr. Gurley asked for approval of the O&M claims after deleting a \$2,184 claim to Austgen Electric. He asked that it not be included until next meeting; he asked that it be put into a line item budget first. He proceeded to make a motion to approve \$1,730.29 (minus the Austgen claim); motion seconded by John Mroczkowski. Jim Pokrajac explained the claim and why it was needed. Bob Huffman approved payment of the claim. After discussion and a show of hands, Bob Huffman made a motion to approve the O&M claims in the total amount of \$3,914.29 (including the Austgen claim); motion seconded by Bob Marszalek; motion passed.
- Mr. Gurley made a motion to approve the Munster claim in the amount of \$1,775 for DC-1248; motion seconded by Arlene Colvin; motion passed unanimously. Staff will submit the claim to the town of Munster for payment.
- Mr. Gurley referred to the letter received from USGS in which they asked us to sign a Joint Funding Agreement for the operation and maintenance of a gaging station on Hart Ditch in Munster for the period of 10/1/08 thru 9/30/09 at a cost of \$6,500. This is the same agreement we have previously had each year with the USGS. Mr. Pokrajac explained how the gage monitors levels of the river and how it is helpful during emergency response. Mr. Gurley asked Attorney Casale if the agreement was appropriate. Satisfied that the agreement was in order, he continued to make a motion to enter into the agreement with USGS; motion seconded by Bob Huffman; motion passed unanimously.

<u>Finance Committee</u> – Treasurer Kent Gurley referred to the "estimated O&M costs through end of 2008". The amount came to \$58,200. Jim Pokrajac added that pump station inspections will be taking place within several weeks and there may be emergency repair



associated with them. The Army Corps will put together a punch list after the inspections. Mr. Gurley questioned whether the liability is 100% ours and he was informed it is our liability and responsibility, as per the LCA, until municipalities take it over. At this point, there are no formal O&M agreements in place, although Hammond and Highland already have been doing some O&M on their own.

• Mr. Gurley referred to the financial statement for August. He stated that the financial sheet does not show the total drawdown money from the State Budget Agency. The \$210,948 listed in Land Acquisition is committed funds for project development use. Available monies to the Commission total less than \$100,000. The funds available down state total little over \$300,000. He has a concern that we will not be able to meet expenses through the end of the year which could delay the completion date of the project. Mr. Biller added that existing state funds really should carry us thru June 2009 (end of State fiscal year) but that will not happen. The Finance committee will discuss this further at their scheduled meeting.

Land Acquisition/Land Management Committee — Committee Chairman Bob Marszalek reported that all 48 easement acquisitions in Stage VII have been accepted; 45 have closed and 3 are in final closing. In Stage VIII, there are 96 easement acquisitions. 26 are in condemnation; 2 in negotiations; 3 in final closing; and 65 are accepted and closed. Mr. Marszalek asked Judy Vamos is any of the condemnations changed their mind after the flooding and she replied that 2 parties had.

<u>Project Engineering Committee</u> – Committee Chairman Bob Huffman gave the committee report. He reported that all pipeline agreements were obtained for the V-2 pipeline corridor. They are signed and cost estimates identified an approved by the Army Corps. Option to the V-2 ROE was exercised and the relocation/construction on utility pipeline corridor can begin as soon as the Corps completes paperwork with the contractor.

- The proposal received from Christopher Burke Engineering for the Griffith levee has been put on hold until we can secure monies from the RDA. Staff has been in contact with the company and they understand the funding situation.
- Regarding Stage VII utilities, Mr. Pokrajac reported that there is only one outstanding utility relocation agreement we have not received. We are awaiting costs from BP Pipelines. They are working with us and we hope to have agreement in place soon.
- Regarding Stage VIII utilities, final Army Corps engineering drawings have not been received yet. Once received, we will have to obtain cost estimates from the utilities so agreements can be put in place. Mr. Pokrajac estimated cost at about \$500,000. Costs will also have to be reviewed and approved by the Corps before the utility relocation agreement can be sent out.
- All legals and surveys have been completed for Forest Avenue properties. Discussion ensued on whether the 75' drainage easement would be sufficient for the Army Corps to access the levee to determine what needs to be done. It was stated that Stage VIII could be let without the Forest Avenue public easements. The Corps has stated that 15' is needed as a public easement. There are no public easements in place at the present. The city of Hammond built that levee, to Corps standards, after the 1981 flood.
- Mr. Gurley asked if condemnations go forward and we obtain the money to pay into court, when can construction be finished. Attorney Casale stated that there is still some "clean-up"



in the East Reach Remediation area. That area was put on hold when we were instructed to only spend dollars in the "critical path" for Stage V-2. Once the right-of-entry is signed for Stage VII and VIII, the Corps will then be able to advertise and award the contracts. Obtaining the additional easements in ERR will not hold up the contracts for the west reach.

- Chairman Biller asked Imad Samara, project manager, to give his view on the flooding. Imad replied that the Corps met that morning to discuss the flooding. It was the highest level of flooding ever recorded since they have been monitoring. He calculated that it was at least a 120 year flood event. The new levees had no overtopping and all project features operated as designed. If closure structures had all been completed, the flooding probably would not have been as severe.
- When asked if the entire flood control project with all features, including the control structure had been completed, would the area have been protected. Imad could not give a direct answer. He said the new levees held; the old levees overtopped; it was not an easy question to answer given that it was a record flood event.

<u>Operation & Maintenance Committee</u> – Committee Chairman Bob Huffman asked Mr. Casale about the turnover of O&M to Gary. Attorney Casale stated that the Attorney General's office is reviewing the documents. If there are changes, it probably will take another couple of months for further review.

- Mr. Pokrajac stated that one pump station is completed and can be turned over to the town of Highland, another pump station agreement is already in place in Highland. The town is ready to work with us once the final (2) stations are turned over to the LCRBDC. We will need to get some as-builts from the Army Corps before we can proceed.
- Mr. Pokrajac stated that he will accompany the Army Corps on a post flood inspection of the project features this week. After a big flood event, they require inspection to assess any damage the storm may have caused. It is a Federal requirement. Mr. Gurley asked if the Commission is liable for these costs and if communities have received the O&M takeover information. Mr. Pokrajac replied that we are liable; all communities have received the Corps O&M disk in February of 2006. Mr. Gurley asked Mr. Huffman if his committee would please keep the Commission up to date on O&M developments.

<u>O&M Funding Committee</u> – There was no report. <u>Legislative Committee</u> – There was no report.

<u>Environmental Committee</u> — Discussion ensued on the Corps letter and report received regarding the soil contamination on Kennedy Avenue. The Corps recommended the Commission do additional sampling to lower costs. The Corps estimated cost for removal was \$562,000.

<u>Recreation Committee</u> – There was no report. <u>Policy Committee</u> – There was no report.

<u>Other Business</u> — Until an Interim Director is found, Bob Marszalek made a motion authorizing Judy Vamos to sign the Uniform Land Offers; motion seconded by Bob Huffman; motion passed unanimously.

Statements from the Floor - Numerous statements were received from the floor.

- Munster Town Council president Helen Brown stated that the town of Munster was impacted by the flood more than any other community. She stated they are no better protected today than they were prior to the flood. She presented a letter from the Council requesting that the Commission take emergency action to raise the levees in Munster to a height equal to what is on the Hammond side until the project is completed. (The letter attached hereto and made part of these minutes as Attachment A). They asked the Commission and the Army Corps to expedite the contracts now and if dates cannot be adhered to, please keep the community informed. She asked about doing Stage VII and VIII on the same contract. Chairman Biller agreed that the project has taken too long; we are taking steps to improve our response and creditability with the communities.
- Discussion ensued on the Northcote bridge. Everyone agreed that it makes no sense to construct a bridge lower than the levee. It is going to be a problem every time it rains. To coordinate the sandbagging of the bridge in a flood event is not an easy job. Munster resident Bill Howard reiterated that the bridge height needs to be addressed. He was told that the bridge was built back in the mid 50's, locally funded, and locally built. He also asked for a list of homeowners who are in condemnation in Stage VIII.
- When asked about the existing Munster levee, Imad replied that the Corps cannot do anything about the old levee; they only require the easements so the new "Federal" levee can be built in its place.
- Hammond Councilman Anthony Higgs said, although Munster got hit the hardest, Hammond also suffered flooding.
- Mike Mellon, Munster councilman, inquired, based on resources we know today, when would the levee be completed. Imad replied that Stage VII levee would take about 1-1/2 years and Stage VIII levee would take about 2 years to complete from their Notice to Proceed. The Corps was urged to combine both segments in the same contract. Mr. Mellon asked the Commission to let the town of Munster know if we have a funding problem and they will do whatever they can to help.

Mr. Biller stated that he will be meeting with all the stakeholders soon, i.e. Congressman's Office, Governor's Office, Lake County, RDA. Mr. Biller went on to say that he accompanied Mr. Gardner at the last State Budget hearing where the Commission asked for \$8 million (based on Corps schedule) and only received \$2 million. That has been the history in the past. We did receive additional money after the \$2 million because of the accelerated schedule to acquire V-2 easements so Cabela's could develop. Ron McAhron asked if we had received \$8 million in total for the last two years and Mr. Biller replied we had because of additional IEDC money and RDA money.

•Representative Ed Soliday informed the Board members that he was the one who initiated the Level 2 audit. He added that he did not say there was anything illegal; he just wanted to confirm where the dollars were spent. Senator Frank Mrvan added that he had lost confidence in Mr. Gardner because every time he asked for State money, it was a moving target and never defined as to the exact dollars needed. It consistently changed; it always kept rising. He suggested that when a new Director is selected, stay away from politicians. The Commission should be able to secure the State funds it needs, especially now, once "real" figures are identified. George Janiec echoed Senator Mrvan's statements. The person selected must have important qualifications, professional and academic, and project management. Anyone short of this, will not get the job done.



- Mike Zarantello stated that accountability was a big issue here. Residents have always had valid questions but did not feel they got valid answers. He also questioned why issues he has brought up at previous meetings weren't always in the minutes, especially his issue of why Munster was lower than Hammond where sandbagging had to be done. He has made comments over the past several months that were not addressed by the Commission. He questioned why the filled-in groove for the closure panels on 35th Street wasn't repaired if we knew it was not useable.
- Spiro Batistatos of the Lake County CVB talked about the flooding that occurred at the Visitors Center. He questioned whether Optimist Lake and Wicker Park were purposely used as water storage. He offered the Visitors Center as a place for the Commission to meet closer to the project area.
- •Carolyn Marsh addressed the Commission by saying that one of the main issues here is not being addressed and that is filling in the wetlands. Because of all the new development, many wetlands are being filled in. There is no place for the water to drain to except into developed areas. She opposed Cabela's development, and their proposed phase 2 development. She also opposed hotels going in where River Park apartments were, and potential development at Griffith golf course. Those areas, where water sits in wetlands, will have no place to go. She felt that IDNR has not played an active role in denying permits for these areas.
- Karen Lorenz, resident in Hammond, has been attending the Commission meetings for some time now and stated she is not satisfied with the Corps design plan. She feels an independent study needs to be performed on the design. She opposes the installation of a sheet pile wall behind her house. She asked about the elevation of the 4 homes west of Hohman. Those homes which the Corps said had a high enough elevation to be out of the project area, flooded but hers did not. She is also worried that the water in her backyard will not drain to the river because the I-wall will block it. Imad said an interior drainage system directed to a drainage structure (with a duckbill) would be installed. She does not think the proposed drainage system will work.
- Bob Markovich, Hammond councilman, echoed previous comments by residents. He is satisfied that the Commission is on a fast track to hire someone quickly; he agreed that it should not be a person with political ties. He feels an I-wall should be built and not earthen levees, where residents could possibly expand their landscaping.
- Curt Vosti, former member of the Commission, stressed the need for the maintenance of the levee system. It has always been talked about and he knew that eventually there had to be a plan in place, but that needs to happen now. With the municipalities expected to maintain their portion of the project area, coordination of that maintenance is important. He hoped the sense of urgency is felt strong enough now that it will be addressed so another crisis does not happen. He asked how much of a factor INDOT's expansion of the Borman contributed to the flooding of the Borman. Imad Samara added that some of the problem was the old levees overtopped in Munster and the water went around and onto the expressway.
- Chuck Brimmer, Congressman's Washington office, stated that the Congressman, as well as the Govenor, signed the initial letter that went to the RDA supporting the Commission's request for \$6 million. That figure was intended to finish the project and that is not the case. The Congressman sensed the urgency for the completion of the project and that is why they wrote the letter to RDA. The Congressman has always supported the project and has always made Federal dollars available.

There being no further business, the meeting was adjourned. The next scheduled Board meeting is set for 6:00 p.m. on <u>Wednesday, November 5, 2008</u>.

9



September 30, 2008

Board of Commissioners Little Calumet River Basin Development Commission 6100 Southport Road Portage, IN 46368

Dear Commissioners:

The Munster Town Council is formally requesting that the Little Calumet River Basin Development Commission take emergency action to raise the level of the levies in Munster to a height equal to what is on the Hammond side until the project is completed.

The Town always knew that the West Reach would be the last to be completed. We have been told repeatedly that the project would be done in the near future. We have asked to increase the height of the levees before and were turned down. In September 2000, we were told that Stage V Phase 2 was to be bid in a few months (letter to Jim Knesek from September 22, 2000). That stage is just now being completed, eight years later.

The Town has worked with the Commission to finance and secure the required easements for Stages V, VII, and VIII. We have used local funds to pay for right of way and easements from private property owners. We have pledged local funds to enhance landscape restoration work along the area of the project now being completed, Stage V.

The Town has diligently removed materials in the Little Calumet that create blockages, on occasion working with the City of Hammond's Park Department. When we have been unable to remove these blockages, we have engaged and paid outside contractors.

Munster needs to be protected immediately. Steps must be taken to provide residents, businesses and the greater community the flood protection it is entitled to. The Commission and Army Corps of Engineers provide this protection NOW and expedite the letting of the construction contracts for the final two Stages.

The Town is formally requesting that the Commission and Army Corps of Engineers explore any emergency provisions under State and Federal regulations to get the final two Stages under construction.

Yours truly,

Helen Brown

Town Council President

TOWN OF MUNSTER

MINUTES OF THE SPECIAL MEETING OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION HELD AT 6:00 P.M. THURSDAY, OCTOBER 16, 2008 6100 SOUTHPORT ROAD PORTAGE, INDIANA

Chairman Bill Biller called the meeting to order at 6:10 p.m. ten (10) Commissioners were present. Pledge of Allegiance was recited.

Development Commissioners:

Mark Gordish
Robert Huffman
John Mroczkowski
Arlene Colvin
Dave Burrus
Kent Gurley
Bill Biller
Ron McAhron
Bill Baker
Dan Dernulc

Staff:

Sandy Mordus Lou Casale Jim Pokrajac Judy Vamos Lorraine Kray

Visitors:

Mark Lopez – Congressman's Office
Elizabeth Johnson – " "
Susan Brown – The Times
John Swanson – NIRPC Executive Director
Erik Potter – Post Tribune
Robert Farag – Griffith Golf course
Paul Daniels – Munster
David Nellans – Munster councilman
Bill Howard – Munster resident
Tom Bell – Munster resident
Mike Mellon – Munster councilman
Tom DeGuilio – Munster town manager
George Janiec - Hammond

Chairman Biller called the meeting to order at 6:10. The special meeting was called to address two items: (1) Interim Director and (2) budget, both short term through the end of the year and long term through end of project.

Chairman Biller welcomed new member Bill Baker, who is a Governor's appointment. The first order of business is a recommendation to the Board to appoint an Interim Director to oversee the Commission through the end of the year. Arlene Colvin made a motion to select Jody Melton, Director of the Kankakee River Basin Commission, as interim director through December 31, 2008 and the Commission will continue their contract with NIRPC through the end of the year; motion seconded by Bob Huffman; motion passed unanimously.

Chairman Biller stated that a Search Committee has been selected and they are meeting to develop a RFQ for the Director position and it will be available at the next Commission meeting. Dave Burrus made a motion that the long term plan be developed for a director or a management team to replace the Executive Director position; motion seconded by Arlene Colvin; motion passed unanimously.

The second order of business dealt with a short term budget through end of year. Arlene Colvin reported that the Finance committee has met and developed a draft budget plan. They are still gathering some data for a cash flow budget. They are looking at the dollars needed to get us through the end of the year and trying to define a number of dollars for the long term. The first draft budget will be available at next Board meeting. Mr. Biller

Special LCRBDC Minutes October 16, 2008 Page 2

thanked Arlene and the committee for the number of hours they have put in already. He asked that they continue working on the budget and report back. Mr. Biller also appointed Ron McAhron to serve on the Finance committee. Mr. Biller stated that he will schedule a Work Study Session before the next meeting. Mr. Biller also stated that the Search committee will meet on October 24.

Ron McAhron questioned whether or not the land acquisition condemnation costs should be discussed at a public meeting. Attorney Casale answered that it is public information and he sees no problem. All of the remaining condemnations in Stage VII are scheduled. Attorney Casale reported that all acquisition of easements is completed for Stage VII; there is still a utility relocation agreement that is outstanding with BP Pipelines. As soon as it is completed, we will be able to sign the ROE for the Army Corps to advertise the contract. Jim Pokrajac added that he has been in constant contact with the pipeline company and they realize the time frame we are under. Mr. Biller asked if the Congressman's Office could help. Mr. Pokrajac will forward the email trail and info to Mark Lopez.

The next meeting was scheduled for 6:00 on Wednesday, November 5. The meeting will be help at the Lake County Visitors and Convention Center in Hammond.

Statement from the floor — Mark Lopez asked about the transparency of this project. He stated that he has never seen all costs of this project and assets the Commission has that yields revenues from leases. He has never seen a complete spread sheet listing everything. He said there would be funding available — as soon as the Commission can answer all questions. Mr. Biller added that we do have a credit asset sheet and properties we own. We have always had that available at any time.

Ron McAhron stated that IDEM was here on Monday and they expect to have some information back from them on the soil contamination issue. This is another piece that will need to fit into the budget. At first, IDEM thought the Corps was doing the investigation. Once they knew that the Corps was not, IDEM has been very proactive and willing to help. Mr. Nellans added that he hoped this issue wouldn't delay any work. It should not compromise the contractors work that is oing on now. He lopes the Army Corps is watching that.

Bob Farag from Griffith Golf Center looked to the Commission for help. This is the second time he has gone through a flood event of this magnitude. He has had a working relationship with the Commission but nothing seems to move forward. Although FEMA helps out private residents, it does not help out businesses. And his business is ruined. The Corps has identified his property as a floodway and has offered a menial amount for a flowage easement. He doesn't understand why his golf course would stay in the floodway but Wicker Park does not. He was very frustrated and doesn't know what his step is. Attorney Casale offered that he will call him to discuss further. Mr. Casale added that the Corps tells us what to acquire; we do not make that determination ourselves – only the Corps. Their engineers design the project and we do the easement acquisition based upon that design.

Mike Mellon, town of Munster, stated that the Town has passed a resolution on October 6 at their Board meeting requesting that the State of Indiana take immediate action to insure that the flood control project be completed in a timely manner and that a comprehensive property-funded operation & maintenance plan be developed (copy attached hereto as made part of these minutes as Attachment A).



Special LCRBDC Minutes October 16, 2008 Page 3

Munster Town Manager Tom DeGuilio asked if there were any Munster properties in Stage VIII. Judy Vamos answered that there were 3 properties; CSX RR, NICTD, and the Hammond Clinic. Easements are needed on all 3 properties. Mrs. Vamos indicated that we are hopeful in working out suitable language details with them. Only a temporary easement is needed on the Clinic property. Attorney Casale added that all condemnations have hearing dates. A few may have to be changed due to publication dates but they are all in the works. Chairman Biller added that, to be cautious, he would estimate a April completion for acquisition. Attorney Casale stated that once money is paid into Court as the appraisers come back, we can take possession of the land. The problem here is that we do not have the money, at this point in time, to pay into court. He stated that the last scheduled hearing is in November, but may have to be moved to December.

Dave Nellans, Munster town councilman, urged the Commission to move as quickly forward with Stage VIII as they can. He would like to see a time line, as well as a total budget. Mr. Biller stated that we are working on that. Mr. Nellans thanked the Commission for moving their meetings to the West Reach.

Tom DeGuilio asked the Commission to consider making Southmoor an option to the contract. Mr. Casale stated that was the original idea but it was changed. Mark Lopez added that having an option usually adds additional cost onto the project and takes longer but we will look at all avenues to keep moving forward.

Discussion ensued on the removal of the sand bags that Munster is now putting in place on the levee by Northcote. Imad said that he probably could put the removal of those bags by the contractor into the Stage VII contract. They will discuss further.

Paul Daniels asked if the plan of the stages was available to the public. Mr. Pokrajac will get him a project map that shows the stages. Detailed design plans are available to look at here at the office or at the Munster Town Hall. There is a Corps web site that posts a project map also. Mr. Daniels also inquired whether a contractor will have to stop work because of weather conditions. Mr. Huffman answered by saying that the contractor can be quite a bit in cold weather except for possible pouring of the I-wall.

Tom Bell inquired who is responsible for cleaning the river debris until the project is complete. Mr. DeGiulio answered that they have cleaned out debris many times, as well as Hammond and Highland. They have worked together with them on clean-up jobs; they have also had to hire a contractor when the job has been too big. There were some blockages after the August tornado that had not been cleaned up yet when the flood event hit in September. The Public Works Dept. does as much as they can. All municipalities need to do their part so blockages will not form further down stream. They all need to share the problem. When the project is completed, an entity must be considered that is funded that needs to be able to go in immediately to get a problem taken of and have funds available to do that. Mr. Bell asked why it was not the responsibility of the Army Corps since they built the levee system but Chairman Biller stated that it has been clearly spelled out that they are not responsible for maintenance. Mr. Farag asked if all the levees have been certified that have been built. Mark Lopez answered that the new levees that the Federal government builds are certified. The Griffith levee is not certified and the Corps did not build it.

There being no further business, the meeting adjourned. The next regularly scheduled Board meeting is November 5 at 6:00 p.m. at the Lake County Visitors Center.

RESOLUTION 1851

A RESOLUTION REQUESTING THE STATE OF INDIANA TAKE IMMEDIATE ACTION TO INSURE THAT THE LITTLE CALUMET RIVER FLOOD PROTECTION PROJECT BE COMPLETED IN A TIMELY MANNER AND THAT A COMPREHENSIVE PROPERLY FUNDED OPERATION & MAINTENANCE PLAN BE DEVELOPED.

WHEREAS, the Little Calumet River Basin Development Commission was created in 1980 by the Indiana General Assembly to be the local sponsor for the Flood Control and Recreation Project (PROJECT); and

WHEREAS, the PROJECT encompasses the construction flood protection and recreation facilities along the 22 miles of the Little Calumet River from Martin Luther King Drive in Gary west to the State line and is designed to protect to the 200 year flood level; and

WHEREAS, the PROJECT was originally funded beginning in 1986 under the Federal Water Resources Development Act with "local" funding to come from the State of Indiana; and

WHEREAS, completion of the PROJECT has been delayed over the years by lack of sufficient local funding, delays in securing easements, redesigns and other issues; and

WHEREAS, the residents of Munster remain exposed to flooding with inadequate flood protection 22 years after federal funding was initially secured; and

WHEREAS, the Town of Munster experienced catastrophic flooding from severe rains from September 12-15, 2008, resulting:

- 1. in over-banking of the Little Calumet River in multiple locations in Munster;
- 2. the mandatory evacuation of almost 500 homes and businesses;
- 3. the recommended evacuation of more than 700 residences:
- 4. the evacuation of 193 patients and accompanying staff of the Munster Med Inn and Hammond Clinic;
- 5. the loss of business income to dozens of private businesses, many of whom remain closed;
- 6. private property damage to structures and contents totaling tens of millions of dollars;
- 7. damage to public property and infrastructure including streets, water pumping facilities, sewer pump stations, sewers, parks, and school property;
- 8. the use of Munster High School as an evacuation shelter;
- 9. the cancellation of public and private schools for up to a week;
- 10. the Town of Munster and other agencies assisting have incurred response and clean up costs estimated to exceed \$1.75 million; and

WHEREAS, the PROJECT still has two significant construction phases remaining in Munster and Hammond before residents can be assured of 200 year level flood protection; and

WHEREAS, after construction is completed the municipalities and governmental agencies that have jurisdictions along the Little Calumet River will be responsible for a significant amount of operations and maintenance of the flood protection project including debris removal and emergency closures. Because the "chain will only be as strong as the weakest link" it is critical that a consistent level of operations and maintenance be performed along the PROJECT; and

WHEREAS, after the PROJECT is completed the areas will still be in the Flood Plain until such time as the Federal Emergency Management Agency (FEMA) revises the National Flood Plain maps. That will not be done until the Army Corps of Engineers (ACOE) certifies the PROJECT is complete and FEMA is satisfied that the local jurisdictions have an adequate operation and maintenance plan in place.

Attachment A (14)

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Munster, Lake County, Indiana urges the State of Indiana to create a new Little Calumet Commission that will be properly funded and authorized to:

1. Insure that Stages 7 and 8 be completed within the next twenty-six months.

2. That the final contract to clean out the invasive species and complete the recreation elements along the West Reach be let as soon as possible after construction of Stage 5-2, 7 and 8 are completed.

3. That the Governor and Indiana General Assembly work together to develop the New Little Cal Commission and all jurisdictions develop a plan that will properly fund an ongoing Operation and Maintenance program that will insure that the completed PROJECT is properly maintained and all emergency flood control measures are in a state of readiness.

4. That a copy of this Resolution be sent to Congressman Pete Visclosky, Governor Mitch Daniels, all members of the Indiana General Assembly in Leadership positions and representing northwest Indiana, and officials along the Little Calumet River in Lake County.

RESOLVED and ADOPTED this 6th day of October, 2008 by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL OF THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA

Helen Brown

President

ATTEST:

David F. Shafer Clerk-Treasurer

TFD/pjp/resos/resolittlecalriverbasinfloodcontrolproject/f:/



Indiana Department of Natural Resources

September 24, 2008

Mr. William Biller, Chairman Little Calumet River Basin Development 6100 Southport Rd Portage, IN 46368

Dear Mr. Biller:

I, Robert E. Carter, Jr., hereby appoint Ron McAhron as the member representing the Indiana Department of Natural Resources on the Little Calumet River Basin Development Commission effective as of September 24, 2008.

Respectfully,

Robert E. Carter, Jr.

Director

STATE OF INDIANA OFFICE OF THE GOVERNOR

State House, Second Floor Indianapolis, Indiana 46204

September 25, 2008

Mr. Daniel E. Dernulc 9905 Prairie Avenue Highland, IN 46322

Dear Dan,

It is my pleasure to appoint you as a member of Little Calumet River Basin Development Commission. Your appointment is effective immediately and you will serve the remainder of a 4-year term to end December 31, 2011.

Thank you for your willingness to devote your time and talent for the benefit of your fellow Hoosiers. The active participation of talented citizens like you represents our best asset as we strive to build a state of which we can all be proud.

Thanks again for serving. I look forward to working with you in the years ahead.

Best regards,



STATE OF INDIANA OFFICE OF THE GOVERNOR

State House, Second Floor Indianapolis, Indiana 46204

September 25, 2008

Mr. William F. Baker 8307 Castle Drive Munster, IN 46321

Dear Bill,

It is my pleasure to appoint you as a member of Little Calumet River Basin Development Commission. Your appointment is effective immediately and you will serve the remainder of a 4-year term to end December 31, 2011.

Thank you for your willingness to devote your time and talent for the benefit of your fellow Hoosiers. The active participation of talented citizens like you represents our best asset as we strive to build a state of which we can all be proud.

Thanks again for serving. I look forward to working with you in the years ahead.

Best regards,



Little Calumet commission names interim director for '08

NEW CHIEF

Jódy Melton, director of the Kankakee River Bàsin ३₽ Commission will serve as commission works the

association also leads panel(15-4) scommissions executive director for Kankakee River Basin

BY SUSAN BROWN

sbrown@nwitimes.com & £219.836.3780¹

the directorois (a) PORTAGE The Little Calumet the Little Cal State River Basin Development Commis until the end of the switching director of the Kankakee sion on Thursday named rlody. the year, some in a second of the Kankakee the year, some in a River Basin Commission, as its interfollowing the stars im director, resignation of the second of Melton will serve as the Little Cally Dan Gardner, and the second of the second

until the end of the year, completing the contract of Dan Gardner who

resigned the post last month: The Kankakee commission con tracts for support services from the Northwestern Indiana Regional Planning Commission based in Portage. Melton has headed the Kankakee commission since 1981; assisting the commission in planning, representing the commission. the Legislature, coordinating

See LITTLE CAL, A7

Little Cal

Natural Resources also was Mark Lopez a former Little jamed to the commission's Cal commissioner now repre-

Finance Committee also includes country governments and John Mroczkowski?

The Finance Committee is the commission meetings budgets. The Finance Committee is the commission meetings budgets. The meeting will be commission and coordinating localities and point creating a the Kankakee commission and coordinating localities and point creating a the meeting will be charged with creating a the meeting will be at 5 p.m. Nov 5 at Ham.

Short term budget good through the end of the year an intermediate budget good fine state's inscal year in June and a long negotiation but is under fiscal year in June and a long negotiation but is more expect. Cerm budget good through negotiation but is not expect- term budget good through ed to exceed Gardner's rate the completion of the Eittle ot pay, according to William Calumet River levee project? Biller, chairman the Little Cal Lat The (Commission & was commission & Gardner had pressed repeatedly for cost earned an annual salary of projections and a timeline by \$80,000 for working two a delegation of Munster town positions half-time:= director ?officials led by Town Manag-of the Ettle Cal commission er Tom DeGulio AThe Munand deputy director of sterofficials offered whatever assistance needed by the «A committee was assigned@dommission, vincluding Help Thursday follaunch a search / with land acquisition and the lor variable time. executive i use of the Munster/Town Hall director or management team for the convenience of the to replace:Melton in January: spublic. The last two stages of Named to that committee the project involve only Mun were commission members ster and Hammond residents."
Dave Burrus: Ron McAhron, ... The only outstanding land Arlene: Colvin hand: Mark Sacquisition in Munster, how-Level Pever, Wilsida ≥tight-of-entry . McAhron, deputy director, involving BP, for which Biller of the Indiana Department of Tasked for assistance from

i erainės invogratori modulikasis interitorianininė viedoli garificisivini kalvinosi. Lažori Varios garastini "Hąs, interitoriosi kalvinini interitoria.

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION MONTHLY BUDGET REPORT

N 11 // //									
12,13/8	2008								UNALLOCATED
							F	ALLOCATED	BUDGETED
	BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	TOTAL	BALANCE
5801 PER DIEM EXPENSES	7,000.00	0.00	0.00	0.00	0.00	0.00/	2,250.00	2,250.00	4,750.00
5811 LEGAL EXPENSES	3,500.00	283.33	283.33	283.33	283.33	283.33	283.33	1,699.98	1,800.02
5812 NIRPC SERVICES	149,000.00	13,001.37	0.00	14,085.52	14,033.34	15,022.21	26,479.89	82,622.33	66,377.67
5821 TRAVEL/MILEAGE	2,000.00	36.40	7.60	28.80	30.00	30.80	544.00	677.60	1,322.40
5822 PRINTING/ADVERTISING	1,000.00	985.04	0.00	0.00	0.00	0.00	0.00	985.04	14.96
5823 BONDS/INSURANCE	8,000.00	(257.00)	0.00	6,406.25	0.00	0.00	0.00	6,663.25	1,336.75
5824 TELEPHONE EXPENSES	6,500.00	793.07	561.95	530.28	478.15	622.82	582.55	3,568.82	2,931.18
5825 MEETING EXPENSES	3,000.00	0.00	0.00	0.00	0.00	59.20	70.00	129.20	2,870.80
5840 PROFESSIONAL SERVICES	842,539.00	84,750.52	67,775.93	114,554.88	90,076.24	58,099.53	49,047.65	464,304.75	378,234.25
5860 PROJECT LAND PURCHASE EXP.	842,539.00	15,545.00	21,510.00	25,369.00	29,019.00	150,078.00	25,272.00	266,793.00	575,746.00
5882 UTILITY RELOCATION EXP.	1,250,000.00	0.00	1,153.51	42,592.12	0.00	0.00	39,722.00	83,467.63	1,166,532.37
5883 PROJECT LAND CAP. IMPROV.	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5884 STRUCTURES CAP. IMPROV.	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
5892 PROJECT COSTSHARE/ESC ACCT	1,226,025.00							0.00	1,226,025.00
	4,341,103.00	115,651.73	91,292.32	203,850.18	133,920.06	224,195.89	144,251.42	913,161.60	3,427,941.40

.									UNALLOCATED
<u>!</u>	2008						X	ALLOCATED	BUDGETED
	BUDGET	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTAL	BALANCE
5801 PER DIEM EXPENSES	7,000.00	0.00	0.00	0.00	0.00		X	2,250.00	4,750.00
5811 LEGAL EXPENSES	3,500.00	283.33	283.33	283.33	283.33			2,833.30	666.70
5812 NIRPC SERVICES	149,000.00	13,413.74	14,812.44	14,214.59	13,910:14			138,973.24	10,026.76
5821 TRAVEL/MILEAGE	2,000.00	38.28	25.08	17.60	33.88	5	J	792.44	1,207.56
822 PRINTING/ADVERTISING	1,000.00	0.00	0.00	0.00	0.00			985.04	14.96
823 BONDS/INSURANCE	8,000.00	0.00	0.00	0.00	0.00			6,663.25	1,336.75
5824 TELEPHONE EXPENSES	6,500.00	527.04	735.99	562.38	956.52			6,350.75	
825 MEETING EXPENSES	3,000.00	0.00	0.00	0.00	0.00			129.20	2,870.80
840 PROFESSIONAL SERVICES	842,539.00	87,634.54	74,357.30	46,665.43	69,772.81			742,734.83	99,804.17
860 PROJECT LAND PURCHASE EXP.	842,539.00	109,821.00	8,700.00	21,475.00	22,320.00			429,109.00	413,430.00
882 UTILITY RELOCATION EXP.	1,250,000.00	35,448.79	90,905.44	2,566.25	14,459.89			226,848.00	1,023,152.00
883 PROJECT LAND CAP. IMPROV.	0.00	0.00	0.00	0.00	0.00			0.00	0.00
884 STRUCTURES CAP. IMPROV.	0.00	0.00	0.00	0.00	0.00			0.00	0.00
5892 PROJECTCOSTSHARE/ESC ACCT	1,226,025.00	0.00	0.00	0.00	0.00			0.00	1,226,025.00
	4,341,103.00	247,166.72	189,819.58	85,784.58	121,736.57	0.00	0.00	1,557,669.05	2,783,433.95

CLAIMS PAYABLE FOR OCTOBER 2008

ACCI	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM	
5811	CASALE ,WOODWARD & BULS LLP	283.33	MONTHLY RETAINER THROUGH SEPTEMBER 21, 2008	
5812	NIRPC	13,910.14	SERVICES PERFORMED SEPTEMBER 2008	
5821	SANDY MORDUS	33.88	SEPTEMBER MILEAGE	
5824	AT & T	632.70	BILLING PERIOD 9/14/08-10/13/08(TOTAL BILL 639.48,KRBC 6.78)	
5824	VERIZON NORTH	161.89	BILLING PERIOD 9/16/08-10/16/08(TOTAL BILL 287.44 KRBC 125.55)	
5824	VERIZON NORTH	161.93	BILLING PERIOD 10/16/08-11/16/08(TOTAL BILL 287.52,KRBC 125.59)	
5841	ALLSTATE APPRAISAL		APPRAISAL RE: DC-1399A	
5841	ALLSTATE APPRAISAL	750.00	APPRAISAL RE: DC-1399B	
5841	ALLSTATE APPRAISAL		APPRAISAL RE: DC-1399C	
5843	TICOR TITLE		TITLE WORK RE: DC-1254	
5843	TICOR TITLE		TITLE WORK RE: DC-1322	
5843	M ERIDAN TITLE		TITLE WORK RE: DC-1173 INV# 824105-212678	
5843	M ERIDAN TITLE		TITLE WORK RE: DC-1173 INV# 823860-212662	
5843 5843	M ERIDAN TITLE		TITLE WORK RE: DC-1301 INV# 824276-212643	
5843	M ERIDAN TITLE		TITLE WORK RE: DC-1301 INV# 824279-212518	
5843	M ERIDAN TITLE M ERIDAN TITLE		TITLE WORK RE: DC-1310 INV# 824274-212659 TITLE WORK RE: DC-1435 INV# 822213-209934	
5844	JAMES E POKRAJAC		JULY MILEAGE	
5844	JAMES E POKRAJAC		AUGUST MILEAGE	
5844	JAMES E POKRAJAC		ENGINEERING/LAND AGENT EMERGENCY RESPONSE 9/13/08-9/15/08	
5844	JAMES E POKRAJAC		ENGINEERING/LAND AGENT EMERGENCY RESPONSE 9/15/08-9/15/08	
5844	JAMES E POKRAJAC		ENGINGEERING/LAND AGENT 9/22/08-9/30/08	
5844	JAMES E POKRAJAC		SEPTEMBER MILEAGE	
5844	JAMES E POKRAJAC		SEPTEMBER EMERGENCY RESPONSE MILEAGE	
5844	JAMES E POKRAJAC		ENGINEERING/LAND AGENT 10/1/08-10/15/08	
5844	JUDITH VAMOS		LAND ACQUISITION AGENT SERVICES 9/16/08-9/30/08	
5844	JUDITH VAMOS		LAND ACQUISITION AGENT SERVICES 10/1/08-10/15/08	
5844	G. LORRAINE KRAY		CREDITING TECH & LAND ACQUISITION ASST 9/16/08-9/30/08	
5844	G. LORRAINE KRAY		CREDITING TECH & LAND ACQUISITION ASST 10/01/08-10/15/08	
5844	SANDY MORDUS	132.50	CREDITING TECHNICIAN SERVICES 10/1/08-10/15/08	
5847	GARCIA CONSULTING ENGINEERS	902.50	PROFESSIONAL SERVICES RE: SV-2 INV# 5128	
5847	GARCIA CONSULTING ENGINEERS	100.00	PROFESSIONAL SERVICES RE: DC-0837 INV# 5129	
5847	GARCIA CONSULTING ENGINEERS	100.00	PROFESSIONAL SERVICES RE: DC-0838 INV# 5129	
5847	GARCIA CONSULTING ENGINEERS	100.00	PROFESSIONAL SERVICES RE: DC-0839 INV# 5129	
5847	GARCIA CONSULTING ENGINEERS	2,097.50	PROFESSIONAL SERVICES RE: DC-1173 INV# 5130	
5847	GARCIA CONSULTING ENGINEERS	130.00	PROFESSIONAL SERVICES RE: DC-1301 INV# 5132	
5847	GARCIA CONSULTING ENGINEERS	130.00	PROFESSIONAL SERVICES RE: DC-1302 INV# 5132	
5847	GARCIA CONSULTING ENGINEERS	32.50	PROFESSIONAL SERVICES RE: DC-1328 INV# 5132	
5847	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1329 INV# 5132	
5847	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1330 INV# 5132	
5847	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1331 INV# 5132	
	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1332 INV# 5132	
	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1333 INV# 5132	
5847 5847	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1334 INV# 5132	
	GARCIA CONSULTING ENGINEERS GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1340 INV# 5132	
	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1340A INV# 5132	
	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1342 INV# 5132 PROFESSIONAL SERVICES RE: DC-1342A INV# 5132	
	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1411 INV# 5132	
	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1411 INV# 5133	
	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1412 INV# 5133	
	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1414 INV# 5133	
	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1415 INV# 5133	
	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1416 INV# 5133	
	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1417 INV# 5133	
847	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1420 INV# 5133	
847	GARCIA CONSULTING ENGINEERS		PROFESSIONAL SERVICES RE: DC-1424 INV# 5133	
847	DLZ		PROFESSIONAL SERVICES RE: DC-1300 INV# 515935	
847	DLZ	607.00	PROFESSIONAL SERVICES RE: DC-1374 INV# 515936	
847	DLZ	40.00	PROFESSIONAL SERVICES RE: DC-1377 INV# 515937	
847	DLZ	40.00	PROFESSIONAL SERVICES RE: DC-1378 INV# 515938	
847	DLZ	5,749.50	PROFESSIONAL SERVICES RE: DC-1432,1434-1439 INV# 515940	
	TORRENGA SURVEYING LLC	THE RESIDENCE OF THE PARTY OF T	PROFESSIONAL SERVICES RE: DC-1366	
	CASALE WOODWARD BULS	23,320.22	LAND ACQUSITION/LEGAL SERVICES THROUGH 10/24/08	
	CASALE WOODWARD BULS	121.00	UTILITY RELOCATION LEGAL SERVICE THROUGH 10/24/08	
	ROBERT T & HELEN S O'MARA	6,000.00	PURCHASE PRICE OF DC-1332	
861	XIM L NAYS	8,000.00	PURCHASE PRICE OF DC-1320	
861	RYAN J MIX	5,550.00	PURCHASE PRICE OF DC-1321	
	JACK & MAGDA SCHWARTZ	2,000.00	PURCHASE PRICE OF DC-1342	
	LAKE COUNTY RECORDER	321.00	RECORDING OF EASEMENTS RE: DC-1374,1226,1249,1334,1169,1112/1113,	
861	LAKE COUNTY RECORDER		RECORDING OF EASEMENTS RE: DC-1374,1226,1249,1334,1169,1112/1113, 1227,1248,1304,1322,1361,1370,1382, & 1387 RECORDINGS RE: DC-1204,1208,1229,1359,1360,1361,1370,1373 & 1382	

CLAIMS PAYABLE FOR OCTOBER 2008 PAGE 2

ACCT VENDOR NAME

AMOUNT

EXPLANATION OF CLAIM

5882 SEH
5882 SEH
5882 GARCIA CONSULTING ENGINEERS
5882 GARCIA CONSULTING ENGINEERS
5882 GARCIA CONSULTING ENGINEERS

1,169.75 PROFESSIONAL SERVICES RE: SVII UTILITY RELOCATION SERVICES
9,871.39 PROFESSIONAL SERVICES RE: SVIII UTILITY RELOCATION SERVICES
1,483.75 PROFESSIONAL SERVICES RE: DC-13 UTILITIES INV# 5101
1,082.50 PROFESSIONAL SERVICES RE: DC-12 UTILITIES INV# 5100
852.50 PROFESSIONAL SERVICES RE: DC-13 UTILITIES INV# 5131

0

TOTAL

121,736.57

APPROVAL TO PAY THE FOLLOWING INVOICES FROM O&M FUND OCTOBER, 2008

A STANCE OF STAN

\$75.93 to T-Mobile for costs incurred for cell phone for engineer field work; monthly service 9/11/08 - 10/10/08

\$4,169.21 to Austgen Electric Inc. for repair of lift station in Gary

\$290.73 to Austgen Electric Inc. for Grant Street pump station in Gary

\$15,689.90 to Dyer Construction Company for log jam removal west of MLK Drive in Gary during flooding event

Total

\$ 20,225.77

APPROVAL TO PAY THE FOLLOWING INVOICE FOR O&M CLAIM OCTOBER, 2008 (to be drawn from State)

 \$6,000.00 to USGS for operation of gage station on Hart Ditch in Munster for period of 10/1/07 – 9/30/08

Total \$6,000.00



Little Calumet River Basin Development Commission

6100 Southport Road Portage, Indiana 46368 (219) 763-0696 Fax (219) 762-1653 E-mail: littlecal@nirpc.org

WILLIAM BILLER, Chairman Governor's Appointment

November 14, 2008

ROBERT MARSZALEK, Vice Chairman Governor's Appointment

R. KENT GURLEY, Treasurer Lake County Commissioners' Appointment

MARK GORDISH, Secretary Mayor of Hammond's Appointment

WILLIAM BAKER Governor's Appointment

DAVID BUBRUS Porter County Commissioners⁾ Appointment

ARLENE COLVIN Mayor of Gary's Appointment

DAN DERNULC Governor's Appointment

ROBERT HUFFMAN Governor's Appointment

RON McAHRON Dept. of Natural Resources' Appointment

JOHN MROCZKOWSKI Governor's Appointment

VACANCY Executive Director

LOU CASALE

TO:

Robert Marszalek, Vice Chairman

Kent Gurley, Treasurer Mark Gordish, Secretary

William Baker
David Burrus
Arlene Colvin
Dan Dernulc
Robert Huffman
Ron McAhron
John Mroczkowski

FROM:

William Biller, Chairman

MEETING NOTICE

THERE WILL BE A SPECIAL MEETING

AT 5:00 P.M. MONDAY NOVEMBER 17, 2008

AT THE

COMMISSION OFFICE 6100 SOUTHPORT ROAD PORTAGE, INDIANA

cc:

Lou Casale, LCRBDC Attorney Jody Melton, LCRBDC Interim Director Media

SAM G. DIMOPOULOS, R.A., NCARB

7221 Forest Ave. Hammond, IN 46324 · ssdimop@comcast.net Mobile: (219) 808-2154 · Home: (219) 937-4672

As a senior project manager, I have successfully completed projects of various size and scope for the past 20 years. My duties included managing the design team, distributing staff assignments and overseeing design and construction. As a client manager I pride myself on my capability to take on any assignment and carry it through to a profitable conclusion for both the client and the firm.

REGISTRATION & EDUCATION:

LICENSED ARCHITECT

Indiana · Illinois · Michigan · Missouri · Wisconsin

BALL STATE UNIVERSITY - MUNCIE, INDIANA

B. of Architecture

B. S. of Environmental Design

PROJECT EXPERIENCE

UNITED STATES POSTAL SERVICE (USPS)

Project Scope Evaluation and Justification Reports – Great Lakes Region (\$12M)

 As the Project Manager, my responsibilities included the assessment of fifty projects over a five state area. The initial effort included determining the scope of each project based on physical inspections and interviews with the facility managers. Then, prioritizing the project list into three categories; need related to the health and welfare of the postal employees and the public, facility preservation and facility maintenance. Finally, determining a Rough Order of Magnitude cost estimate for each project.

USPS Building Projects

New Carrier Annex – Ann Arbor, Michigan (\$4M)

New Main Post Office - Hale, Michigan (\$3M)

New Vehicle Maintenance Facility - Saginaw, Michigan (\$3M))

Roof Replacements Projects - Bloomington, Illinois (\$1M)

New Temporary Carrier Annex TCA - Downer's Grove, III. (\$500K)

Chiller Replacements Projects - Indiana, Illinois, Wisconsin (\$1.5M)

On the projects listed above, my responsibilities as project manager included the following:
 Determined the scope and budget for each project.

Determined the schedule and duration of each project.

Oversaw and coordinated the design effort by the staff.

Confirmed that the design met Federal, State and Local Municipal codes and regulations.

Made presentations to the USPS at various design milestones.

Compiled and distributed the Contract Documents to the contractors for bidding.

Reviewed the contractors' bids and made recommendations to the USPS for contract award.

Attended periodic construction progress meetings to review the contractor's work.

Reviewed shop drawings prior to construction.

Responded to any Requests for Information (RFIs) from the contractor during construction.

Reviewed the contractor's Applications for Payment.

Created a punch list after the project reached Substantial Completion.

Reviewed the completion of the punch list after completion.

Reviewed and distributed the O & M Manuals to the USPS for their record.

SAM G. DIMOPOULOS, R.A., NCARB

7221 Forest Ave. Hammond, IN 46324 · ssdimop@comcast.net Mobile: (219) 808-2154 · Home: (219) 937-4672

PROJECT EXPERIENCE

PUBLIC SAFETY TRAINING FACILITIES

Westmoreland Community College Emergency Training Center – Greensburg, Pennsylvania (\$3M)
Northeastern Illinois Public Safety Training Academy – Glenview, Illinois (\$2M)

As the Project Manager, my responsibilities included meeting with the various agencies that
were affiliated with the training facilities to develop the project scope and budget. My
responsibilities also included determining the proper phasing of the project in order for the
agencies involved to secure funding at specific milestones. Once the funding was in place, my
role as project manager was to take the project through construction. The tasks were similar to
those listed above in the USPS Building Projects.

MUNICIPAL PROJECTS

SCHERERVILLE, INDIANA
Police and Town Court Facility (\$3M)
Fire Station Addition (\$300K)

ELMHURST, ILLINOIS
Fire Training Facility Addition and Renovation (\$1.5M)

FRANKFORT, ILLINOIS
New Police Station (\$5M)

 On the Municipal Projects listed above, my responsibilities as project manager included the following:

Determined the scope and budget for each project.

Determined the schedule and duration of each project.

Oversaw and coordinated the design effort by the staff.

Confirmed that the designs met Federal, State and Local Municipal codes and regulations.

Made presentations to the municipalities at various design milestones.

Compiled and distributed the Contract Documents to the contractors for bidding.

Reviewed the contractors' bids and made recommendations for contract award.

Attended periodic construction progress meetings to review the contractor's work.

Reviewed shop drawings prior to construction.

Responded to any Requests for Information (RFIs) from the contractor during construction.

Reviewed the contractor's Applications for Payment.

Created punch lists after the projects reached Substantial Completion.

Reviewed the completion of the punch lists after completion.

WORK HISTORY

PROTEUS GROUP, LLC – CHICAGO, ILLINOIS (2005-PRESENT)
TENG & ASSOCIATES, INC. – CHICAGO, ILLINOIS (2000-2005)
G. DALE LOLLIS, ARCHITECT & ASSOCIATES, P.C. – MUNSTER, INDIANA (1991-2000)
ARCHITECTS INTERNATIONAL, INC. – CHICAGO, ILLINOIS (1989-1991)
BITTNER & DETELLA ARCHITECTS, INC. – EAST CHICAGO, INDIANA (1988-1989)
ENVIRONMENT SEVEN, LTD. – CHICAGO, ILLINOIS (1985-1988)

REFERENCES AVAILABLE UPON REQUEST

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION FINANCIAL STATEMENT

JANUARY 1, 2008 - OCTOBER 31, 2008 (Revised through 11/14/08)

CUCCUDIC ACCOUNT		
CHECKING ACCOUNT	100.00 . 00	
LAND ACQUISITION	192,304.22	
GENERAL FUND	81,335.09	
TAX FUND	0,00	
INVESTMENTS		
SAVINGS	89,504.55	
ESCROW ACCOUNT INTEREST	13,568.68	
RECEIPTS - JANUARY 1, 2008- OCTOBER 31, 2008	-	376,712.54
LEASE RENTS	63,182.36	
INTEREST INCOME(FROM CHECKING)	1,112.72	
LAND ACQUISITION	1,453,410.94	
ESCROW ACCOUNT INTEREST	13,706.55	
MISC. RECEIPTS	54,760,67	
CHECK #9616 ARLENE COLVIN 200.00	34,760.67	
CHECK #9626 ARLENE COLVIN 28.80		
STEWART TITLE 100.00		
VOIDED CHECK#9727 49,500,00		
SEH 4,931.87 KRBC REIMBURSEMENT RE: TELEPHONE CHARGE	1.650.00	
TRANSFERRED FROM SAVINGS	1,559.80	
CITY OF MUNSTER FOR PROPERTIES	91,505.07	
	36,070,00	
TOTAL RECEIPTS		1,715,308.11
DISBURSEMENTS - JANUARY 1, 2008 - OCTOBER 31, 2008		
DISBURSEMENTS - JANUARY 1, 2008 - OCTOBER 31, 2008 ADMINISTRATIVE		
	68 261 17	
ADMINISTRATIVE	68,261.17	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008	5,650.00	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES	5,650.00 2,833.30	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES NIRPC	5,650.00 2,833.30 123,763.66	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES NIRPC TRAVEL & MILEAGE	5,650.00 2,833.30 123,763.66 1,496.96	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES NIRPC TRAVEL & MILEAGE PRINTING & ADVERTISING	5,650.00 2,833.30 123,763.66 1,496.96 1,160.91	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES NIRPC TRAVEL & MILEAGE PRINTING & ADVERTISING BONDS & INSURANCE	5,650.00 2,833.30 123,763.66 1,496.96 1,160.91 6,738.25	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES NIRPC TRAVEL & MILEAGE PRINTING & ADVERTISING BONDS & INSURANCE TELEPHONE EXPENSE	5,650.00 2,833.30 123,763.66 1,496.96 1,160.91 6,738.25 7,768.21	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES NIRPC TRAVEL & MILEAGE PRINTING & ADVERTISING BONDS & INSURANCE TELEPHONE EXPENSE MEETING EXPENSE	5,650.00 2,833.30 123,763.66 1,496.96 1,160.91 6,738.25	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES NIRPC TRAVEL & MILEAGE PRINTING & ADVERTISING BONDS & INSURANCE TELEPHONE EXPENSE MEETING EXPENSE LAND ACQUISITION	5,650.00 2,833.30 123,763.66 1,496.96 1,160.91 6,738.25 7,768.21 113.50	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES NIRPC TRAVEL & MILEAGE PRINTING & ADVERTISING BONDS & INSURANCE TELEPHONE EXPENSE MEETING EXPENSE LAND ACQUISITION LEGAL SERVICES	5,650.00 2,833.30 123,763.66 1,496.96 1,160.91 6,738.25 7,768.21 113.50	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES NIRPC TRAVEL & MILEAGE PRINTING & ADVERTISING BONDS & INSURANCE TELEPHONE EXPENSE MEETING EXPENSE LAND ACQUISITION LEGAL SERVICES APPRAISAL SERVICES	5,650.00 2,833.30 123,763.66 1,496.96 1,160.91 6,738.25 7,768.21 113.50	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES NIRPC TRAVEL & MILEAGE PRINTING & ADVERTISING BONDS & INSURANCE TELEPHONE EXPENSE MEETING EXPENSE LAND ACQUISITION LEGAL SERVICES APPRAISAL SERVICES ENGINEERING SERVICES	5,650.00 2,833.30 123,763.66 1,496.96 1,160.91 6,738.25 7,768.21 113.50 131,971.75 109,550.00 36,905.54	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES NIRPC TRAVEL & MILEAGE PRINTING & ADVERTISING BONDS & INSURANCE TELEPHONE EXPENSE MEETING EXPENSE LAND ACQUISITION LEGAL SERVICES APPRAISAL SERVICES ENGINEERING SERVICES LAND PURCHASE CONTRACTUAL	5,650.00 2,833.30 123,763.66 1,496.96 1,160.91 6,738.25 7,768.21 113.50 131,971.75 109,550.00 36,905.54 44,382.00	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES NIRPC TRAVEL & MILEAGE PRINTING & ADVERTISING BONDS & INSURANCE TELEPHONE EXPENSE MEETING EXPENSE LAND ACQUISITION LEGAL SERVICES APPRAISAL SERVICES ENGINEERING SERVICES LAND PURCHASE CONTRACTUAL FACILITIES/PROJECT MAINTENANCE SERVICES	5,650.00 2,833.30 123,763.66 1,496.96 1,160.91 6,738.25 7,768.21 113.50 131,971.75 109,550.00 36,905.54 44,382.00 0.00	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES NIRPC TRAVEL & MILEAGE PRINTING & ADVERTISING BONDS & INSURANCE TELEPHONE EXPENSE MEETING EXPENSE LAND ACQUISITION LEGAL SERVICES APPRAISAL SERVICES ENGINEERING SERVICES LAND PURCHASE CONTRACTUAL FACILITIES/PROJECT MAINTENANCE SERVICES OPERATIONS SERVICES	5,650.00 2,833.30 123,763.66 1,496.96 1,160.91 6,738.25 7,768.21 113.50 131,971.75 109,550.00 36,905.54 44,382.00 0.00 52,660.00	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES NIRPC TRAVEL & MILEAGE PRINTING & ADVERTISING BONDS & INSURANCE TELEPHONE EXPENSE MEETING EXPENSE LAND ACQUISITION LEGAL SERVICES APPRAISAL SERVICES ENGINEERING SERVICES LAND PURCHASE CONTRACTUAL FACILITIES/PROJECT MAINTENANCE SERVICES OPERATIONS SERVICES LAND MANGEMENT SERVICES	5,650.00 2,833.30 123,763.66 1,496.96 1,160.91 6,738.25 7,768.21 113.50 131,971.75 109,550.00 36,905.54 44,382.00 0.00 52,660.00 210,073.58	
ADMINISTRATIVE 2007 EXPENSES PAID IN 2008 PER DIEM LEGAL SERVICES NIRPC TRAVEL & MILEAGE PRINTING & ADVERTISING BONDS & INSURANCE TELEPHONE EXPENSE MEETING EXPENSE LAND ACQUISITION LEGAL SERVICES APPRAISAL SERVICES ENGINEERING SERVICES LAND PURCHASE CONTRACTUAL FACILITIES/PROJECT MAINTENANCE SERVICES OPERATIONS SERVICES	5,650.00 2,833.30 123,763.66 1,496.96 1,160.91 6,738.25 7,768.21 113.50 131,971.75 109,550.00 36,905.54 44,382.00 0.00 52,660.00	

MOVING ALLOCATION TAXES PROPERTY & STRUCTURES INSURANCE UTILITY RELOCATION SERVICES LAND CAPITAL IMPROVEMENT STRUCTURAL CAPITAL IMPROVEMENTS BANK CHARGES HARRIS BANK PASS THROUGH FOM SAVINGS (O&M) PAYBACK TO SAVINGS TOTAL DISBURSEMENTS				536,226.76 0.00 0.00 0.00 196,791.19 0.00 0.00 37.00 89,825.72	1,755,229.80
CASH POSITION - OCTOBER 31 2008 CHECKING ACCOUNT HARRIS BANK LAND ACQUISITION GENERAL FUND (Adminstrative Costs) TAX FUND				133,056.42 A 86,954.65	
TOTAL FUNDS IN CH	ECKING ACCOU	JNT		220,011.07	
CHASE SAVINGS ACCOUNT BALANCE # (IAND ACQ IN HOUSE PROJECT FUNI (O & M MONIES) SAVINGS INTEREST		**19,567.16 270.69	19,837.85		
CHASE SAVINGS ACCOUNT BALANCE # ARMY CORP CONSTRUCTION M ESCROW ACCOUNT INTEREST AVAILA	ONEY	461,345.00 6,554.61	467,899.61	E	ı
TOTAL O	F BOTH SAVING	S ACCOUNTS		487,737.46	
	F ALL ACCOUNT	гѕ		707,748.53 C	
COMMITTED FUNDS: (FROM ABOVE) LAND ACQUISITION ARMY CORP ESCROW MONEY UNCOMMITTED FUNDS AVAILABLE	A B C-(A+B)		133,056.42 461,345.00 -	113,347.11	
STATE APPROPRIATIONS POSITION - OCTOBE GENERAL ALLOCATION (Effective 11/15/08) UNCOMMITTED ALLOCATION	R 31 2008	109.917.00	-	109,917.00	

S. Jan.

Sandy Mordus

From: Sent: McAhron, Ron [rmcahron@dnr.lN.gov] Monday, November 17, 2008 4:06 PM

To:

castleridge@sbcglobal.net; smordus@nirpc.org

Cc:

rmarsz@verizon.net; GurleyRK@teng.com; gordishm@sbcglobal.net; dburrus@pnc.edu; acolvin@ci.gary.in.us; dd2927@sbcglobal.net; huffmun@sbcglobal.net; surveyor@cyberz.net;

biller6625@comcast.net; lcasale@cwblawfirm.com; jmelton@nirpc.org

Subject:

Re: Request for Information

All:

I think this is useful information and something we are going to be asked again in public meetings.

On a related matter I talked with Mark today and he offered to sit with us and staff to try to flesh out the punch list that has been discussed. Io hope we can still do that this week, ideally Friday.

While I can't be there tonight I hope we can get authorization to hire Sam or someone for help with our budget effort. However, it may be that this meeting with Mark will get us far enough along that the extra hire won't be necessary. So perhaps we can hold off through this week re a short term hire.

I fully recognize things are frazzeled and hectic, but the fact is we are broke and do not have a clear message of where we are, making even short term funding problematic. These efforts, awkward as they have been are intended to get us an understandable position for the public and to build a base of support for short and long term funding.

Ron McAhron Office (317) 232-1557 Cell (317) 696-9307

---- Original Message -----

From: W Baker <castleridge@sbcglobal.net>
To: smordus@nirpc.org <smordus@nirpc.org>

lcasale@cwblawfirm.com <lcasale@cwblawfirm.com>; jmelton@nirpc.org <jmelton@nirpc.org>

Sent: Mon Nov 17 14:36:09 2008 Subject: Request for Information

Sandy

Please find this as a request for copies of the actual (lease etc) agreements pertaining to the property/assets held by LCRBDC.

The premise of this request - I may be able to lend some value regarding these areas. My career in corporate real estate has afforded me the opportunity to work with these type of transactions/documents throughout the country.

The following list was derived from the Current Leases - 2008 form (handed out on 10/15/08) as well as the Land Management Report (handed out on 11/5/08).

- Copies of current leases/addendums/amendments for
- Chicago Towers
- Mike Mitch/ Plum Grove Farm
- Gary Dunlap
- Jerry Ewen
- the (3) Lamar billboards
- the (12) View billboards
- Additionally, please provide a list of all property held/owned/controlled by LCRBDC that is not leased to a third party nor a part of the levee project
- Agreement/Lease with NIRPC
- Land Acquisition Detail (from Judy whose email is not available)
- Complete breakdown on each acquisition transaction for Stage VII and VIII
- Spreadsheet with the DC-xxxx
- Detail on each property

Hopefully this can be pulled together and forwarded electronically, if not I will stop by the office.

Thank you in advance for your attention to this request and please do not hesitate to telephone with any questions.

Regards

Bill Baker

•	AGREE	<u>EMENT</u>				
the LITTLE C	greement, entered into this first (_ ALUMET RIVER BASIN DEVELOF S, Consultant.) day of (), 2008, between ON, Client, and SAM G.			
	WITNE	SSETH:				
1)	Client retains Consultant to provide Description attached hereto, for a per hour.					
2)	This Agreement shall be in force and effect from the date of signing until December 31, 2008, unless terminated by either party prior thereto. Either party may terminate this agreement, without clause, by giving 48 hours written notice to the other party of intent to terminate.					
3)	The maximum amount payable us \$20,000.00 unless authorized, in					
4)	The Job Description, attached he this Contract and shall be execute					
CONSULTAN	↓ T		CALUMET RIVER BASIN DPMENT COMMISSION			

By: Chairman

Printed_____

Date:____

SAM G. DIMOPOULOS

Printed_____

Date:_____

INTERIM PROJECT MANAGER

REPORTS TO:

Commission Chairman, Commission Treasurer

FUNCTIONS:

To work alongside the Interim Executive Director the Position is Responsible for the planning, organization and development of an interim project budget, applying principles of good engineering practices and project management practices and to interpret and transmit this information to the Commission. Shall be directly responsible for the administration, quality and man-hour allocation necessary to complete the work of the Commission. Responsible for the scope of work & technical interpretation of the Commission's obligations under current direction for financial reporting given by the State of Indiana and the office of the sponsoring U.S. Representative.

BUDGET DEVELOPMENT TASKS

Using the most readily available information to identify, direct and participate in project budgeting/planning activities to perform the following tasks:

Primary Tasks:

- Develop comprehensive Commission Project Budget for the completion of the Little Calumet River Basin flood control project (the Project) including, but not limited to, construction completion, remaining item (punch list) completion, and identification of any and all ancillary activities required to complete the Project for the periods of:
 - End of year 2008
 - End of 2nd Quarter 2009 (State of Indiana fiscal year)
 - Project Completion (based on a "To Be Determined" date).
- Develop Commission's Administrative, Land Acquisition, Utility Relocation, Project Construction Escrow and operating budgets to coincide with Project Dates above.
- To identify Commission's assets, sources of income, current and potential. To define revenue streams currently in place and projected.
- Act as a liaison with the Commission on a day-to-day basis for the duration of the assignment.
- Communicate and coordinate with Commission, Executive Director, USACOE and other relevant parties.
- Utilizing a commonly accepted reporting format for Budget develop efforts of this type.

- Make presentations to Commission and/or Local, State and Federal groups/individuals as required.
- Determine the extent of Commission operating capabilities under its current cash available position.

Secondary Tasks:

- Review contracts under development for project issues and advise USACOE Contract Administration personnel on issues relevant to the Commission's charter for timely execution of the work.
- Develop project schedule and work with USACOE Project Manager to identify constraints and opportunities.
- Give direction to the Commission staff, through the Interim Director, to fulfill the Budget task requirements.
- Present, and assist in Commission presentations, to the public, local, state and federal entities as necessary.
- Establishes Project financial setups and consults with financial officers & accounting on matters of projected accounts receivable, accounts payables, work-in-progress, insurance requirements, legal liabilities, etc.
- Sets up and directs correspondence relating to the Budget task.

END



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

MARK GORDISH, Secretary Mayor of Hammond's **Appointment**

WILLIAM BAKER Governor's Appointment

DAVID BURRUS Porter County Commissioners' Appointment

ARLENE COLVIN Mayor of Gary's Appointment

DAN DERNULC Governor's Appointment

ROBERT HUFFMAN Governor's Appointment

RON MEAHRON Dept. of Natural Resources' Appointment

JOHN MROCZKOWSKI Governor's Appointment

VACANCY **Executive Director**

LOUIS CASALE Attorney

MUVINGAEEUCATION				0.00	
TAXES			0.00		
PROPERTY & STRUCTURES INSURANCE			196,791.19		
UTILITY RELOCATION SERVICES				0.00	•
LAND CAPITAL IMPROVEMENT				0.00	
STRUCTURAL CAPITAL IMPROVEMENTS					
BANK CHARGES HARRIS BANK				37.00 89,825.72 1,755,229.80	
PASS THROUGH FOM SAVINGS (O&M)					
PAYBACK TO SAVINGS					
TOTAL DISBURSEMENTS				1,733,2	29.0U
CASH POSITION - OCTOBER 31 2008					
CHECKING ACCOUNT HARRIS BANK					
LAND ACQUISITION				133,056.42 A	
GENERAL FUND (Adminstrative Costs)				86,954.65	
TAX FUND					
TOTAL FUNDS IN CHE	CKING ACC	DUNT		220,011.07	
CHASE SAVINGS ACCOUNT BALANCE #4			19,837.85		
(LAND ACQ IN HOUSE PROJECT FUNDS)		**** ****	•		
(O & M MONIES)		**19,567.16			
SAVINGS INTEREST		270.69			
CHASE SAVINGS ACCOUNT BALANCE #4	747		467,899.61		
ARMY CORP CONSTRUCTION MONEY		461,345.00		В	
ESCROW ACCOUNT INTEREST AVAILA	BLE	6,554.61			
TOTAL OF BOTH SAVINGS ACCOUNTS				487,737.46	
-		ı		The second secon	
TOTAL OF	ALL ACCOU	JNTS		707,748.53 C	
COMMITTED FUNDS: (FROM ABOVE)					
LAND ACQUISITION	Α		133,056.42		
ARMY CORP ESCROW MONEY	В		461,345.00		
UNCOMMITTED FUNDS AVAILABLE	C-(A+B)			113,347.11	
		-			
STATE APPROPRIATIONS POSITION - OCTOBE	R 31 2008				
GENERAL ALLOCATION (Effective 11/15/08)	<u> </u>	109,917.00			
UNCOMMITTED ALLOCATION				109,917.00	

Software Control of the Control of t

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION FINANCIAL STATEMENT

JANUARY 1, 2008 - OCTOBER 31, 2008 (Revised through 11/14/08)

CASH POSITION - JANUARY 1, 2008		
CHECKING ACCOUNT		
LAND ACQUISITION		
GENERAL FUND	192,304.22	
TAX FUND	81,335.09	
	0.00	
INVESTMENTS		
SAVINGS	89,504,55	
ESCROW ACCOUNT INTEREST	13,568.68	
		376,712.54
RECEIPTS - JANUARY 1, 2008- OCTOBER 31, 2008		0.0,,12.54
LEASE RENTS	63,182.36	
INTEREST INCOME(FROM CHECKING)	1,112.72	
LAND ACQUISITION	•	
ESCROW ACCOUNT INTEREST	1,453,410.94	
MISC. RECEIPTS	13,706.55	
CHECK #9616 ARLENE COLVIN 200.00	54,760.67	
CHECK #9626 ARLENE COLVIN 28.80		
STEWART TITLE 100.00		
CE11		
4,931.87 KRBC REIMBURSEMENT RE: TELEPHONE CHARGE		
TRANSFERRED FROM SAVINGS	1,559.80	
	91,505.07	
CITY OF MUNSTER FOR PROPERTIES TOTAL RECEIPTS	36,070.00	
TOTAL RECEIPTS	1,	,715,308.11
DISBURSEMENTS - JANUARY 1, 2008 - OCTOBER 31, 2008		•
ADMINISTRATIVE		
2007 EXPENSES PAID IN 2008		
PER DIEM	68,261.17	
	5,650.00	
LEGAL SERVICES	2,833.30	
NIRPC	123,763.66	
TRAVEL & MILEAGE	1,496.96	
PRINTING & ADVERTISING	1,160.91	
BONDS & INSURANCE	6,738.25	
TELEPHONE EXPENSE		
MEETING EXPENSE	7,768.21	
LAND ACQUISITION	113.50	
LEGAL SERVICES		
APPRAISAL SERVICES	131,971.75	
ENGINEERING SERVICES	109,550.00	
LAND PURCHASE CONTRACTUAL	36,905.54	
FACILITIES/PROJECT MAINTENANCE SERVICES	44,382 .00	
OPERATIONS SERVICES	0.00	
LAND MANGEMENT SERVICES	52,660.00	
SURVEYING SERVICES	210,073.58	
	197,281.47	
MISCELANEOUS EXPENSES FCONOMICALABLETTIC SOURCES	0,00	
DE LOUI MAN VILA INVITENTO ODTED ODO	-,	

Sandy Mordus

From: Sent: McAhron, Ron [rmcahron@dnr.IN.gov] Monday, November 17, 2008 4:06 PM

To:

castleridge@sbcglobal.net; smordus@nirpc.org

Cc:

rmarsz@verizon.net; GurleyRK@teng.com; gordishm@sbcglobal.net; dburrus@pnc.edu; acolvin@ci.gary.in.us; dd2927@sbcglobal.net; huffmun@sbcglobal.net; surveyor@cyberz.net;

biller6625@comcast.net; lcasale@cwblawfirm.com; jmelton@nirpc.org

Subject:

Re: Request for Information

All:

I think this is useful information and something we are going to be asked again in public meetings.

On a related matter I talked with Mark today and he offered to sit with us and staff to try to flesh out the punch list that has been discussed. In hope we can still do that this week, ideally Friday.

While I can't be there tonight I hope we can get authorization to hire Sam or someone for help with our budget effort. However, it may be that this meeting with Mark will get us far enough along that the extra hire won't be necessary. So perhaps we can hold off through this week re a short term hire.

I fully recognize things are frazzeled and hectic, but the fact is we are broke and do not have a clear message of where we are, making even short term funding problematic. These efforts, awkward as they have been are intended to get us an understandable position for the public and to build a base of support for short and long term funding.

Ron McAhron Office (317) 232-1557 Cell (317) 696-9307

---- Original Message -----

From: W Baker <castleridge@sbcglobal.net>
To: smordus@nirpc.org <smordus@nirpc.org>

Cc: McAhron, Ron; rmarsz@verizon.net <rmarsz@verizon.net>; GurleyRK@teng.com <GurleyRK@teng.com; gordishm@sbcglobal.net <gordishm@sbcglobal.net>; dburrus@pnc.edu <dburrus@pnc.edu>; acolvin@ci.gary.in.us <acolvin@ci.gary.in.us>; dd2927@sbcglobal.net <dd2927@sbcglobal.net <huffmun@sbcglobal.net>; surveyor@cyberz.net <surveyor@cyberz.net>; biller6625@comcast.net <biller6625@comcast.net>; lcasale@cwblawfirm.com <lcasale@cwblawfirm.com <jmelton@nirpc.org <jmelton@nirpc.org>

Sent: Mon Nov 17 14:36:09 2008 Subject: Request for Information

Sandy

Please find this as a request for copies of the actual (lease etc) agreements pertaining to the property/assets held by LCRBDC.

The premise of this request - I may be able to lend some value regarding these areas. My career in corporate real estate has afforded me the opportunity to work with these type of transactions/documents throughout the country.

The following list was derived from the Current Leases - 2008 form (handed out on 10/15/08) as well as the Land Management Report (handed out on 11/5/08).

Copies of current lease's/addendums/amendments for

Chicago Towers

Mike Mitch/ Plum Grove Farm

Gary Dunlap

Jerry Ewen

the (3) Lamar billboards

the (12) View billboards

Additionally, please provide a list of all property held/owned/controlled by LCRBDC that is not leased to a third party nor a part of the levee project

Agreement/Lease with NIRPC

Land Acquisition Detail (from Judy - whose email is not available)

Complete breakdown on each acquisition transaction for Stage VII and VIII

Spreadsheet with the DC-xxxx

Detail on each property

Hopefully this can be pulled together and forwarded electronically, if not I will stop by the office.

Thank you in advance for your attention to this request and please do not hesitate to telephone with any questions.

Regards

Bill Baker

SAM G. DIMOPOULOS, R.A., NCARB

7221 Forest Ave. Hammond, IN 46324 · ssdimap@comcast.net Mobile: (219) 808-2154 · Home: (219) 937-4672

As a senior project manager, I have successfully completed projects of various size and scope for the past 20 years. My duties included managing the design team, distributing staff assignments and overseeing design and construction. As a client manager I pride myself on my capability to take on any assignment and carry it through to a profitable conclusion for both the client and the firm.

REGISTRATION & EDUCATION:

LICENSED ARCHITECT

Indiana · Illinois · Michigan · Missouri · Wisconsin

BALL STATE UNIVERSITY - MUNCIE, INDIANA

B. of Architecture

B. S. of Environmental Design

PROJECT EXPERIENCE

UNITED STATES POSTAL SERVICE (USPS)

Project Scope Evaluation and Justification Reports - Great Lakes Region (\$12M)

 As the Project Manager, my responsibilities included the assessment of fifty projects over a five state area. The initial effort included determining the scope of each project based on physical inspections and interviews with the facility managers. Then, prioritizing the project list into three categories; need related to the health and welfare of the postal employees and the public, facility preservation and facility maintenance. Finally, determining a Rough Order of Magnitude cost estimate for each project.

USPS Building Projects

New Carrier Annex - Ann Arbor, Michigan (\$4M)

New Main Post Office - Hale, Michigan (\$3M)

New Vehicle Maintenance Facility - Saginaw, Michigan (\$3M))

Roof Replacements Projects - Bloomington, Illinois (\$1M)

New Temporary Carrier Annex TCA - Downer's Grove, Ill. (\$500K)

Chiller Replacements Projects - Indiana, Illinois, Wisconsin (\$1.5M)

On the projects listed above, my responsibilities as project manager included the following:
 Determined the scope and budget for each project.

Determined the schedule and duration of each project.

Oversaw and coordinated the design effort by the staff.

Confirmed that the design met Federal, State and Local Municipal codes and regulations.

Made presentations to the USPS at various design milestones.

Compiled and distributed the Contract Documents to the contractors for bidding.

Reviewed the contractors' bids and made recommendations to the USPS for contract award.

Attended periodic construction progress meetings to review the contractor's work.

Reviewed shop drawings prior to construction.

Responded to any Requests for Information (RFIs) from the contractor during construction.

Reviewed the contractor's Applications for Payment.

Created a punch list after the project reached Substantial Completion.

Reviewed the completion of the punch list after completion.

Reviewed and distributed the O & M Manuals to the USPS for their record.

SAM G. DIMOPOULOS, R.A., NCARB

7221 Forest Ave. Hammond, IN 46324 · ssdimop@comcast.net
Mobile: (219) 808-2154 · Home: (219) 937-4672

PROJECT EXPERIENCE

PUBLIC SAFETY TRAINING FACILITIES

Westmoreland Community College Emergency Training Center – Greensburg, Pennsylvania (\$3M) Northeastern Illinois Public Safety Training Academy – Glenview, Illinois (\$2M)

As the Project Manager, my responsibilities included meeting with the various agencies that
were affiliated with the training facilities to develop the project scope and budget. My
responsibilities also included determining the proper phasing of the project in order for the
agencies involved to secure funding at specific milestones. Once the funding was in place, my
role as project manager was to take the project through construction. The tasks were similar to
those listed above in the USPS Building Projects.

MUNICIPAL PROJECTS

SCHERERVILLE, INDIANA
Police and Town Court Facility (\$3M)
Fire Station Addition (\$300K)

ELMHURST, ILLINOIS
Fire Training Facility Addition and Renovation (\$1.5M)

FRANKFORT, ILLINOIS
New Police Station (\$5M)

 On the Municipal Projects listed above, my responsibilities as project manager included the following:

Determined the scope and budget for each project.

Determined the schedule and duration of each project.

Oversaw and coordinated the design effort by the staff.

Confirmed that the designs met Federal, State and Local Municipal codes and regulations.

Made presentations to the municipalities at various design milestones.

Compiled and distributed the Contract Documents to the contractors for bidding.

Reviewed the contractors' bids and made recommendations for contract award.

Attended periodic construction progress meetings to review the contractor's work.

Reviewed shop drawings prior to construction.

Responded to any Requests for Information (RFIs) from the contractor during construction.

Reviewed the contractor's Applications for Payment.

Created punch lists after the projects reached Substantial Completion.

Reviewed the completion of the punch lists after completion.

WORK HISTORY

PROTEUS GROUP, LLC – CHICAGO, ILLINOIS (2005-PRESENT)
TENG & ASSOCIATES, INC. – CHICAGO, ILLINOIS (2000-2005)
G. DALE LOLLIS, ARCHITECT & ASSOCIATES, P.C. – MUNSTER, INDIANA (1991-2000)
ARCHITECTS INTERNATIONAL, INC. – CHICAGO, ILLINOIS (1989-1991)
BITTNER & DETELLA ARCHITECTS, INC. – EAST CHICAGO, INDIANA (1988-1989)
ENVIRONMENT SEVEN, LTD. – CHICAGO, ILLINOIS (1985-1988)

REFERENCES AVAILABLE UPON REQUEST

INTERIM PROJECT MANAGER

REPORTS TO:

Commission Chairman, Commission Treasurer

FUNCTION:

Working alongside the Interim Executive Director the Position is Responsible for the planning, organizing, directing, and execution of project budgeting from its current status to project closeout. Manages and coordinates all budgeting obligations of the Commission dealing with the day-to-day Commission operations and interpreting and transmitting this information in a manner available to the Commission's disposition. Directly responsible for the administration, quality and man-hour allocation necessary to complete the work. Responsible for the scope of work & technical interpretation of the Commission's obligations under current direction for financial reporting given by the State of Indiana and the office of the sponsoring U.S. Representative.

EXPERIENCE:

Extensive experience in all phases of project management, development and execution including contract document preparation and construction administration procedures. Experienced in budget development, knowledge of contractual matters affecting the Commission, and technical engineering and construction expertise commensurate with years of experience. Minimum of 20 years practical experience, plus formal academic training. Experience complementing non-Architectural & Engineering training is also appropriate.

Experience working with and interfacing with multiple, Local, State and USACOE departments and personnel.

LICENSING:

Professional State Registration required.

KNOWLEDGE:

Knowledge of professional practices including: Contracts, budgeting, project financial principles, scheduling, project planning, directing design, specifications, working drawings, design codes, construction material costs and techniques. Proficient with office standards, policies, and procedures, principles and techniques of personnel supervision and management, legal aspects and liabilities in construction and professional ethics. Possesses strong interpersonal skills for both Commission and agency relations, and has strong communication skills.

EDUCATION:

A Bachelor's degree from an accredited school of Architecture or Engineering. Experience complementing non-Architectural & Engineering training is also appropriate.

BUDGET DEVELOPMENT TASKS

- Participates in project development/planning. Makes presentations to Commission and/or Local, State and Federal groups/individuals as required.
- Develop comprehensive Project Budget for the completion of the Little Calumet River Basin flood control project (the Project) including, but not limited to, construction completion, remaining item (punch list) completion, Commission operating budget, and identification of any and all ancillary activities required to complete the Project.
- Identifies Commission assets, sources of income, current and potential. Defines revenue streams currently in place and projected.
- Reviews contracts under development for project issues and advises USACOE Contract Administration personnel on issues relevant to the Commission's charter for timely execution of the work.
- Liaison with the Commission on a day-to-day basis for the duration of the assignment.
- Responsible for the development of the budgeting work plan, and developing plan for the project working with the Commission's staff.
- Develop project schedule and work with USACOE Project Manager to identify constraints and opportunities.
- Collaborate with Interim Executive Director for staff resources.
- Controls and coordinates the Budget task work plan and work schedule.
- Communicate and coordinate with Commission, Executive Director, USACOE and other relevant parties.
- Gives direction to the Commission staff to fulfill the Budget task requirements.
- Required to present, and assist in Commission presentations to the public, local, state and federal entities.
- Establishes Project financial setups and consults with financial officers & accounting on matters of projected accounts receivable, accounts payables, work-in-progress, insurance requirements, legal liabilities, etc.
- Confers and corresponds with Commission, governmental agencies, and consultants.
- Sets up and directs correspondence relating to the Budget task.

Completes Project Budget development task in a timely manner to meet the Commission's obligations and presents the final report utilizing a commonly accepted reporting format for Budget develop efforts of the type.

CLASSIFICATION:

Senior Architect/Engineer or Manager

William Biller, LCRBDC Chairman November 9, 2008 Page 1 of 3

MEMORANDUM

Date: 11/9/2008

From: R. Kent Gurley, LCRBDC Treasurer

To: Bill Biller

For Distribution to Commission Members

Cc: Lou Casale

Subject: Interim Project Manager Support

An outcome of the Nov. 5 LCRBDC meeting was that Visclosky's representative, Mark Lopez, has asked the Commission to develop a Project Budget for the remainder of the Project that is to be thorough, complete and include all "punch list" items. This direction was seconded by Sen. Mrvan. It is my interpretation that both gentleman are absolutely serious and that the Commission will receive no support for ongoing funding until this is done. It is also my understanding that this budget is to be complete, unambiguous, and at a high "professional" level. As well, it is to be presented in a format that clearly communicates the information in a concise, manner, understood by all readers.

Over the past month I've attempted to work with staff to compile the necessary project information that addresses immediate and interim cash flow requirements through 1Q 2009 in an effort to secure funding that will keep LCRBDC operations going as well as meet obligations for project construction, legal settlements and so forth. With the discovery of an additional \$606k needed by the USACOE before year's end – above and beyond what staff had previously identified – I was motivated to remove my motion to approve the interim budget because of lack of clarity and confidence in the information at hand.

Afterwards I discussed the implication and timing on the letter from the Corps with staff and it has become clear to me that the requirements set forth by the Representative's office and Senator Mrvan cannot be accomplished with the resources currently available to the Commission. The LCRBDC staff is not trained for this task and the USACOE either will not or cannot provide the thoroughness of information necessary. I do not believe that the current interim Executive Director has sufficient staff with the necessary skill sets to accomplish the critical, but complicated, assignment to meet the Rep/Senator's demands in the time frame demanded.

William Biller, LCRBDC Chairman November 9, 2008 Page 2 of 3

Accordingly I am requesting that the Commission engage an interim Project Manager, through the end of 2008, whose sole task is to develop and present the information required above. Specifically this individual's task would be:

- Engage LDRBDC and NIRPC staff to identify all operational costs for the Commission over the remainder of the Project, including time necessary to bring the total project to completion not just levee construction.
- Engage the USACOE, through Ahmad, to develop and codify all projected costs remaining for engineering, construction, construction management and turnover, and present this information with the appropriate escalation and Rough Order of Magnitude estimation level, consistent with Project Management Standards,
- Identify and list all current LCRBDC assets, their value and revenue stream.
- <insert additional requirements>

Additionally, this individual would:

- 1. Report directly to the LRBDC Chairman and myself, and work with the Interim Director towards this goal.
- 2. Work alongside the Interim Executive Director with instructions from the Director to all staff to provide access to the information required and assistance in compiling/formatting the information.
- 3. Have approval to engage the USACOE directly, through Ahmad.
- 4. Report to the Commission on a weekly basis, via a conference call to all Commission members (I can provide a call-in number for this) followed up by a weekly, written report on progress.
- 5. Participate in any meetings necessary to communicate the information to the Representative's office, the State Senator and any other departments necessary under the direction of the Chairman.

This Interim Project Manger position will be limited to the end of the year 2008.

I spoke with each of you yesterday and outlined my request to bring Sam Dimopoulos on board as the Interim Project Manager. To recap — Sam is a former Commissioner who is a licensed Architect in the State of Indiana with professional certification through the National Council of Architectural Registration Boards. Sam is a 25 year professional with project management experience in local, regional, state and national engineering/construction projects running into the tens of millions of dollars. Sam is a life-long NW Indiana resident currently residing in Hammond (in the flood plain) and knows Sen. Mrvan (favorably) and is also familiar to Rep. Visclosky's office.

William Biller, LCRBDC Chairman November 9, 2008 Page 3 of 3

I spoke with Sam last night and he is available to start immediately. He is currently changing firms but will commit to the duration described above. I anticipate his "all-in" rate to be between \$75 and \$85 per hour.

It is my understanding that both of you support this direction. I subsequently spoke with Lou and he supports the request also but feels that we need to have a public meeting with a single item agenda solely for the purpose of bring Sam on board.

I am requesting that we proceed with engaging Sam Dimopoulos. To this end I have attached a description of the position and the basic requirements. If you concur it will be necessary for Bill to direct staff to advertise a meeting. I would also distribute the context of this memorandum to all Commission members prior to meeting detailing the request and appointment.

As we all know time is of the essence. I will be in LA through Wednesday on business related to BP and will not be available until Thursday night. I leave it to your discretion to have the meeting earlier (Lou mentioned that if Sandy is given direction today she can advertise and the meeting can be held as soon as Monday) or wait until I get back. If you decide to have it earlier I will call in to the meeting from wherever I am. Otherwise I can commit here to Thursday evening.

Please advise.

Sincerely,

R. Kent Gurley

STAGE VII – MUNSTER (Northcote to Columbia, south of the river)

CLAIMS PAYABLE FOR NOVEMBER 2008 TO BE DRAWN FROM MUNSTER – UP TO \$302,000

Dudant		· · · · · · · · · · · · · · · · · · ·
Budget <u>Code</u>	DC Number	Amount
5860	DC-1223	\$ 51,700.00
5860	DC-1227	\$ 19,700.00
5860	DC-1254	\$ 3,910.00
1	TOTAL	\$ 75,310.00

(Total Claims previously approved and paid out - \$ 228,067) (4 claims pending: \$1,775, \$3,910, \$19,700, and \$51,700)

(Remaining balance from Munster is \$73,933 and that is what will be asked for. The difference between the \$75,310 and \$73,933 is \$1,377 and the Commission will pay that difference.)



October 30, 2008

Sandy Mordus Little Calumet River Basin Development Commission 6100 Southport Rd. Portage, IN 46368

RE: License Agreement Extensions

Dear Sandy,

View Outdoor Advertising, LLC would like to extend our twelve current billboard license agreements with the LCRBDC an additional 10 years. After the approval of the extensions, we will pay the following 12 months land rental in advance for all twelve locations. The sum would be \$108,000. The Amendments to the agreements which extend the licenses have been forwarded to you via email.

We appreciate the successful relationship we have cultivated with the Commission over the last few years and look forward to extending it into the future. And as always, if you need anything, do not hesitate to call.

Very truly yours,

Pete Schroeder

President

View Outdoor Advertising, LLC

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION FINANCIAL STATEMENT JANUARY 1, 2008 - SEPTEMBER 30, 2008

CASH POSITION - JANUARY 1, 2008						
CHECKING ACCOUNT						
LAND ACQUISITION GENERAL FUND			192,304.22			
TAX FUND			81,335.09 0.00			
INVESTMENTS			0.00			
SAVINGS ESCROW ACCOUNT INTEREST			89,504.55			
	_		13,568.68	376,712,54		
RECEIPTS - JANUARY 1, 2008- SEPTEMBER 30, 2008						
LEASE RENTS INTEREST INCOME(FROM CHECKING)			51,783.32			
LAND ACQUISITION			1,042.16			
ESCROW ACCOUNT INTEREST			12,893.86			
MISC. RECEIPTS	*****		49,828.80			
CHECK #9616 ARLENE COLVIN CHECK #9626 ARLENE COLVIN	200.00 28.80					
STEWART TITLE	100.00					
	500.00					
KRBC REIMBURSEMENT RE: TELEPHONE CHARGI TRANSFERRED FROM SAVINGS	3		1,253.70			
CITY OF MUNSTER FOR PROPERTIES			87,590.78			
TOTAL RECEIPTS			36,070.00	1,464,091.53		
DISBURSEMENTS - JANUARY 1, 2008 - SEPTEMBER 30	2008					
ADMINISTRATIVE	. 2008					
2007 EXPENSES PAID IN 2008		68,261.17				
PER DIEM LEGAL SERVICES			5,650.00			
NIRPC			2,549.97			
TRAVEL & MILEAGE			123,763.66			
PRINTING & ADVERTISING			1,160.91			
BONDS & INSURANCE TELEPHONE EXPENSE			6,738.25			
MEETING EXPENSE			6,841.21 113.50			
LAND ACQUISITION			115.50			
LEGAL SERVICES APPRAISAL SERVICES			115,799.93			
ENGINEERING SERVICES			109,550.00 26,424.31			
LAND PURCHASE CONTRACTUAL			38,827.00			
FACILITIES/PROJECT MAINTENANCE SERVICES			0.00			
OPERATIONS SERVICES LAND MANGEMENT SERVICES			52,660.00			
SURVEYING SERVICES			175,041.75 143,987.22			
MISCELANEOUS EXPENSES			0.00			
ECONOMIC/MARKETING SOURCES PROPERTY & STRUCTURE COSTS			0.00			
MOVING ALLOCATION			465,555.76 0.00			
TAXES			0.00			
PROPERTY & STRUCTURES INSURANCE UTILITY RELOCATION SERVICES			0.00			
LAND CAPITAL IMPROVEMENT			126,826.71	-		
STRUCTURAL CAPITAL IMPROVEMENTS			0.00			
BANK CHARGES HARRIS BANK PASS THROUGH FOR SAVINGS			35.00			
PAYBACK TO SAVINGS			70,475.79			
TOTAL DISBURSEMENTS			1.	473,480.33		
CASH POSITION - SEPTEMBER 30, 2008						
CHECKING ACCOUNT HARRIS BANK			1	/		
"LAND ACQUISITION GENERAL FUND			190,682.46			
TAX FUND			60,674.19			
TOTAL FUNDS IN CHECKING A	CCOUNT		251,356.65	- /		
				2		
				1181		
CHASE SAVINGS ACCOUNT BALANCE #4414		23,721.75		90		
(LAND ACQ IN HOUSE PROJECT FUNDS) (O & M MONIES)	(,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		. 57	2.		
(O & M MONIES)	**23481.45	: •	KIT	, (1	0 2
			100			100
**Note: O & M Fund comprised of remaining LEL Money,	\$185,000 Interest Money, and		ACV			10
\$133,721.49 Marina Sand Money SAVINGS INTEREST	240.30				1	J
CHASE SAVINGS ACCOUNT BALANCE #4747	240.30	967,111.92			-	
*ARMY CORP CONSTRUCTION MONEY	961,370.00				V	
ESCROW ACCOUNT INTEREST AVAILABLE	5,741.92					1 .
TOTAL OF BOTH SA	AVINGS ACCOUNTS		990,833.67		IN DON	/
	-				NIN	
TOTAL OF ALL ACC	COUNTS		1,242,190.32	/	m W	6
* COMMITTED FUNDS: (FROM ABOVE)					1 h	V
LAND ACQUISITION		190,682,46		/	y N	1
ARMY CORP CONSTRUCTION MONEY		961,370.00		-		5
UNCOMMITTED FUNDS (AVAILABLE)	1	1/_	90,137.86		1/ 1/	J
	`			}	V	
					R	
					1 0	



DEPARTMENT OF THE ARMY

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

October 27, 2006

Planning, Programming and Project Management Division

Mr. Jody Melton Little Calumet River Basin Development Commission 6100 Southport Road Portage, Indiana 46368

Dear Mr. Gardner:

This letter will provide the Little Calumet River Basin Development Commissioned (LCRBDC) the funding needs projections for the Little Calumet River Flood Control Project for fiscal years (FY) 2009 and 2010. Enclosure 1 is a table that shows the project funding breakdown (federal and non-federal) for these two fiscal years. These funding projections are based on completing the ongoing construction contract of Stage V-2 and continue the construction of Pump Station 2A (fully funded in FY 08) and Pump Station 2B. As you can see the table reflects the president budget for FY 08 but the congressional conference report added \$6 Million more to this project. USACE is under a Continuing Resolution Act of 2009 which assumes the president budget numbers are used. There is a possibility that when the final apportion is signed the project could be funded in accordance with the conference report. At that time I will revise the table and request additional funding.

In addition to the above work, USACE will complete design effort for Stages VIII and VII. And when real estate acquisition effort is complete for Stage VII and VIII USACE will initiate construction work. The total local funding (non-federal) cash contributions for FY 2009 and FY 2010 are \$606,500 and \$2,740,500 respectively.

I hope this information will assist you in your effort on obtaining funds from the state for the project. Please let me know if you have any questions, you can call me at 312-846-5560 or email me at imad.samara@usace.army.mil.

Sincerely Yours

Imad N. Samara Project Manager

Enclosure



October 22, 2008 ·

Mr. William Biller, Chairman Little Cal River Basin Development Commission 6100 Southport Rd. Portage, IN 46368

Re: Little Cal - Stage VIII Property Acquisition

Dear Chairman Biller and Commission Members:

The ACOE, in Feature Design Memorandum 5, identified that the four homes on River Drive located north of 180/94 be bought out. It is my understanding that the Little Cal Commission requested that the ACOE keep these homes and develop an evacuation plan. This area would be protected to the 30-40 year flood level. As we are reminded from September, these four homes were inundated. We have problems in this area on a regular basis with rainfalls significantly less than what we experienced in September. This diverts resources from other more heavily populated areas..

The Town wants these homes to be acquired. These will be the only properties remaining on the river side of the new level of protection. We must begin this process immediately to insure the Stage VIII construction is not delayed any longer.

The Town Council respectfully requests that the Little Cal River Basin Development Commission take formal action at your November meeting to begin the acquisition of these four properties under the threat of condemnation. We are prepared to discuss this with you at your earliest convenience.

Yours truly,

Thomas F. DeGiulio

Town Manager

cc:

Honorable Peter Visclosky pete.visclosky@mail.house.gov

MayorThomas McDermott, City of Hammond

Munster Town Council

Thomas & Destilio

Imad Samara, U.S. Army Corps of Engineers Imad.Samara@usace.army,mil

Jody Melton, LCRBDC jmelton@wirpc.org

James Pokrajac, LCRBDC jpokrajac@nirpc.org

Dean Button, SEH Engineering, Inc. dbutton@sehinc.com

Elizabeth Johnson, Congressman Visclosky's Office Elizabeth.johnson@mail.house.gov

Lou Casale, Attorney, LCRBDC LCasale@cwblawfirm.com



IDEM to aid Little Cal Eather with tainted soil

Petroleum-contaminated soil found in path of levee project

BY SUSAN BROWN

rown@nwitimes.com 219.836.3780

HAMMOND In an apparent turnabout, the Indiana Department of Environmental Management will be assisting the Little Calumet River Basin Commission in determining the degree of petroleum contamination discovered in the path of the federal level construction.

Contractors hired by the US Army Corps of Engineers found the contaminated soil last month in river bottom materials west of Kennedy Avenue and north of the river behind the Wendy's restaurant.

The Army Corps alerted the Little Cal commission to the findings and asked the commission to have the contaminated soil removed as required under the Local Cooperative Agreement signed by the commission and the corps in 1990.

Lynne Whelan, public affairs

See SOIL, A8

FINDINGS

Contaminated soil was found last month in river bottom. materials west of Kennedy Avenue and north of the river behind a Wendy's restaurant. The site is in an uncompleted area of the federal flood :control project in the vicinity of the Indiana Welcome Center and several hotels. and 🤄 👑 restaurants that were severely flooded last

Continued from A)

The comps proposal to proposity a regularants that were severely efficient on comps and the jurbed by the filled commission had been advised property and the control the design of the martial distinguished by the filled commission would be problemed and seemed immersed in a memo provided to the control the design of the filled commission.

The filled probleme was the filled commission of the commission of a memo provided to the control to the design of the commission. The filled commission would be problemed and seemed immersed in a memo provided to the commission which also commission from the control to the design of the commission was a shell gas standard fill and incided industry the control to the comps bearing the control to the comps which also some the record primary of the commission was a shell gas standard fill the commission was a shell gas stored to the commission was a shell gas stored for the control to the commission which had incided influence to the commission of the commission which had incided influence to the commission which had incided influence to the commission which had incided influence to the commission of the commission which had incided influence to the

IDEM

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr. Governor

Thomas W. Easterly Commissioner

100 North Senate Avenue Indianapolis, Indiana 46204 (317) 232-8603 Toll Free (800) 451-6027 www.idem.IN.gov

October 22, 2008

Mr. Ron McAhron Little Calumet River Basin Development Commission 402 West Washington Street Indianapolis, IN 46204

Re:

Soil Verification Sampling Results Little Cal River Levee Project-Stage V Project segments 39+00 to 35+00 Hammond, Lake County, IN

Dear Mr. McAhron:

As you are aware, the Little Calumet River Basin Development Commission ("LCRBDC") requested the support of the Indiana Department of Environmental Management ("IDEM") to conduct verification soil sampling of overburden soil excavated from along the north bank of the Little Calumet River. The excavated soil was stockpiled along the levee construction area until the appropriate soil management option could be determined. The purpose of this letter is to inform the LCRBDC of the results of the verification soil sampling conducted by the IDEM and to suggest an appropriate soil management option for the overburden soil produced during levee construction activities based upon a risk assessment based evaluation of the soil sample data.

IDEM understands that it was necessary to excavate the soil as a result of the project geotechnical requirements necessary for levee construction. The area of concern identified as requiring soil verification sampling was determined by the LCRBDC and the United States Army Corps of Engineers ("USACE") to be from project survey stations 39+00 to 35+00. Specifically, the area of soil requiring sampling was a stockpile along an approximate stretch of 900 linear feet and oriented in a "wind row" fashion between the above stated survey marks. The soil was piled about 4 to 8 feet deep with the wind row approximately 20-30 feet wide. The soil stockpile was estimated by the USACE, the construction contractor and IDEM to be approximately 8,000 to 9,000 cubic yards of material in total.

In order to properly sample and characterize the soil IDEM determined the best method for sampling was to utilize a track mounted excavator to collect buckets of soil from the soil stockpile for ease of sampling. Bucket loads of soil were collected from the stockpile wind row on fifty foot centers throughout the full 900 linear feet. Soil was collected from the excavator bucket and placed directly into the laboratory supplied glass sample containers. Soil was collected at each location at a depth of 2 to 3 feet. IDEM collected a total of 20 soil samples which were laboratory analyzed for volatile organic compounds ("VOCs"), semi-volatile organic compounds ("SVOCs"),

metals, poly-chlorinated biphenyls ("PCBs") and total petroleum hydrocarbons ("TPH") as gasoline range organics ("GRO") and extended range organics ("ERO"). Laboratory analysis of the IDEM collected soil samples indicate that six of the eastern most sample locations have detected concentrations of TPH-ERO above the IDEM Risk Integrated System of Closure ("RISC") industrial default closure levels ("IDCLs"). In addition, lead was detected in two sample locations above the IDEM RISC IDCL. Benzo(a)pyrene, cadmium and chromium were detected at one sample location above the IDEM RISC IDCL. The remaining sample locations showed detections of TPH-ERO at concentrations exceeding the IDEM RISC residential default closure level, but below the IDEM RISC IDCL.

Assessment of the soil sample data was conducted by IDEM to determine the need for offsite disposal. During this data assessment, IDEM considered the potential for human health exposure from the contaminated soil to determine the overall need for off-site disposal or continued on-site soil management. Potential human health exposure pathways appropriate for the levee construction project include construction worker exposure during completion of the levee and recreational exposure on the finished levee if the stockpiled soil were to be used as topsoil on the levee. IDEM data assessment has determined that the detected contaminant concentrations are well below IDEM's RISC default construction worker exposure concentrations, so no potential construction worker exposure exists. The recreational exposure pathway was evaluated by calculating representative closure levels for the recreational exposure scenario and comparing these recreational closure levels to the actual data results. IDEM calculated representative recreational closure levels by utilizing the recreational exposure factors in the standard algorithms provided in the IDEM RISC Technical Guide. Assumptions made by IDEM to replicate the recreational exposure scenario included assuming an age based exposure of adolescent children aged 6 to 15 years of age and exposure duration of 104 days per year. IDEM has determined that the highest observed contaminant concentrations are below the representative recreational closure levels. Please refer to the table below for specific comparisons of highest observed contaminant concentrations to the representative recreational closure levels.

Contaminant	Recreational Closure Level (mg/kg)	Highest Observed Concentration (mg/kg)		
Arsenic	13.0	10.0		
Benzo(a)pyrene	0.51	0.11		
Cadmium	450	110		
Chromium	2,700 (as Cr VI)	1,900		
Lead	400.	320		
TPH-ERO	6,100	6,000		

In conclusion, the IDEM has determined that all observed contaminant concentrations detected in the soil verification sampling are below applicable risk assessment based closure levels. Specifically, all contaminant concentrations are below both the IDEM RISC default construction worker closure levels and also the calculated representative recreational exposure pathway closure levels. IDEM considers the construction worker exposure and recreational use exposure pathways to be the only potential exposure pathways of concern. Consistent with the assessment of the soil sample data collected and evaluation of potential risk exposure pathways IDEM recommends that the soil stockpile be managed on-site and incorporated into the levee construction project as over-seeded topsoil.

If you have any questions or concerns regarding the determination made by this letter please contact Ryan Groves, Senior Environmental Manager, at (317) 232-3413.

Sincerely,

Harry E. Atkinson, Chief State Cleanup Section Office of Land Quality

HEA/RG/sb

cc: Ms. Jennifer Miller, United States Army Corps of Engineers, Chicago District, Via Email

Mr. Scott Nally, Assistant Commissioner, IDEM Office of External Affairs

Ms. Peggy Dorsey, Assistant Commissioner, IDEM Office of Land Quality

Mr. Ryan Groves, IDEM State Cleanup Section

OPERATION AND MAINTENANCE REPORT

For meeting on Wednesday, November 5, 2008
(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 August 29 – October 29, 2008)

SEPTEMBER 2008 FLOOD EVENT (MISCELLANEOUS)

<u>General Statement</u> – Record setting rains fell on and into the Little Calumet River from September 13th – September 16, 2008, causing tremendous damage and loss of property.

- A. The LCRBDC participated in the emergency response coordination from September 13th September 23rd, to help facilitate closures, help homeland security with priortization of activities, assure project features were functioning according to design (including pump stations, sluice/flap gate closure, and overtopping potential of the lines of protection).
 - 1. Costs incurred to the Commission as a result of emergency response were estimated at \$48,450.
 - With assistance from the IDNR, we are seeking reimbursement for these costs 2-2
 - An emergency agreement was put together and signed on September 18th, 2008, to remove the log jam West of MLK Drive under the Chicago, Ft. Wayne & 4-5 Eastern Railroad on a T & M basis.
- B. A post-flood walk through was held with the Army Corps and the LCRBDC on October 3rd to review effects of flood on completed flood control features as well as impacts to areas of upcoming construction contracts.
 - Received the final trip report from the Corps on October 9th, 2008 (available upon request).
 - For upcoming contracts, they needed to know if any flood impacts may have caused differing conditions that may have to be addressed during construction.
- C. An e-mail was received from Homeland Security on September 22nd, 2008, regarding 7—1, the clearing of the culverts west of MLK Drive on September 18th. (Including the operational plan).
 - LCRBDC was asked to assume responsibility (and funding) to secure a contractor to remove the log jam.
 - This was needed to lower river elevations to the west.
 - Considerations were given to Marshalltown sub-division where the water level was within 1 foot of overtopping the levee, which whuld have flooded out hundreds of residences.
 - Water was delayed from flowing eastward by the high water levels in Deep River.
 - The decision was made only after water levels at Marshalltown were low enough to allow log jam removal without concern of overtopping.

GENERAL NOTE:

It is the intent of the LCRBDC to put a total punch list together for all of the items requiring remediation as a result of the 2008 inspections. An estimate per item will also be provided. This will then need to be discussed with the city of gary as part of the O&M turnover process.

• LCRBDC is currently assuring all pump stations are functioning, flap gates sealed, and sluice gates will close. (Recent contractural work will be the last until we comprise the final "punch list".)

GENERAL SUMMARIZATION (EAST REACH TURNOVER)

- 1. An O&M Funding Committee meeting was held on March 12, 2008 to review upcoming and project expenditures
 - A summary status report was put together on March 11, 2008 indicating
 what has been turned over, what the LCRBDC is doing with flood control
 items not turned over, and including partial turnovers have been executed.
- 2. Following are the features and responsibilities that will be turned over to the City of Gary.
 - 1. Six (6) pump station turnover
 - 2. Levee, sluice gate, flap gate turnover
 - 3. Transfer of LCRBDC excess lands
 - 4. Coordination for emergency response
 Maps, pump station reports, O&M detail for maintenance breakdown and costs
 have been distributed and discussed with Gary.
- 3. A follow-up memo was sent to Gary, Hammond, and Highland requesting comments and review of the draft Corps O&M manuals for their respective communities on March 25, 2008. (No response from any municipality as of October 31st, 2008)
 - The previous memo was submitted, along with the manuals, for review on September 7, 2007.
 - Their comments will then be addressed by the Corps and individual meetings would be held with each community for implementation.
- 4. Levee inspections for 2008 were held August 12-15, 2008.
 - Sluice gates inspections were held between September 9th and 12th, 2008.
 - Pump station inspections were held on October 14th and 15th, 2008.
 - When the LCRBDC receives the Army Corps inspection results, we will attempt to provide rough cost estimates to complete all remediation.

OPERATION AND MAINTENANCE BREAKDOWN STATUS

General Note: The "estimated O&M costs through the end of 2008" sheet anticipates spending approximately \$58,200 as of October 1st, 2008.

14

A. PUMP STATION TURNOVER

- 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.
 - Until O&M is turned over, the LCRBDC is responsible for their operation.
- 2. LCRBDC has been in compliance and kept pump stations operable and

cleaned intake screens until turned over to Gary.

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 were inspected on October 25, 2007 as part of the overall O&M turnover to Griffith

2. Sluice/Flap Gate Clean-up & Repairs

- Received a summarization table from Austgen Electric on October 16th, 2008, indicating the status of all (17) different locations.
- Low bid from Austgen Electric to do this work was \$60,529.00 for (17) locations. Awarded December 26, 2007. Work was done in 2008.
- Received updated table along with current cost summary on October 16th, 2008
- Billing to date is \$50,533.35
- All sluice gates have been completed with only Broadway remaining. They will try to complete, pending water elevation when money is available.

 (See item #1 on "Estimated O&M costs through the end of 2008".)

C. LEVEE, I-WALL TURNOVER

- 1. Levee, I-wall, and collector ditch inspections were held August 12-15, 2008.
 - Levees have just been moved from October 27th 30th, 2008. This allowed better viewing of the levee for inspections.
 - The inspection for Stage V-1 (Wicker Park Manor), located between Indianapolis Blvd and the NSRR, south of the river, was held with Highland
 - The inspection for Burr Street betterment levee (EJ&E to Colfax) south of the NIPSCO r/w, was held with Griffith on August 14, 2008.

D. TRANSFER OF EXCESS LANDS TO CITY OF GARY (Lands will not be transferred until city of Gary signs off on acceptance of O&M responsibility)

1. LCRBDC attorney sent Transfer of Land Request to the Attorney General's office in September, 2008.

E. TURNOVER OF SPARE PARTS, MANUALS, AND "AS-BUILT" DRAWINGS (COMPLETED)

- 1. Spare Part Turnover Process
 - A meeting was held with Debra Harris (United Water Purchasing/Warehouse Manager) on June 13, 2006 to pick up inventory list of "spare parts for pump stations", which are stored on GSD facilities in November 2005.
 - A re-inventory will be done to get a current list of what is stored at GSD. This inventory will be done as part of the final O&M turnover.

F. GRIFFITH - O&M TURNOVER (GENERAL)

1. 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 after this year's inspection 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
 - Turned over (2) sets of "as-built" drawings to the town of Highland along with a set of Volumes 1 & 2 of the Operation & Maintenance Manual on March 23, 2007
- Training, spare parts, and final testing was completed in late July, 2007 and a coordination meeting was held with Highland to begin the O&M turnover process.
- 4. Minor items of construction and "as-build" drawings need to be completed prior to final turnover.
- 5. Final turnover of O&M will be done after Stage VI-2 and VI-1 South are completed. V-2 will be added later.

EMERGENCY RESPONSE COORDINATION

General:

An email was sent to the Corps on December 28, 2007 addressing ongoing, miscellaneous emergency response issues.

<u>NOTE:</u> Refer to Item #5 of this report on page 2 in the General Summarization Section. The municipalities have been provided O&M manuals for review. There is a section of this manual that requires emergency response information. (as of **August 28**, **2008**, no response has been received).

A. Acceptance of Emergency Response by each project municipality

- 1. A meeting will be scheduled in the fall of 2008, with the COE, LCRBDC, USGS, the National Weather Service, and representatives from all five (5) communities. (ongoing)
 - 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. Post and panel closures at Chase Street along the north line of protection and on 35th Street along the south line of protection are impractical to install during a flood event.
 - There is a possibility that the Corps will modify these closures for easier installation as part of the 27th & Chase Street drainage contract.

- B. Coordination with INDOT after late August 2007 floods impacting Kennedy Avenue and Indianapolis Blvd.
 - 1. An initial meeting was held with INDOT, Earth Tech (INDOT consultant), Corps, and the LCRBDC on September 17, 2007 to discuss future impacts, emergency response coordination, and action plans.
 - INDOT submitted request to Hammond (copies the Corps) on October 22, to replace the existing flap gate with a "duckbill" gate at both Kennedy Avenue and Indianapolis Blvd.
 - INDOT submitted a letter to the LCRBDC and copied the Corps on March 10, 2008 (received March 17, 2008) requesting written permission from the LCRBDC to replace (2) existing flap gates (east of Kennedy, north of river, and east of Indianapolis Blvd, north of river) with Tideflex "duckbill" flood valves.
 - LCRBDC sent an email to the Corps on March 18, 2008 requesting that they had reviewed, and approved, the drawings for installing "duckbill" gates

for assurance of compliance with Corps requirements.

- 2. A meeting was held with INDOT, Earth Tech, Garcia L E, and the LCRBDC on October 11, 2007 to discuss surveying and tying in Corps and INDOT surveys that show culvert, ditch, levee, highway, and roadways.
 - LCRBDC will establish a mark in the vicinity of the flap gate as to when to close sluice gate. (Ongoing)
 - Waiting for Corps response to March 18, 2008 email.(Ongoing)

ESTIMATED EMERGENCY RESPONSE COSTS <u>INCURRED</u> <u>DURING RECENT FLOODING OF 2008.</u>

\$15,000	Cost from Dyer Construction to remove the log jam west of Martin Luther King Drive
\$11,450	Cost to remove additional material from the culverts that have accumulated since our original removal (This work has currently not been done)
\$15,000	Detailed costs submitted to us by Austgen Electric for their assistance during the flood event which included the closing of sluice gates, checking to assure that flap gates were closed, repairing pump stations during the flood that were not operating, and to assist me by doing miscellaneous field inspections in areas of concern
<u>\$ 7,000</u>	The cost incurred by Jim Pokrajac for his participation in emergency response coordination from Saturday September 13 through Tuesday September 23 which includes time and mileage.
\$48,450	Total Estimated Emergency Response Costs

WE ARE HOPING TO SUBMIT THESE COSTS TO FEMA FOR EMERGENCY RESPONSE REIMBURSEMENT

October 1, 2008

Jim Pokrajac

From: Jim Pokrajac [jpokrajac@nirpc.org]

Sent: Wednesday, October 15, 2008 12:02 PM

To: 'McAhron, Ron'; 'Johnson, Manuela'

Cc: 'Biller, William'

Subject: RE: Flood Reimbursement Possibilities

Manuela,

I would like to introduce myself. My name is Jim Pokrajac and I work as a consultant for the Little Calumet River Basin Development Commission. I was intimately involved in emergency response on behalf of the commission due to flooding during the period of Sept. 13th – Sept. 23rd, 2008. As Mr. McAhron mentioned in the e-mail, the \$48,450 was associated with required response actions due to this flood. I worked with all the municipalities in one way or another, including the Lake County Emergency Management group and Randy Collins from Indiana Homeland Security. In addition, as also previously mentioned by Ron, I was on a post-flood inspection with the Chicago Army Corps to assess damages to any existing flood control features as well as to assess any changes in site conditions due to flooding that would effect our upcoming construction segments. In our assessment we found at least 5 locations of logjams that could create conditions of overtopping in the event of another flood. The corps feel they should be removed (locally). Unfortunately, no one is currently designated to have this responsibility and associated costs have been bourne by the municipality who did the work. If any assistance is needed, or additional information required, please let me know and I will work with you to accomplish this task.

Recently, we just completed our annual inspections of our flood control features with the corps and each respective community and found some problems with a pump station in Gary. Durung the flood event these 2 pumps were working and now are operating. These are installed to provide interior pumping for the drainage system for the Marshalltown Subdivision in Gary which has approx. 450 residential dwellings. Without these pumps operating there is potential flooding because the water can not get to the river. The LCRBDC tried in the past several years to keep all pump stations operable, but currently all funds available from non-state funding have been depleted. We would also request consideration to assist us in bringing these pumps back in line.

Please let me know if I may be of any further help, and I am looking forward to working with you to help with these issues.

Thank you,

Jim Pokrajac
Little Calumet River Basin Development Commission
6100 Southport Road
Portage, Indiana 46368
Ph. – (219) 763-0696
Cell – (2190 805-9397
Fax – (219) 762-1653
E-mail – jpokrajac@nirpc.org

From: McAhron, Ron [mailto:rmcahron@dnr.IN.gov] Sent: Wednesday, October 08, 2008 10:49 AM To: jpokrajac@nirpc.org; Johnson, Manuela

Cc: Biller, William

Subject: Flood Reimbursement Possibilities

Manuela/Jim:

First introductions: Jim does engineering and land management for the Little Calumet River Basin Development

Basin Development Commission, Manuela is Hazard Mitigation Director for DHS and a big help to me in understand how the system works with FEMA and disaster relief.

We have been facing multiple issues with the LCRBDC levee project and now as we all know the major flood has hit making things much worse. I gave Manuela a copy of the \$48,450 estimate for emergency response costs and she has indicated DHS will be on the look out for this reimbursement request. I would ask that you two touch base to be sure we are hitting all eligible items for the LRBDC. Particularly I would like to make sure that things like log jams that have formed can be addressed so that they don't pose future problems. Of course money is a serious problem so I am hopeful that there could be Federal funding that could help with log jam removal. Along those lines we have reissued our temporary rule to expedited remedial work with a general license for a variety of projects including log jams and I understand FEMA has accepted this rule to satisfy some of their prior approval requirements.

Thanks let me know if I can help.

Ron McAhron Deputy Director IDNR 402 W. Washington St Rm 256 Indianapolis, IN 46204 Phone (317) 232-1557 Fax (317) 233-6811

AGREEMENT FOR LOG JAM REMOVAL WORK

Dyer Construction Company, Inc. (Contractor) agrees to contract with the Little Calumat River Basin Development Commission (Owner) and hereby agrees to provide all labor, materials, tools and equipment necessary to do log jam removal work on the Little Calumat River that is obstructing the flow of the river under the Chicago Fort Wayne and Eastern Ralkroad west of Martin Luther King Drive in Gary, Indiana.

The following shall apply to this agreement:

The work will be performed on a <u>TEM</u> basis. Time & Material basis is based upon the Contractor's faxed proposal dated September 18, 2008 attached hereto as Exhibit "A".

- The Contractor shall complete all work as follows:
 - Remove the log lam.
 - All material removed shall be disposed of off sits
- Contractor will access the culvert crossing from the north side of the tracks off of Martin Luther King Drive. Contractor will cross the railroad tracks with timber matting to get to the work area on the south side by the headwall.
- Contractor requests that the railroad be taken out of service while the work is being performed, due to the movement of machinery in and around the track area.
- Contractor shall not be held responsible for damage to railroad property. In the event that damage to railroad property occurs, the Owner will be responsible.
- Upon completion of log lam removal, the Contractor will be responsible for all cleanup.
- B. Contractor shall provide workmen's companisation insurance in the statutory amount for all persons, employees, contractors or agents working on this job and will provide liability insurance in a minimum amount of \$300,000/\$1,000,000 naming the Owner as co-insured.
- 7. The Contractor hereby egrees to hold harmless and indemnify the Owner from any sulf-damage, claim, liability or action caused as the direct result of the work performed by the Contractor that is the subject of this agreement.
- Contractor will invoice the Owner. Final payment will be made upon completion of the field inspection to the satisfaction of the Owner.

Gregory Furman, Contractor
DYER CONSTRUCTION CO, INC.

Accepted by:

Dan Gardner, Owner Little Calumet River Basin Development Commission

Dated this 18th day of September 2008

7400C74CF 4

~ ~

heulest





1718 Sheffiald Ave. • Dyer, Indiana 48311 • 219-865-2881

773-731-786A 708-895-333B Fox: 219-865-2965

September 18, 2008

Little Calumet River Basin Development Commission 6100 Southport Road Portage, IN 46368 Atm. Jim Pokrajac

RE: Removal of Log Jam at Chicago Fort Wayne and Eastern Railroad

Dyer Construction Company, Inc. proposes to furnish labor and equipment to remove the log jam on the Little Calumet River that is obstructing the flow of the river under the above mentioned railroad. The work will be performed on a T&M basis.

Dyer Construction Company will remove the log jam and legally dispose of offsite.

Dyer Construction will need to access the culvert crossing from the north side of the tracks off of Martin Luther King Drive. We will cross the railroad tracks with timber matting to get to the work area on the south side by the headwall.

Dyer Construction requests that the railroad be taken out of service while the work is being performed, due to the movement of machinery in and around the track area.

Dyer-Construction-Company, Inc-shall-not-be-held-responsible-for-damage-to-railroad property.

Please feel free to call with any questions,

Thank you.

Dyer Construction Company, Inc.

Great urman

Vice President

Exhibit "A

TOTAL P.Ø

TOTAL P.03

Jim Pokrajac

From:

Rochford, William A LRC [William.A.Rochford@usace.army.mil]

Sent:

Thursday, October 09, 2008 4:34 PM

To:

Rochford, William A LRC; Ackerson, Rick D LRC; Schmidt, Joel L LRC; Galisanao, Yuki J

Cc:

LRC; Cunningham, Matthew W LRC; Rundzaitis, Arthur G LRC; jpokrajac@nirpc.org Samara, Imad LRC; Schmidt, Joseph J LRC; Benziger, Andrew R LRC; Abou-El-Seoud,

Shamel LRC

Subject:

RE: Post-Flood Inspection Report (UNCLASSIFIED)



Post Flood nspection.pdf (1 M..

Classification:

UNCLASSIFIED

Caveats: NONE

All,

Attached is the Final Trip Report. If there are any questions, please contact me.

Bill Rochford

(312) 846-5450

william.a.rochford@usace.army.mil

----Original Message----

From: Rochford, William A LRC

Sent: Tuesday, October 07, 2008 6:04 PM To: Ackerson, Rick D LRC; Schmidt, Joel L LRC; Galisanao, Yuki J LRC; Cunningham, Matthew

W LRC; Rundzaitis, Arthur G LRC; jpokrajac@nirpc.org

Cc: Samara, Imad LRC; Schmidt, Joseph J LRC; Benziger, Andrew R LRC; Abou-El-Seoud, Shamel

LRC

Subject: Post-Flood Inspection Report (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

All,

Attached is a draft of the Post-Flood Inspection Report that was conducted along the Little Cal on Oct 3. Please let me know if there are any comments before it is finalized.

Thanks,

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 Classification: UNCLASSIFIED

Caveats: NONE

Classification:

UNCLASSIFIED

Caveats: NONE

Dan Gardner

From:

Collins, Randy [RCollins@dhs.IN.gov]

Sent:

Monday, September 22, 2008 11:47 AM

To:

dgardner@nirpc.org

Cc:

lcemajodi@yahoo.com

Subject:

Little Calumet River Culvert Issue

Attachments: Marshalltown Ops Plan.doc

Dan,

Reference our phone conversation on September 22, 2008 and your request for the decision-making process regarding the flooding incident in Lake County and the blocked culvert in Gary on the river.

As one of the two incident commanders, my recollection of the decision-making process is as follows. I also have attached a copy of the Marshalltown Operations Plan which gives a little bit of history and planning into the incident.

On September 18, 2008 during the midst of a large flooding incident in Lake County, Indiana and specifically the City of Gary, the Indiana Incident Management Assistance Team was conducting Incident Management operations at the request of Lake County Emergency Management Agency. During the flood fight, it was identified that there was a blockage of a culvert near the Martin Luther King St and Railroad Crossing over the Little Calumet River in Gary. The USGS had monitored stream flow which indicated this particular culvert was discharging 302 cfs through the culvert. It was also determined that this particular culvert should have been capable of passing approximately 735 cfs. It is believed this blockage was a root cause in the fact that flood waters were not receding as rapidly as they should have been. It was the Incident Management Assistance Teams assessment that resolving this root cause was vital to bringing an end to the flooding incident.

Due to the multi-jurisdictional complexities of this point location, the incident management assistance team sought out a responsible party to clear the blockage. The complexities indicated the responsible party could be any of the following:

- 1.) City of Gary
- 2.) Little Calumet River Basin Authority
- 3.) Rail America
- 4.) Lake County
- 5.) US Army Corps of Engineers

In discussions with the many entities, the Little Calumet River Basin Authority indicated they could and would be capable of securing a contractor to begin work and clear the blockage. This initiated a rapid plan of operations to clear the blockage while ensuring the protection of protection of lives and property specifically in the Marshalltown area which was immediately downstream from the blockage. A few of the benchmarks which had to be in place before debris removal began were the following:

- 1.) Securing of a contractor by the Little Calumet River Basin Authority (who subsequently obtained a contract with Dyer Construction)
- 2.) Gaining the approval of the Mayor of Gary
- 3.) Gaining the approval of the Lake County Commissioners
- 4.) Notifying and coordinating with downstream jurisdictions
- 5.) Gaining the approval of the railroad owner

While the overall plan was delayed and thrown off schedule by approximately 3 hours, Dyer construction was able to clear the blockage over the overnight hours and a noticeable increase in the rate of recession was observed. The quick and immediate actions of the Little Calumet River Basin Authority to secure a contractor and clear the blockage ultimately reduced suffering to flood victims in the area and accelerated the dynamics of the incident from response to recovery. The Little Calumet River Basin Authority should be commended for their sense of urgency and decision to act.

Respectfully,

Randal A. Collins
Operations Section Chief, Emergency Response Branch
Indiana Department of Homeland Security
(317) 238-1762 (Office)
(317) 605-7187 (Mobile)
Rcollins@dhs.in.gov

Operational Plan to Remove Debris from Little Calumet River at Martin Luther King Dr. and the CSX Railroad Bridge 9/18/2008

History

The rain event associated with Hurricane Ike created massive flooding in Northwest Indiana. The Incident Management Team began to assist communities in Emergency Response focusing first on rescue and evacuation. Once the situation stabilized the team began to focus on ways to help communities reopen roads and other critical infrastructure. Several large pumping and sandbagging operations were performed. The water began to recede in the affected area. However, the team determined that water should be moving faster out of the Gary area toward Deep River, Burns Ditch and Lake Michigan. The team began to search for a blockage and found one at the railroad bridge located north of the CSX Railroad and Martin Luther King Rd.

Risk Analysis

The team determined that the blockage significantly slowed the drainage from Gary and Munster. Taking no action on the blockage would lengthen the time that flood waters were in contact with buildings and other infrastructure. This would increase the cost of repairs and prevent, by several days, the successful execution of any reentry plan. In addition, the flood water would become increasingly contaminated increasing the likelihood of public health problems. The team decided that removing the debris was the best alternative and presented an acceptable risk.

The following operational plan was developed to remove the blockage:

Mission

To remove the debris blocking the culverts located in the Little Calumet River and allow water to flow freely through the culverts. The debris is located at north of the intersection of Martin Luther King Rd. and the CSX rail line.

Hazards and Mitigations

Hazard/Mitigation-Flooding Marshalltown neighborhood

The Marshalltown neighborhood in Gary is protected by a levee. This levee held up during the flood event. Marshalltown remained dry as a result. The team was afraid that the increase water flow through the culverts would compromise the levee and flood the approx. 65 homes that make up the Marshalltown neighborhood.

This hazard will be mitigated with following steps:

- 1) Preposition National Guard troops along with 3000 sandbags close to the levee for quick response in the event the levee is threatened. 3000 additional sandbags and additional troops will be located at the Gary Armory that is about 5 minutes from the site
- 2) Preposition pumps and personnel for quick response to any site where flooding may occur.
- 3) Increase the flow through the culverts slowly by removing the debris a little bit at a time.
- 4) Establish trigger points along the levee that will trigger the evacuation
- 5) Coordinate with the Gary city officials to alert the Marshalltown residents about this operation.

Hazard/Mitigation Flooding in Porter County

The team was concerned that the sudden influx of water could create new flooding in Porter County.

The hazard will be mitigated by the following steps:

- 1) Work with the USGS to make sure that the increased stream flow will not have a negative impact on Porter County
- 2) Ensure that water levels were low enough to handle the increased stream flow.

Resources Committed to the Operation

All IMAT and support functions are fully engaged.

- 60 National Guard and 3000 sand bags are positioned at the east and west ends of Marshalltown.
- 40 National Guard and 3000 sandbags are positioned at the Gary Armory in reserve.
- 9 INDOT employees are with 2 high volume pumps are positioned at the east and west end of Marshalltown.
- 3- USGS field technicians are monitoring stream flow at multiple points along the Little Calumet River.
- 2- DNR conservation officers are assisting USGS
 - 1- Little Calumet River Authority employee

Dyer Construction

36- Gary Police and Fire Department personnel are assisting with security and scene control in Marshalltown. Gary Fire and Police are also available to assist with evacuation if needed.

NIPSCO is standing by at Marshalltown to disconnect electricity and shut off gas as needed.

Red Cross is standing by to assist people with evacuation and sheltering as needed.

EOC Liaisons

National Guard, State Police, Red Cross, State Department of Health, Gary Fire Dept., East Chicago Fire Dept., Lake County EMA, Porter County EMA

All resources were in place by 1515

Gage height readings at Little Calumet River at Gary 04093200

09/18/2008

Taken by RGKnapp/PRBaker/BTReinking

Blockage removal started at 1956hrs.

Times are in Eastern Standard Time

UPSTREAM side of Railroad

Read	EST
19.08	1529
19.02	1549
19.01	1630
19.00	1659
18.98	1739
18.97	1804
18.96	1835
18.95	1858
18.94	1926
18.94	1954
18.95	2015
18.95	2031
18.87	2046
18.77	2100
18.71	2115
18.63	2127

DOWNSTREAM side of Railroad

Read	EST
15.55	1524
15.51	1548
15.50	1630
15.48	1659
15.47	1742
15.46	1804
15.45	1835
15.45	1857
15.43	1925
15.43	1954
15.42	2016
15.43	2030
15.53	2047
15.59	2100
15.62	2116
15.62	2127

Conclusion

The operation began at 1756. The water levels were monitored on both sides of the railroad tracks at 15 minute intervals. The water level was also monitored at the Marshalltown levee.

The water levels at the Marshalltown levee were reported as follows:

T 2314	Sgt. Wagner advises water still below 1 inch
T 0014	Sgt. Wagner advises water level at 1 inch
T0105	Sgt. Hammers/Sgt Wagner advise water up 2 inches
T0200	Sgt. Wyatt advises water still at 2 inches
T0302	Sgt. Hammers advises water level still at 2 inches
T0305	Sgt. Wagner advises water level still at 2 inches.
T0404	Sgt. Wagner advises water level at 2.5 inches
T0513	Sgt. Wagner advises water level at 2.5 inches
T0641	Sgt. Wagner advises water level at 2.75 inches

Dyer Construction completed debris removal at 2252. Dyer Construction left the scene at 0200 9/19/2008.

The operation was successful.

ESTIMATED O&M COSTS THROUGH END OF 2008

<u>Item No.</u>	<u>Amount</u>	<u>Description</u>
1	\$10,000	The remaining money from the approved Austgen Electric sluice gate/flap gate contract to complete the work on the structure east of Broadway
2	\$10,000	Miscellaneous anticipated repairs to the six pump stations in Gary which could include electric repair, cleaning trash racks, and work on the impellors
3	\$10,000	Anticipated cost to re-inspect sluice gates/flap gates after the flood and to re-clean the flap gates that are stuck open and to clean, test, and operate the sluice gates.
4	\$ 5,000	To complete the second part of the annual mowing of the levees cost
5	\$10,000	Based upon the levee inspections we had with the Army Corps, there were a number of areas where overgrowth needs to be removed in collector ditches and in those areas within 15' of the line of protection
6	\$ 4,000	Based upon the levee inspections earlier this year, there are a number of locations where access gates needs to be repaired or replaced and a number of areas where bollards are missing
7	\$ 4,200	Previously-submitted invoice from Austgen Electric to do repairs to the electric and pumps at the 32 nd and Cleveland pump station to assure continued operation.
8	<u>\$ 5,000</u>	To construct a slag work platform for future culvert clean-ups
	\$58,200	Total Estimated O&M Costs

\$27,622.49 Currently contained in O&M Savings account

No future funds earmarked for this O&M account



801 East Main Street Griffith, IN 46319 Ph. 219-924-7528 Fax 219-922-8409 austgen.com

Engineering Process Control Network Service Telecommunications Fleet Service

10/24/2007		Invoice #	12258	% Complete	Completed By
Location	Total	Completed	Billed		
5 sluice - clean sluice gate. 10" of sand in hole. Install adapter	\$ 10,350.00	08/04/08	\$10,350.00	100%	8/1/2008
6 Clean flap Gate	\$ 2,575.00	04/24/08			
8b Clean flap gate	\$ 2,575.00	04/24/08	\$2,575.00		
9A flap - clean flap gate	\$ 2,575.00	03/26/08			
10A sluice - free sluice. Clean flap. Install 90 degree zerk. Lube. Install	-				
adapter (need crane)	\$ 3,885.00	03/08/08	\$3,885.00	100%	
10B flap - clean flap. Install 90 degree zerk. Lube. Install adapter	\$ 2,285.00	03/08/08	\$2,285.00	100%	
12a sluice – free sluice. Install adapter. Install 90 degree zerk. Lube.			7-,	19070	
(need boat)	\$ 3,112.00	03/08/08	\$3,112.00	100%	
13a sluice & grate – adjust gauge. Lube. Clean grate	\$ 1,785.00	03/08/08	\$1,785.00		
14b flap - clean flap. Install 90 degree zerk. Lube. Install adapter	\$ 3,012.00	05/09/08			••
17 sluices - close sluice and weld door so it won't opean	\$ 2,600.00	03/08/08	\$2,600.00		
20a flap – remove concrete	\$ 6,075.00	Partial	\$1,077.17		8/15/2008
20b flap – remove concrete	\$ 6,075.00	Partial	\$1,077.18		8/15/2008
24a flap – clean flap	\$ 2,575.00	12/01/07	\$2,575.00		
24b flap – clean flap	\$ 2,575.00	12/02/07	\$2,575.00		
25 sluice & flap – clean sluice & flap	\$ 4,125.00	03/26/08	\$4,125.00	100%	
29 flap – clean flap	\$ 2,575.00	03/26/08	\$2,575.00	100%	
32 flap - clean flap. Check to see if pumps are switching with each					
other by hour meters	\$ 1,775.00	12/02/07	\$1,775.00	100%	
Totals	\$ 60,529.00	Totals	\$50,533.35		



Jim Pokrajac

From: Mike Austgen [mike@austgen.com]

Sent: Thursday, October 16, 2008 4:00 PM

To: 'Jim Pokrajac'

Subject: FW: Gate repair / flap repair

From: Mike Austgen [mailto:mike@austgen.com]

Sent: Friday, September 05, 2008 2:23 PM

To: 'Jim Pokrajac'

Subject: Gate repair / flap repair

Jim, per your request please find attached details of the contract status for the cleaning and repair of sluice gate / flap gates.

There is \$9995.65 balance left on the contract to finish. We have attempted several times to complete this and each time the water is too high.

Mike Austgen Austgen Electric Inc. 801 East Main Street Griffith, IN 46319 Main Office 219-924-7528 Direct Line 219-961-8060 Fax 219-922-8409

NOMINATING COMMITTEE:

- 1. William Biller
- 2. Bob Marszalek
- 3. Kent Gurley
- 4. Mark Gordish
- 5. Bill Baker
- 6. Dave Burrus
- 7. Arlene Colvin
- 8. Dan Dernulc
- 9. Bob Huffman
- 10. Ron McAhron
- 11. John Mroczkowski

<u>UTILITIES (CURRENT ESTIMATE TOTAL FOR STAGES V-2, VII & VIII)</u>

Stage	Description of Work	Est. Cost	Through '08	1st Q of '09	<u>2Q-4Q '09</u>
V-2	 Pipeline Corridor (pipelines) (Additional fill above pipelines) Pipeline Corridor (Elec. Re-locate) (Retirement) NIPSCO E. of Northcote (Elec. Re-locate) (Retirement) NIPSCO Kennedy Avenue (Switches) NIPSCO Behind K-Mart-(Elec.Re-locate) (Retirement) NIPSCO Gas Re-locate NIPSCO (Retirement) AT&T Re-locate Hawthorne –Elec. Re-locate @ Hart Ditch (Retirement) 	\$ 1,800,000 \$ 260,303 \$ 18,685 \$ 4,416 \$ 9,282 \$ 2,212 \$ 6,323 \$ 59,784 \$ 5,000 \$ 28,163 \$ 3,000 \$ 12,000 \$ 37,894 \$ 3,622 \$ 2,250,684	\$ 460,303 \$ 18,685 \$ 4,416 \$ 9,282 \$ 2,212 \$ 6,323 \$ 59,784 \$ 5,000 \$ 28,163 \$ 3,000 \$ 12,000 \$ 37,894 \$ 3,622	\$ 220,000	\$ 1,380,000
VII	 BP Amoco NIPSCO (W. of Northcote) (Retirement) Munster – Fire Hydrant Elec. Pole for Heat Tape 	\$ 483,000 \$ 19,887 \$ 4,429 \$ 10,000 \$ 5,000 \$ 522,316	\$ 19,887 \$ 4,429 \$ 10,000 \$ 5,000	\$ 200,000	\$ 283,000
VIII	 Munster (Water line W. of Hohman) HSD (Lining for clay tile sewer) NI:PSCO (Misc. O.H.Elec. Re-locates) Unity Church (new sewer line) 	\$ 15,000 \$ 200,000 \$ 247,000 <u>\$ 15,000</u> \$ 477,000	\$ 15,000 \$ 15,000	\$ 100,000 \$ 100,000	\$ 100,000 \$ 147,000

Page 2 (cont'd)

<u>Stage</u>	Description of Work	Est. Cost	End of '08	1st Q of '09	2Q-4Q '09
Griffith Levee	 Phase 1 (Program Mgm't, Investigation, Analysis) 	\$ 85,000	\$ 85,000		
	 Phase 2 (Design and Bidding Services) 	\$ 80,000		\$ 40,000	\$ 40,000
	• Phase 3 (Construction Services) TOTAL	\$ 90,000 \$ 255,000		<u>\$ 40,000</u>	<u>\$ 50,000</u>
		TOTAL	\$ 800,000	\$ 700,000	\$ 2,000,000

DISCLOSURE:

These costs do not reflect any soil contamination, additional increases in cost to the pipeline corridor, nor any increases to existing contracts that have not been completed.

(November, 2008)

LITTLE CALUMET RIVER BASIN **DEVELOPMENT COMMISSION** ATTENDANCE ROSTER

NAME OF MEETING:	LURBOC	DATE: November 5	- 08

LOCATION: CHAIRMAN: Bill Biller

PLEASE SIGN IN			
	NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER	
1	BILL PETRITES	LIGHLAND RESIDENT	
2	TYLA KAVADIAS	8115 09 KWOOD AVE, MUNSTER IN 46321 219-662-1300	
3	In Hus "	8530 WALNUT DR. MUNSTER, IN 46321 29 8722012	
4	DAVIO NIELLANS	JOHN OF MUNSTER COUNCIL	
5	I MAD SAMAR A	USACE Chicago 312-846-5566	
6	MILE KENIYEY	TSC 8006 AETHA ST MERKINGINE IN-46410 942-2787 8205 BARING AVE	(6) 6.
7	John MOGLE	8205 BARING AVE MUNSTER. IN 46321-923-1 8141 LINDEN AUG.	078
8	PATRICIA PIEKARCZYK	MUNSTER IN 46321 923-3657	
9	PATRICIA Huber	8146 LINDEN AVE, MUDETES	219-614
10	Lyma Whelon	USACE, III N. Canal, Chicago, 60606	21 447 77
11	Vanessa Villarreal	USACE, 11 11	
12	Sheldon Edd	USACE " " "	
13	Bridget Bodefeld	8335 Creatwood Munester	2
14	(welson Marsh	Sand Redge Audaton	
15	Bill Howard.	8101 NORTHCOTS MUNSTON 21968	2447
16	hob Mangus	Mynster Town Council	/
17	Muely Kulley	Hammych	
18	Sush Brown.	THE TIMES!	
19	Rushows	South MOOR Pa Group	
20	ELIZABETH JOHNSON	CM (novimanis office)	
21	Sun Adley	8200 Baring Ave	
22	-1 / / /	8254 Northcote	
23	, Ronni Smith	8128 Northcote manste	
24		Mungler Town Council	
25	12 12	8315 BARING MUNSTON	

DEVELOPMENT COMMISSION ATTENDANCE ROSTER

	ATTENDANCE	NOSTEN	
NAM	E OF MEETING: LRC BOC	DATE: NOV 5 - 2008	
LOC	ATION:	CHAIRMAN:	
	PLEASE SI		
	NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER	
1	CAROL MILICI	MUNSTER RESIDENT	
2	STEVE VEXEL	MUNSHER RESIDENT	
3	Diane Gleason	Munster Y	
4	JONATHON GLEASON	MUNSTER RESIDENT	
5	Denis & Buken	MUNSTER	
6	Judy Buksa	Munster	- 1
7	Karen Jorenz	SOUTHMOOR RA XAM'S I	7
8	MICHAEL KROIT	MUNSTER	
9	THOMAS M. HAYES	Myster.	
10	MARCIATAYLOR	11	
11	Mark Taylor	1) 838-0696	
12	frene Behling	Munoter Resident	5
13	MIKE WOOD	SENAINFO BZIIOAK WOOD ARE MUNS	TCL 4632
14	DICK SERVI	513 RIVERDA MUNSTER	
15			
16			
17			
18			
19			
20			
21			
22			
23			
1			

25

PROJECT ENGINEERING MONTHLY STATUS REPORT

For meeting on Wednesday, November 5, 2008
(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)

(Any additional data, or information, regarding modifications to contracts, pay requests, or changes in completion dates is available upon request) Handout to Commissions at April 2, 2008 meeting.

Report period is from August 29 – October 29, 2008)

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:

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:

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

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

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)

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

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

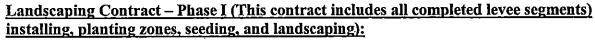
1. Project completed on January 6, 2003.

• 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

- 1. A failure occurred at the concrete closure slab along the South line of protection. It was undermined and needed to be repaired.
 - N.W. Engineering submitted the design, on behalf of INDOT, on August 7th, 2008.
 - LCRBDC reviewed and then forwarded to COE for final review and comment on September 2nd, 2008.



2. 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

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

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 Inspection Reports in September, 2008). Awaiting Corps inspection results.

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.

<u>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):</u>

1. Project completed in July, 2001.

Dyer Construction. – Contract price: \$2,228,652

STATUS (Stage V Phase 1) Wicker Park Manor:

- Project completed on September 14, 1995.
 Dyer construction Contract price: \$998,630
- 2. Levee certification

- A meeting was held with FEMA, LCRBDC, and the Corps on July 17, 2007 to review
 FEMA mapping
- Minutes were distributed on July 18 (Refer to Item #6 regarding letter of certification need for record).
- Letter of response from Highland on January 30, 2008

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

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

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

2. This pump station is in the process of being turned over to the city of Gary for O&M responsibility.

3. INDOT Construction at I-65 and I-80/94

- INDOT submitted an email to the Corps on March 6, 2008 indicating their construction may impact some Little Cal culverts in this area.
- Corps indicating they may only prevent backflow and could possibly be abandoned.
- LCRBDC requested Corps review to abandon these because of inaccessibility for inspections or during flood fighting.
- Corps is checking with IDNR permits to get concurrence to abandon.
- Sent email to Corps on July 25, 2008, requesting if these are abandoned and whether or not we should include these in our upcoming inspections.
- Corps responded they need to amend an old permit. They indicated we could forego these inspections this year.
- INDOT requested a conference call on August 13, 2008, with the COE & LCRBDC to review drainage and flood control issues that will be impacted during, or as a result of, their construction.
- Army Corps sent a letter to INDOT Project Manager on September 8th, 2008, 2-3 indicating flood vulnerability at the interchange and suggesting a meeting or conference call.
- Congressman's Office sent letter to Federal highway Administration on 9/26/08 4-5 requesting formal review of Borman design from I-65 to IL state line.

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

- September 7, 2007 as part of the O&M turnover.
- 4. Received "as-built" drawings from the Corps on 11/6/06.
- 5. Some minor items need to be addressed before turnover.
- 6. Received monthly construction status report from the COE. (Refer to handout)
- 7. North Fifth Pump Station Emergency Generator
 - The LCRBDC reviewed the proposal for an emergency generator system that would run all (10) stormwater pumps and this (3) sanitary pumps in the event of a power outage.
 - LCRBDC forwarded approval of proposal to the Corps and asked them to review and submit comments to Highland engineering consultant on October 15th, 2008.

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 have been included with the other (4) Gary stations in one process.
 - C. Project money status:
 - Original contract estimate \$1,695,822
 - Original contract amount \$1,231,845
 - Current contract amount \$1,625,057
 - Amount overrun \$70,765 (4%)

ONGOING CONSTRUCTION

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

- 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 Tallgrass Restoration, LLC.
 - 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.
 - Received approval for incremental funding in the amount of \$141,995 on March 11, 2008
- 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. LCRBDC requested by COE to write a letter to exclude an area from the contract for installation of an access ramp for View Outdoor

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

- 1. The low bidder was Superior Construction Company
 - Original Bid Amount \$2,301,518
 - Current Contract Amount \$2,549,885.15
 - Amount overrun \$248,367 (10.8%)
 - Percent completed 99%

- Current contract completion date August 24, 2007
- 2. Received monthly construction status report from COE. (Refer to Handout)
- 3. Final inspection was held on May 1, 2007
 - All punch list items were addressed and project is now completed.
- 4. LCRBDC received a copy of the certificate of final completion by Gary on July 25, 2007 (Letter dated July 20, final signing July 23, 2007).
- 5. "As-built" drawings turned over to city of Gary on March 12, 2008 (Refer to O&M Report).
- 6. Received a letter from the Griffith Corps office on May 7, 2008 indicating the seeding and vegetation were unsatisfactory (This was within one year of substantial completion).

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

- 1. The low bidder was Dyer Construction
 - Original bid amount \$3,342,583
 - Current contract amount \$3,248,492
 - Percent complete 95%
 - Current contract completion date July 18, 2008
 - Notice to proceed date March 13, 2007

2. General Status

- All work on NSRR completed. Aluminum closure panels (sliding type) currently installed
- Small levee section West of Burr St. approved instead of sheet piling as requested by LCRBDC
- LCRBDC received (2) spare aluminum closure panels from the COE on October 9th, 2008. These are "slide-type" panels that will provide closure in 2 locations over the NSRR. (Part of the turnover process.)

STATUS (Stage V Phase 2) Kennedy Avenue to Northcote

- A. The low bidder was Dyer Construction Company, Inc.
 - Original contract amount \$15,930,348.46 includes options)
 - Total awarded amount \$13,140,189.41
 - Notice to Proceed issued October 17, 2007
 - Current required Contract Completion Date November 5, 2009
 - Total Government Estimate w/o profit \$17,411,799.89
 - \$1,481,452 under estimate (8.5%)
 - Actual percent complete 52.66%
- 1. The NSRR, NIPSCO R/W with all construction, pipelines, and electric were withheld as an option until all signed agreements were in place.
 - •The modification to include this option was awarded on September 24th, 2008, and was incorporated into the contract.
 - The modification was picked up at the original cost from Dyers' bid @ \$2,246,107. /2-/6
- 2. A progress meeting was held with the Corps, Dyer Construction, LCRBDC, and various municipalities and utilities on October 8th, 2008. (Agenda is attached)
- B. Received the file from the Corps of the solicitation documents on September 14 indicating a 750 day duration after the contractor receives their Notice to Proceed. (This projects to a completion date, without weather delays, to November 9, 2009)
 - A letter was written to the Hammond mayor by the Corps (Col. Drolet) on January 18, 2008 discussing scheduling and real estate.

- C. Received approved DNR permit (amendment) for Hart Ditch on April 14, 2008, allowing riprap and bank stabilization. (Additional information available upon request.)
 - Received IDEM public notice regarding Section 401 Clean Water Act on June 26, 2008
- D. A meeting was held at the Hammond Mayors' office on October 21st, 2008 to review /7-2/and discuss the CLOMAR and LOMR to get part of Hammond out of the floodplain from Cline Ave. to Northcote.
 - Contract completion date revised by COE from November, 2008 to November, 2009. (Structural part by July, 2009.)
 - A meeting was also held later that day with Christopher burke, Town of Highland and LCRBDC to possibly amend the Hammond CLOMR to incorporate the Highland levee system from Cline to Hart Ditch.

1. UTILITY CORRIDOR COORDINATION (NIPSCO R/W)

A. LCRBDC Participation

- 1. LCRBDC completed a cost and status summary sheet (to date) as of May 7, 2008 with all the pipelines.
 - > Costs approved by Corps \$ 1,737,334
 - > This cost is final summarization
- 2. A current summarization table for the V-2 pipeline corridor has been updated as of August 20, 2008.
- B. A pre-construction meeting was held on October 22nd, 2008 with the COE, LCRBDC, all pipelines and utilities to discuss safety, security, coordination, scheduling, and points of contact.
 - A second meeting was held on 10/30/08 to review fiscal responsibilities, single a y subcontractor for all utilities, and emergency response plan.

C. NIPSCO (Completed)

- 1. Received memo from the Corps dated January 3 from the Huntington District indicating estimate of \$204,551 to be fair and reasonable.
- 2. Signed NIPSCO agreement was received on March 25, 2008

D. Conoco Phillips Pipe Line (Completed)

- 1. Received memo from the Corps dated January 14, 2008 from the Huntington District indicating estimate of \$333,000 to be fair and reasonable.
- 2. Signed agreement dated July 11, 2008 was received on July 14, 2008

E. T-Cubed (formerly Wiltel)

- 1. Received a memo from the COE indicating that the cost estimate of \$18,800 was fair and reasonable.
- 2. Signed T-Cubed agreement was received on September 10th, 2008.

F. Explorer Pipe Line (Completed)

- 1. Received memo from the Corps dated January 16, 2008 from the Huntington District indicating estimate of \$187,779 to be fair and reasonable.
- 2. Signed agreement dated July 14, 2008 was received on July 14, 2008

G. Wolverine Pipe Line Company (Completed)

- 1. Received memo from the Corps on 1/18/08 from the Huntington District indicating estimate of \$102,200 to be fair and reasonable.
- 2. Signed agreement on July 2, 2008; was signed on June 23, 2008

H. Buckeye Partners (Completed)

- 1. Received a memo from Corps on December 6, 2007 and an email from Imad concurring that the Buckeye cost estimate for the two (2) 8" pipe lines is fair and reasonable in the total amount of \$441,669.
- 2. Signed Buckeye agreement was received on May 15, 2008

I. BP Amoco Pipelines (Completed)

- 1. Received a memo from the Corps on December 6, 2007 and an email from Imad concurring that the BP Amoco pipelines cost estimate for their 8" and 22" pipelines is fair and reasonable in the total amount of \$239,335.
- 2. Signed BP Amoco agreement was received on May 19, 2008

J. Marathon Pipeline LLC (Completed)

- 1. Received cost estimate from Marathon on February 27, 2008 concurring that the Marathon pipeline cost estimate for their 12" and 16" pipelines if fair and reasonable in the total amount of \$210,000.
- 2. Signed Marathon agreement received April 25, 2008.

3. INDOT Coordination

- A. A meeting was held with INDOT, Army Corps, and LCRBDC on August 31, 2006 to discuss COE design and project scheduling and funding in the area west of Indianapolis Blvd. and how it will impact their pump station design near the Tri-State bus terminal.
 - Received an INDOT "18 month construction letting list" as of May 1, 2008 showing different phases/dates for their project.

B. Pump Station Coordination

- United Consulting sent a letter to the Corps on February 29, 2008 regarding their design, and asked for review and comments regarding impacts to our construction.
- The Corps responded back on March 21, 2008 indicating what compliances will be required and provided details regarding penetrations.

4. Miscellaneous Utility Coordination

- A. Garcia L.E. completed the location survey behind K-Mart for the trench for NIPSCO and AT&T on May 22, 2008 at the request of the Corps to determine any modifications to design.
 - 1. NIPSCO has forwarded their easement agreement to the property owner who has no objections.
- 5. Soil Contamination West of Kennedy Avenue, North of Little Calumet River.
 - Contractor indicated on September 4th, 2008 that there was soil contamination in this area and their environmental contractor, ATC, sent results indicating levels above IDEM risk RDCL's
 - COE wrote a letter on September 10th, 2008, indicating LCRBDC to remove soils a from site.
 - DNR worked with IDEM to assist LCRBDC to review soils and look for other funding source.
 - IDEM did soil analysis and wrote letter to DNR, with a copy to the COE on October 22nd, 2008, indicating that "all observed contaminate concentrations detected in the soil verification sampling are below applicable risk assessment based closure levels."

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

- 1. Low Bidder was Illinois Constructors Corporation (awarded September 30, 2004)
 - Original Contract Amount \$6,503,093.70
 - Current Contract Amount \$7,641,445
 - Amount of Total Payments, to date \$7,038,697.33 (as of 1/21/08)
 - Amount Overrun \$1,138,331 (17.5%)
 - Percent Completed 98.6%
 - Original Completion Date December 4, 2006
 - Current Completion Date September 5, 2007 (Total project completion delay due to minor items with the North Drive pump station.)
- 2. Received monthly construction status report from the COE (Refer to Handout)
- 3. North Drive Pump Station
 - A. LCRBDC working with COE, contractor, and Highland for O&M turnover to town of Highland (Some items remain to be turned over)
 - LCRBDC received drawings and parts turnover on September 7, 2007
 - · Waiting for as-built drawings to begin turnover process to the town of Highland
 - B. Town of Highland is requesting permission to install a new standby engine generator at the North Drive pump station on August 18, 2008. Requested COE to review & comment.
 - The Army Corps approved the modification request from the LCRBDC to install the new engine generator on October 1st, 2008. (For back-up power during electric outages.)
 - Cost incurred to the Town of Highland as betterment to the pump station.
 - A complement was given to the Town of Highland via e-mail on October 8th, 30-3 > 2008, recording back-up generator capacity for their (3) major pump stations.
- 4. The final inspection for this segment was held with the town of Highland, Army Corps, I.C.C. (contractor), and LCRBDC on October 12, 2007
 - · With miscellaneous issues remaining, a second final will be scheduled.
 - Had progress meeting with I.C.C. and the Corps on August 14, 2008 to review remaining items. (Primarily North Drive pump station.)

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 \$5,734,158
 - Amount of Total Payments, to date, \$5,238,794 (as of 12/12/07)
 - Amount Overrun \$78,247 (1.5%)
 - Percent Completed 94%
 - Original Complete Date July 21, 2007
 - · Current Completion Date November 27, 2007
 - Current completion date extended 65 calendar days due to unusually severe weather as per Modification #2 received on March 2, 2007 (dated February 27, 2007)
 - Construction completion date pushed back to November, 2008, due to required repairs and replacement of non-conforming levee embankment material.
- 2. Received monthly construction status report from the COE (Refer to Handout)
- 3. Final inspection was scheduled for December 19, 2007 but was cancelled due to snow. Corps currently re-scheduling
 - With miscellaneous issues remaining, a second final will be scheduled.
 - Had progress meeting with I.C.C. and the Corps on August 14, 2008, to review

remaining items.

- Discussion of non-conforming levee embankment material (Sta. 7N23+00 to Sta. 38+00-1500 lin.ft) requires contractor to comply with Army Corps letter dated May 29, 2008.
- 4. Received a copy of a letter from Krosan Development dated March 5, 2008 (received March 10) applying for permits to construct from Hammond.
 - Received a letter from Krosan on October 2nd, 2008, forwarded to the COE for 33-34 comment on October 10th, 2008, indicated adverse effects to their site.

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

- 1. Low bidder was Dyer Construction (awarded July 29, 2005)
 - Original Contract Amount \$4,205,644.17
 - Current Contract Amount \$4,219,329
 - Percent Completed 98%
 - Original Completion Date April 11, 2007
 - Revised 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)
- 2. Project Description
 - Construct a levee protection system consisting of 8,250 lineal feet of earthen levee, 1,600 lineal feet of steel sheet pile floodwall, (3) gatewell structures, culverts & sewer appurtenances, and miscellaneous tree planting and seeding.
- 3. Received monthly construction status report from the COE (Refer to Handout)
- 4. The final inspection was held on August 22nd, 2008 with the Corps, Dyer Construction, town of Highland, and the LCRBDC.
 - The overall inspection found few deficiencies. Some seeding and landscaping issues and stone trail herbiciding and grading. Correction was completed in summer of 2008.
 - Waiting for "as-built" drawings for final turnover to LCRBDC.

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 January 2009 contract award and a July, 2009 Completion.
 - (Received 100% plans for review on July 29, 2008. Distributed for comment on July 31, 2008. Comments due August 11, 2008.)
 - Received "backcheck set" of plans and specs from the COE on October 28th, 2008. 35-37 LCRBDC distributed to locals for final review and comment.
- 3. BP Amoco has been pursuing engineering coordination for (3) existing pipelines in Stage VII that will greatly impact design since mid-October, 2007.
 - A letter was sent to BP Amoco on May 5, 2008 requesting response to 50% review drawings where (3) pipeline cross throughout this stage.
- 4. A new **Army Corps** team was put together to review and update the engineering (A field walk-thru on May 24, 2007).
- 5. The 50% BCOE engineering review drawings and specs were received from the Corps on April 30, 2008 and distributed to all reviewers on May 1.
 - The Corps had an engineering meeting for 50% review with the LCRBDC in the morning (including a field visit), and an utility coordination meeting in the afternoon on May 19, 2008.
- 6. Received 100% review plans & specs from Corps on July 29. Distributed for final comments & review July 30, 2008.

- A. At the request of Hammond, Munster, and the LCRBDC, consideration is needed to raise the elevation of the deck of the Columbia Avenue bridge.
 - This would eliminate the need to sand bag during a flood event, and keep Columbia Avenue open for police, fire, medical, and emergency reasons. (The only others would be Hohman Avenue and Indpls. Blvd.)
- B. A meeting was held on August 28, 2008, to discuss funding, scheduling, and coordination.
 - Minutes from the meeting were distributed to all attendees.

38-39

- Lake County Highway will raise the bridge. Anticipated engineering completion by end of 2008, out for bids in February 2009.
- Munster/Hammond agreed to pay cost differential COE will be requested to participate in cost equal to project features eliminated.

7. Stage VII Utilities

- A. A summarization table was comprised showing five (5) different entities that will require agreements regarding easement impacts, and three (3) actual utility relocations.
 - Location information has been obtained and forwarded to the Buffalo Corps for each of the 5 utilities showing easement locations. (daylighting)
- B. The Army Corps requested daylighting (expose pipes to get GPS elevations and locations) for 11 different locations to complete 100% drawings for information to contractor and proximity to line of protection.
 - A spreadsheet was completed and sent to the Army Corps on July 22, 2008.
 - This location information was not shown on the 100% plan and spec review set. (Was shown on backcheck set.)
- C. Agreements were put together, and sent out in August for post-construction obligations by each of the (5) entities.
 - 1. Utility Maintenance Agreements
 - NIPSCO signed on September 25th, 2008
 - AT & T signed on October 17th, 2008.
 - Town of Munster signed on August 26th, 2008
 - HSD signed on August 26th, 2008.
 - BP Amoco not signed as of October 28th, 2008 (sent revised agreements on 10/27 after Amoco response on 10/20 indicating (2) different companies)
 - 2. Utility Re-location Agreements
 - Town of Munster signed on October 66th, 2008 (total cost is \$11,020)
 - NIPSCO signed on September 22nd, 2008 (total cost is \$24,316)
 - BP Amoco not signed as of October 28th, 2008
 - 3. BP Amoco is the only unsigned entity for maintenance and re-location agreement
 - Sent originals to Amoco in mid-September
 - Met new engineer/field rep. on September 22nd, 2008
 - Emphasized urgency all along
 - Congressman's office offered assistance at October 16th, 2008 public meeting sent to their office on October 17th, 2008.

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

- 1. 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.
 - Received an email from Corps on January 30, 2008 with the most recent, updated schedule for engineering design.
 - Received an updated Stage VIII project schedule for the Buffalo Corps regarding

40

design, dates for advertising, completing plans & specs, and overall project schedule (updated as of 2/15/08)

- 2. SEH has been contracted out by the LCRBDC to provide utility coordination.
 - A. After approval by the Commissioners at the April 9, 2008 meeting, the contract was amended to include additional work, as requested by the Corps, in the amount of \$19,586.

١

- The spreadsheet for underground utilities was submitted to the LCRBDC on May 21 (There are 12 locations 2 NIPSCO, 3 Munster Water Works, and 7 combined sewer with HSD)
- B. Contracted out TLC Plumbing to do daylighting to get elevations and location of a 12' NIPSCO pipeline for design as requested by the Buffalo Corps
 - To switch from levee to I-wall in this area would cost approximately \$140,000 additional. The utility re-locate would cost approximately \$200,000. Corps agreed to make change. (Area West of Columbia Avenue.)
- C. Daylighting contract for Stage VII & Stage VIII underground utilities
 - A spreadsheet was put together for Stage VIII daylighting. There are (12) different locations with 3 different entities: NIPSCO, HSD, and town of Munster. (Forwarded to COE on July 22, 2008.)
- 3. Coordination with residents from Southmoor Road
 - A. A letter was sent to the residents of Southmoor Road on June 4, 2008 by the LCRBDC addressing a series of questions and concerns from the residents. (city of letter and attachments available upon request)
 - A final informational meeting with the Corps and LCRBDC was held at Wicker Park on July 21 to answer questions and address concerns with the Southmoor and Monaldi sub-division residents.
- 4. DC-1315 (NICTD)
 - A meeting was held with NICTD on April 22, 2008, to present easement agreements (see Land Acquisition report).
 - Final engineering data was sent to NICTD on 5/29/08 which should complete their request. Review currently with LCRBDC attorney.
- 5. Received a letter from the Town of Munster on October 22nd, 2008, requesting the LCRBDC purchase the 4 homes West of Hohman Avenue.
 - Munster felt they could not provide adequate emergency response to this area during a flood event as they evidenced during the September, 2008 flood.

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

- 1. Low Bidder was <u>Renewable Resources</u>, <u>Inc.</u> (from Barnesville, Georgia) Awarded September 29, 2002
 - Original Contract Amount \$921,102.68
 - Current Contract Amount \$1,405,845.29
 - Amount Overrun \$484,742 (53%)
 - Percent Completed 98%
 - Original Completion Date November 7, 2007
 - Current Completion Date November 7, 2007
- 2. A final inspection was held on both sites on May 12, 2004, with the Corps, LCRBDC, project A/E, and Renewable Resources and was found to be satisfactory for this portion of the overall project.
- 3. The 24 month monitoring period began on May 15, 2004 (Cost \$3,000/month) (Ongoing)
- 4. Received monthly construction status report from the COE (Refer to Handout)

West Reach Pump Stations - Phase 1A:

- 1. Low Bidder was Overstreet Construction Company, Inc. (from Milton Florida). Awarded on October 5, 2000
 - Original Contract Amount \$4,638,400
 - Current Contract Amount \$4,262,835.48
 - Percent Completed 100% after balance of work was taken over by Thieneman Construction.
 - 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 (Refer to Handout)
- 4. A meeting was held on February 27, 2008 with the bonding company, Corps, Theineman Construction, and the LCRBDC to discuss the scope of word and preconstruction issues.
 - A. The Hartford Group took over the balance of the contract on January 25, 2008. (Bonding Company)
 - Amount of contract \$725,846
 - Notice to proceed July 17, 2008
 - Contract completion date July 12, 2009
 - B. Pre-construction meeting was held June 11, 2008.

<u>Pump Station Rehabilitation - Phase 2 (Engineering being done by the Huntington District of the Corps)</u>

Pump Station – Phase 2A

Received an email from the Corps on November 19, 2007 indicating that the contract was broken up and that 2A will include pump rebuilds of the (2) smaller stations – Forest Avenue/173rd Street, and Tapper Avenue.

- Contract awarded by June 26, 2008.
- 1. Contract awarded to Thieneman Construction on June 26, 2008
 - Amount of contract \$1,644,000
 - Notice to proceed July 15, 2008
 - Date of completion 392 calendar days after notice to proceed (June 22, 2009).
- 2. A plan-in-hand meeting was held on November 27 to field review the (2) pump stations in Phase 2A (Forest Avenue and Tapper).
- 3. A pre-bid conference was held by the Corps on April 30, 2008, including site visits.
- 4. ROE for both pump stations signed on April 16, 2008. Forwarded to Corps on June 11, 2008
- 5. Pre-construction conference was held on August 5, 2008. COE provided minutes and general information on August 22, 2008. (Full set available upon request.)
 - Preliminary bar chart, schedule provided.

Pump Station – Phase 2B

1. Contract awarded to Garner Services, LLC on September 30th, 2008.



- Amount of contract -- \$20,188,400 (includes options)
- Company is certified as A Service Disabled Veteran Owned Small Business concern.
- A pre-construction meeting was held on October 28, 2008.
- 2. Received an email from the Corps on November 19, 2007 indicating that the contract was broken up and that 2B will include pump replacements at Indianapolis Blvd., Jackson Avenue, and Southside pump stations.
- 3. Easement agreements are now signed (Refer to Land Acquisition Report)

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

- 1. LCRBDC was directed by the COE to obtain a flowage easement on the entire property in a letter dated October 7, 2005.
 - · Refer to Land Acquisition Report for current update of appraisal.
- 2. A letter was received from the COE on January 13, 2006 indicating any construction shall not compromise our project in any manner and that compensatory flood storage would need to be provided.
- 3. LCRBDC was copied on a letter from U.S. Fish & Wildlife, dated December 8, 2006, indicating they concur that the proposed project is not likely to adversely affect endangered or threatened species.
- 4. The Army Corps sent a letter of response, and a memorandum, to the A/E for the Griffith Golf Center on March 2, 2007, regarding grading and compensatory storage calculations.
- 5. LCRBDC wrote a letter of support to the DNR on June 22, 2007 indicating their plan is compatible with the Little Cal flood control project and provides additional (compensatory) storage for flood waters.
- 6. LCRBDC received a public notice for permit application from V3 (realty agent) dated May 7, 2007 and received May 25, 2007 (copy available upon request).

Forest Avenue Levee (Levee west of Hohman Ave. along Little Calumet River and Illinois State Line

- 1. Discussion began with residents on August 22, 2006
- 2. Site visit was held with several residents on September 15, 2006
- 3. Had follow up site meeting on November 22, 2006 to discuss the line of protection, Corps requirements, FEMA re-mapping to remove from the flood plain, and LCRBDC responsibilities as local sponsor.
- 4. Email to Corps on December 11, 2006 requesting inspection with Corps to determine requirements for certification. (Corps responded there are tieback issues in Illinois, FEMA needs to be satisfied, and coordination call is needed)
- 5. Received email from Corps on December 15, 2006 indicating this project is not part of Stage VIII and was built locally in the early 1980's, was never certified, and no easements exist.
- 6. Requested information from Hammond City Engineer on May 4, 2007
- 7. Resident sent letter to LCRBDC on October 14, 2007
- 8. Sent "as-builts" to Corps on 2/19/08. Corps responded we need real estate.
- 9. Submitted agreements to GLE Surveying on April 17, 2008, for ten (10) separate parcels (received signed agreement on April 22, 2008).
 - Letter sent to residents on May 1, 2008 informing them of upcoming acquisition, engineering process, and general information.
- 10. Field survey work completed July 16, 2008. Final layouts have been completed and acquisition process will begin as directed by the COE.
 - 75' drainage easement was overlaid onto each individual survey (refer to Land Acq. Report) on October 7th, 2008. Will forward LCRBDC attorney memo (dated 12/15/04) to COE to get authorization to go on land to do preliminary field assessment of what is required to certify.

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

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

- to meet FEMA requirements for certification.
- 2. Received a letter from the COE on August 2 indicating they could not be hired by the Commission to develop a design document to get FEMA certification.
 - This is due to Federal regulations regarding payment to the Corps to do design work for local entities.
- 3. Received infrastructure drawings from the town of Griffith on February 18th, 2008 (dated February 15) for water, storm, and sanitary lines.
 - Transmitted to Corps on February 19, 2008
 - Received past correspondence, soils information, drawings, permits, IDNR approvals, etc. from the town of Griffith (as prepared by Lawson-Fisher Associates) on February 27, 2008.
 - This was submitted to the Corps on March 14, 2008. It can supplement previous information that can be part of the Corps review after the April inspection.
- 4. An inspection was held on the Griffith levee on April 10th, 2008 with representatives from Griffith, the Army Corps, and the LCRBDC.
 - Received the final copy of the Army Corps "Initial Eligibility Inspection Report" on July 14, 2008.
- 5. An initial meeting was held with Christopher Burke Engineering on July 2 to discuss the process and scope of work necessary to certify the Griffith levee as discussed in the review set of the USACE levee certification report.
- 6. A follow-up conference call was held on July 10, 2008 to discuss certification as part of the Corps levee system. Anticipated tasks (sheet) was discussed for responsibilities.
- 7. A proposal was submitted to the LCRBDC dated July 18, 2008 (received July 24) for professional engineering for this levee in the amount of \$85,000
 - This was discussed at the August 6 LCRBDC board meeting for approval.

<u>Hobart Marsh – Mitigation Enhancements</u>

- 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.
 - Currently being re-visited by the Corps for scheduling

27th & Chase Street - Pump Station Remediation

- 1. Preliminary 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. (Ongoing)
 - > Received a request from Gary about getting prints to review.
- 3. Legals have been completed. Title work was obtained. Acquisition process started (refer to Land Acquisition Report).

GENERAL (Highway Crediting)

- A. INDOT coordination for Grant St. & Broadway interchanges with I-80/94.
 - 1. INDOT sent a letter to the COE on April 15th, 2004, indicating they worked out an agreement with the COE whereby flood control features will be included in their contract at no cost to the Corps, which could be credited to the LCRBDC for that portion constructed for the flood control of the Little Calumet River.
 - · A letter was sent to INDOT on August 29, 2006 requesting cost and

- engineering data that could then be submitted to the COE for crediting.
- INDOT coordination engineer was contacted on February 26, 2007 for status. They indicated the information has been put together and will be forwarded to the LCRBDC in the near future. (ongoing)
- 2. The Detroit Corps has agreed to provide assistance to the LCRBDC to get information regarding crediting of several construction projects at interchanges along I-80/94.
 - A meeting, and field inspection, was held with their representative on July 31, and August 1, 2007 to familiarize them with the INDOT construction.
 - They have already obtained some data for Indianapolis Blvd., Cline Avenue, Grant Street, and Georgia.
 - A letter was sent to the Detroit Corps on August 8 discussing our meeting and upcoming coordination.
 - A conference call was held with INDOT, Chicago and Detroit Corps, and LCRBDC on November 29 to discuss the fathering of information and upcoming coordination.
- B. A meeting was held on July 17, 2006 with the LCRBDC, Corps, FEMA, and the IDNR to discuss and coordinate the Little Calumet River model review. Need IDNR approval as required by FEMA guidelines.
 - Minutes of this meeting were sent out and were received on the 27th of July.



DEPARTMENT OF THE ARMY

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

2 September 2008

Construction-Operations Branch

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

SUBJECT: Little Calumet River - Project Modification Request 08-05, Grant Street Sand Bag Closure

Dear Mr. Gardner:

This letter is in response to a request from the Little Calumet River Basin Commission to have the U.S. Army Corps of Engineers, Chicago District review a design prepared by North-West Engineering Co., Inc. in regards to modifications to the Little Calumet River Levee at Grant Street on the south side of the river. This design was transmitted to our office in a letter from North-West Engineering dated August 7, 2008 for improvements of the Grant Street by INDOT involving the sandbag closure structure.

The Corps has reviewed the final plans submitted (Sheets #11 and #14 of STP Project No. STP-N501) and approves the requested modification to the levee system to install flowable mortar across the road to the lines and grades shown at the location of the sandbag closure.

At the completion of this work, the As-Built drawings are required to be submitted to properly maintain the levee project records.

This approval is separate from other designs submitted for work in this vicinity related to the proposed pump station east of Broadway Street being prepared by North-West Engineering. Review of those designs is referred to under Project Modification Request 08-01.

If you have any questions, please contact Mr. William Rochford at (312) 846-5450 or me at your convenience.

Sincerely,

Shamel about Stone States
Shamel About El-Seoud, P.E.

Chief, Construction-Operations Branch

cf: North-West Engineering Co - Aravind Muzumdar





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

REPLY TO ATTENTION OF:

SEP 0 8 2008

Project Management

Gary Pence Project Manager Indiana Department of Transportation 8620 East 22nd Street Indianapolis, IN 46219

Dear Gary:

The Army Corps of Engineers has completed a substantial portion of the Little Calumet River Flood Control Project. When the project is complete, it will provide flood protection to portions of Munster, Highland, Hammond, Griffith, and Gary, Indiana. It also provides flood protection to portions of the 1-80/94 between the Illinois and Indiana state line and approximately Martin Luther King Drive in Gary, Indiana.

As the project progresses towards completion, the Army Corps of Engineers has been gathering information related to the certification of the levee systems within the project. During this process, we obtained plans for the I-80/94 and I-65 interchange. Our review revealed several issues we would like to draw to your attention because they may present additional flood vulnerability to the interchange. I have included two attachments from the interchange plan set for reference.

The portion of the proposed interchange labeled 'RAMP WSDIR' conveys traffic from west bound I-80/94 to southbound I-65 passes under I-65. The road elevation below this bridge appears to be approximately EL 590.0 (NAVD 88). The Corps hydraulic model results show a 100 year event flood stage to be approximately 595.1 (NAVD 88) upstream of the culvert that passes under I-65, and approximately 594.8 (NAVD 88) downstream of the culvert. Structures penetrating 'RAMP WSDIR', 'RAMP R', and 'RAMP PR-F' appear to allow backflow through the low lying underpass. The potential inundation area is shaded blue. It should be noted that the delineation boundaries are interpolated from the plan set and should be considered very approximate. Flooding of the underpass could also occur during much higher frequency events. In the previous interchange configuration, the outer ramp conveyed traffic from south bound I-65 to west bound I-80/94. The lowest elevation appeared to be slightly above the 100 year flood stage at approximately EL 596.0 (NAVD 88).

In addition, the enclosed as-built drawings for the East Reach Remediation construction contract show that a culvert passed under I-80/94. This culvert was retrofitted with flap gates to prevent backflow from passing under I-80-94. The interchange plans do not show these flap gates or any instructions for retaining them.

We would like to request a meeting or teleconference to discuss these matters. Please feel free to contact me to schedule at 312-846-5560, or Joel Schmidt at 312-846-5517 to discuss any technical issues.

Imad Samara Project Manager

PETER J. VISCLOSKY

COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEES:
DEFENSE
ENERGY AND WATER DEVELOPMENT

FINANCIAL SERVICES
CONGRESSIONAL STEEL CAUCUS
CHAIRMAN

U.S. HOUSE LAW ENFORCEMENT CAUCUS

Congress of the United States House of Representatives Washington, DC 20515-1401

A desc<u>ientes de septembres da la mérablem</u> description de la completa de la langua de la defensa de la mentación

2268 RAYBURN BUILDING WASHINGTON, DC 20618-1401 (202) 225-2461

701 EAST 83RD AVERUE, SUITE 9 MERRILLVILLE, IN 46410 (219) 795-1844

> Cell Toll Free 1 888 423 PETE (1 888 423-7283)

INTERNET:
http://www.house.gov/viscloski

September 26, 2008

The Honorable Thomas J. Madison, Jr. Administrator Federal Highway Administration 1200 New Jersey Avenue, Southeast Washington, D.C. 20590

Dear Administrator Madison:

I write today to request that the Federal Highway Administration (FHWA) initiate a formal review of the design and engineering for the Borman Expressway (I-80/94) between I-65 and the Illinois state line.

As you may know, on September 12, 2008, and September 13, 2008, the remnants of Tropical Depression Lowell and Hurricane Ike brought heavy rainfall to Northwest Indiana and resulted in extensive flooding in the region. The damage to personal property and public infrastructure was extensive and as a result, on September 23, 2008, President Bush declared a major disaster for the State of Indiana.

However, I am greatly distressed that the flooding resulted in the Borman Expressway being closed to traffic almost five days — September 13 to September 18. This stretch of interstate is one of the busiest interstates in the nation carrying in excess of 150,000 vehicles daily. Due to this extended closure, hundreds of thousands of vehicles had to be diverted to the Indiana Toll Road (I-90) or onto other parallel streets in municipalities ill equipped to handle this volume of traffic, resulting in massive traffic backups, hindering rescue and recovery efforts, and resulting in untold financial loss for the companies whose product delivery was delayed. Further, on September 24, 2008, over ten days after the heavy rain, standing water on the Borman resulted in lane closures.

While I grant that this weather event brought an extraordinary amount of rain to Northwest Indiana, this is not the first time in recent memory that this stretch of interstate has been rendered impassable. In August of 2007, a much smaller rain event also led to closures of the Borman for multiple days in the same area. This is not an aged facility, as the reconstruction of this interstate was recently completed.

The Honorable Thomas J. Madison September 26, 2008 Page 2

Given the importance of the Borman to the people of Northwest Indiana, the Chicago region and to national commerce, the reoccurring closures of this recently rebuilt stretch of interstate is inexcusable. I strongly request that the FHWA review the Borman's current design and recommend corrective measures to address the areas of the interstate prone to flooding.

I appreciate your serious consideration of this request.

Sincerely,

Peter J. Visclosky Member of Congress

Cc: Secretary Mary Peters

Cc: Inspector General Calvin L. Scovel, III

Little Calumet River, Indiana Local Flood Protection Burr Street Phase 2 East W912P6-07-C-0003

CHECK LIST FOR TURNOVER

	DATE Completed or received	SIGN- OFF Initials	SPONSOR SIGN-OFF
COE Preliminary Inspection for Compliance with Contract Documents	10-22-08	RAC	
Punch list items completed:	11-22-08	RAC	* = = * .;
Turnover 2 Railroad Closure Panels to LCRBDC, including keys (two each) to the on-site East and West closure panel padlocks.			10/9/68 E0
	10-09-08	RAC	
COE and Sponsor Final Inspection	11-77-08	RAC	
	Cont. Cont.		and the state of t
* USACE Received Contractors Set Of "Red Line". As Built Drawings	10-22-08	RAC ®	region a r
 USACE Received Contractors Final As-Built Drawing Submittal w/CD= ROM and Reproducible Drawings 	11-??-08	RAC	St. B. S.
 Turnover S Full Size and 5 1/2 size Hard Copy Sets; 1 Full Size and 1 1/2 Size Reproducible Sets of As-Built Drawings to LCRBDC. 	11-?7-08	RAC	
Additional "Non-Contract" Items Requested by Local Community			
	e Carron de Til. Nga tagan de Til.		or ork in the Supplies to been
Punch list Items to be completed	16 - 18 18 18 18 18 18 18 18 18 18 18 18 18		
	1895 i se 1995 Hagada of Graeige	xibi (2000) Xibi (2000)	15,44 - 1

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

Page 1 of 1



Jim Pokrajac

From:

Edd, Sheldon D LRC [Sheldon.D.Edd@usace.army.mil]

Sent: To:

Thursday, September 25, 2008 2:05 PM dgardner@nirpc.org; jpokrajac@nirpc.org

Cc: Subject:

Anderson, Douglas M LRC; Babcock, Scott L LRC

Stage 5-2 Utility Corridor Options Mod (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

In case you had not heard yet, the modification awarding the NIPSCO/NSRR utility corridor portion of the Stage 5-2 contract was signed and incorporated into the contract yesterday.

Sheldon Edd, P.E. Project Engineer Calumet Area Office Chicago District USACE 219-923-1763 312-860-0159

Classification: UNCLASSIFIED

Caveats: NONE

Agenda

PROGRESS MEETING NO. 21

October 8, 2008, 9:00 AM

LITTLE CALUMET RIVER LOCAL FLOOD PROTECTION W912P6-07-C-0011 STAGE 5 PHASE 2 USACE Field Office, Highland, IN

1. Participants:

USACE:

Scott Babcock

Sheldon Edd

Kendall Zaborowski

Dyer:

: Jon Shaner

Greg Furman Jeff Horgash

Other Agencies:

James Mandon Dennis Simala Jim Pokrajak

2. Progress:

Actual thru October 8: 67% \$10.6 M

Scheduled thru October 22: 71%

% \$11.3 M

Original Contract Completion Date: November 5, 2009

Original Contract Amount: \$13,140,189.41

Obligated Amount: \$12,123,671.93

Current Required Completion Date: November 5, 2009

Current Contract Amount: \$15,938,694.66

Payments to Date: \$8,978,247,54

3. Work Since Last Meeting

- a. Concrete walkways are being placed on the Indy Blvd. Gate well wall now, nearly complete. Structure will be after thimble delivery, anticipate next year.
- b. Placing soil for the Wicker Park levee
- c. Preloads pending
- d. Excavating spoil banks.
- e. Installed grass seed in Munster and in 6N West of the Indy gatewell area.
- f. Discussed Weather delay days thru end of September.
- g. Awarded contract options

4. Work Expected or Scheduled Within Next Two Weeks:

- a. Concrete and impervious fill, Spoil Bank, sheet pile.
- b. Pre-construction meeting for the awarded options trying to be scheduled for Wed. Oct. 22 which is 2 weeks from now and would replace the progress meeting.
- c. Preload continuation.
- d. RFP resolution; Need answer on Kennedy to proceed with piling and concrete at North Drive.

5. Critical Work Activities in Project Schedule:

a. Earthwork and concrete phases of construction

6. Old Business:

a. Soil sampling was performed on soil North of the river near Kennedy. Results were sent to the USACE. USACE will work with the sponsor (LCRBDC) to determine the solution. LCRBDC will come to a



Agenda

PROGRESS MEETING NO. 21

October 8, 2008, 9:00 AM

determination on how to proceed. Government personnel were on site last week to examine the area. Need USACE to re-initiate this process considering personnel changes at the LCRBDC.

Ŋ

7. New Business:

- a. There is a power line in the way of bridge installation for the West of Indianapolis Pedestrian Bridge. The south side could be de-energized, but the North side needs to be relocated.
- 7.1 Potential Conflicts Requiring Resolution:
 - a. The over stripping of topsoil will be balanced on the jobsite if possible.
- 7.2 Potential Items of Public Interest (Opportunities for the USACE Public Affairs Officer to communicate proactively with the media and the public):

a. .

7.3 Local resident/community official inquiries concerning the job, press releases, and articles in the press:

a. .

- 7.4 Potential Differing Site Conditions / Plan of Action to Verify and Resolve Potential Problems:
 - a. In Wicker park by the intake pump house there is an inlet. The inlet is significantly below grade. An additional 1' riser will be installed to bring it closer to grade.
- 7.5 Potential problems concerning the plans or specifications not listed in the field changes below

a. .

7.6 Safety of present operations

All prime and sub contractors, representatives of agencies public and private including city employees, utility companies' employees, and other guests to the site are reminded that they must wear a helmet and steel toed footwear while within the work limits regardless of work performed or visit duration.

- a. Earthwork
 - i. Backing, Pinch points
 - ii. Tripping hazard
 - iii. Public traffic safety
- b. Concrete
 - i. Equipment and forms, falling, backing, tying off
- c. Public Safety Wicker park
 - i. possible human controls needed once earthwork operation begins, to be determined depending on what signage the public chooses to ignore.
- d. Roadway
 - i. Caution for vehicles

Agenda

PROGRESS MEETING NO. 21

October 8, 2008, 9:00 AM

8. Submittal Status:

Outstanding Submittals (submittals not returned within 30 days):

а

Key Submittals in Review:

The Calumet Area office/Chicago District office is currently reviewing the following submittals:

- a. Flap and Sluice gates
- b. Topsoil
- c. Reinforcing Steel shop drawings

Upcoming Submittals:

a. .

9. Field Changes/Modifications

Prioritization of modifications which have not been issued or rescinded:

The work for the following modifications have been performed, and the paperwork has not been completed for contractor payment:

RFP 0015 SS031

Seepage Cutoff Trench

RFP 0019 SS035

Pipes and Tiles in levee footprint

The work for the following modifications need to be performed in order to avoid holding up the contractor's progress. Modifications need to be issued/negotiated

RFP 0010 SS017	Kennedy Realignment/ Power line adjustment
RFP 0013 SS023	Indy Gatewell
RFP 0017 SS032	Indy abandoned pump station
Xxxxxxxxxxxxxxx	Cabela's Pump station modification, elevation raise (not yet issued)
RFP 0008 SS022	18" Corrugated pipe in Wicker Park - partial work performed.
RFP 0014 SS020	Baring Gatewell

The work for the following modifications has not been performed; modifications have not been issued, and are not holding up the progress of the contractor at this time:

RFP 0016 SS016	Hart Ditch Riprap
RFP 0012 SS006	Fence and Trail Tops
RFP 0018 SS034	West Kennedy ped bridge coatings

- a. RFP 0001 SS005: Rescinded upon USACE request concerning riprap. New RFP to be issued for Riprap in the North drive location and along Hart Ditch.
- b. RFP 0002 SS011 Buried Debris at Hawthorne Dr. Modification issued.
- c. RFP 0003 SS003 Access ladder cages Modification issued.
- d. RFP 0004 SS013 Demolish the USGS gauging station. Modification issued.
- e. RFP 0005 SS005 North Drive sheet piling lengths –issued April 2008, replaces RFP #0001which Dyer rescinded at USACE request based on riprap. An additional RFP will be forthcoming at some point for the riprap. Modification issued.
- f. RFP 0006 SS024 Adjustment to footprint of levee in 5S. Modification issued.

Agenda

PROGRESS MEETING NO. 21

October 8, 2008, 9:00 AM

- g. RFP 0007 SS026 Removal of foundations in levee footprint, drain tile, gravel lens. Dyer response sent 5-15-08. Some of this work may be modified by the RFP 0015. Superseded by later RFP's.
- RFP 0008 SS022 18" Corrugated pipe not on plans discovered to have been severed by sheet piling at Parkway Drive issued 5-14-08. Dyer response sent 5-23-08. USACE acceptance needed.
- i. RFP 0009 SS025 2 new sheet pile retaining walls Rescinded.
- j. RFP 0010 SS017 North Drive realignment for safety and power lines issued 5-21-08 revised response sent 9-18-08 to reflect the previous week's negotiations. Dyer needs to be able to start this work soon. USACE acceptance pending.
- k. RFP 0011 SS027 Stainless fasteners/bituminous coating ped. Bridge Indy and East of Kennedy issued 5-27-08, response sent 6-3-08. Modification issued.
- RFP 0012 SS006 Fence in Wicker Park 5' chain link & Barb wire to become 6' no barb wire and changes in the levy top trail – deletion. USACE sent RFP mid-June (undated letter) Dyer response needed
- m. RFP 0013 SS023 96" pipe: USACE District redesign of 96" gatewell location and dimensions. 96" pipe not needed to be removed completely. RFP sent 6-17-08. Dyer response sent 7-6-08, sent updated response 7/14 due to change in the wall overhang. USACE acceptance needed
- n. RFP 0014 SS020 Baring Ave. Pump station and overflow rerouting. Received 6/27 Dyer response sent 8/14. USACE response pending.
- o. RFP 0015 SS031 Seepage cutoff received 6/30, Dyer and USACE did some additional field explorations and it appears that the sand layer is not as deep in Munster as anticipated. It appears that behind Cabela's it will be possible to cut and fill a deeper trench with clay. USACE acceptance needed.
- p. RFP 0016 SS016 Hart Ditch Riprap sent 7/2. Dyer response sent 7-17-08. USACE response needed.
- q. RFP 0017 SS032 Pump Station flowable fill sent 8/4. Dyer response sent 8/27. USACE response needed.
- RFP 0018 SS034 West of Kennedy Ped Bridge Stainless fasteners/bituminous coating. Dyer response sent. USACE acceptance needed.
- s. Sheet pile lifting hole patching: Contractor sent USACE request for equitable adjustment. Modification issued.
- t. RFP 0019 SS035 pipes and tiles discovered by inspection trenches sent 9/3/08. Dyer response sent 9/8/08. USACE response pending.

The next progress meeting is scheduled for Wednesday, , 2008, at 9:00 a.m. Central Time at the temporary field office on Kennedy in Highland. Dyer Construction will email participants of the meeting.

Comments or questions? 219-865-2961 or jshaner@dyerconstruction.com

11400

JIAGE Y - PHIDE Y - INIOU. #

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

30-SEP-2008

MEMORANDUM FOR: See Distribution

SUBJECT:

Contract No. W912P6-07-C-0011 Little Calumet River, Indiana

Local Flood Protection

Stage 5 Phase 2

Modification No. P00007 - Executed

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

Enclosures

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

Distribution:

CELRC-TS-C-S (Complete Mod. File)

CELRC-TS-C-C (Complete Mod. File)

CELRC-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

LCRBDC

(Mod Only) J. Pokrajac

۳.اناح

AMENDMENT OF SOLICITATION	MODIFICATION OF C	ONTRACT	1. CONTRACT ID C	ODE	PAGE OF PAG
2. AMENDMENT/MODIFICATION NO. P00007	3. EFFECTIVE DATE SEE BLOCK 1.60	4. REQUISITION/PURC W81G66707499		5. PROJECT N	i 1 NO. (Il Applica
3. ISSUED BY COL	E LRC	7. ADMINISTERED BY	(if other than item 6)	CODE	H6L1CSO
CHICAGO DISTRICT 111 North Canal Street Suite 600 Chicago, IL 60606-7206		CALUMET AREA Calumet Area 906 Griffith Griffith, IN	Office Soulevard	, 33 42	·
8. NAME AND ADDRESS OF CONTRACTOR (No.,	Street, County, State and Zip Cod	le)	9A. AMENDME	NT OF SOLICITA	TION NO.
Dyer Construction Company 1716 Sheffield Avenue Dyer IN 46311 USA			BB, DATED (S		
			10A. MODIFICA	TION OF CONTR	ACT/ORDER
			x W912P6-	-07-C-0011	L NA
CODE	FACILITY CODE		108. DATED (S		
 .	APPLIES ONLY TO A	MENDMENTS OF	29 Sep	2007	
7 The short combined to Balance I amount	AFFERES ONLY TO A	MICIADINGNIS OF	SOLICITATIONS		
The above numbered solicitation is amended and the state of the state	as set forth in item 14. The	nour and date specified	for receipt of Offers	is extende	ed, 💹 is not i
tter, provided each telegram or letter makes refe 2. ACCOUNTING AND APPROPRIATION DATA See Page 2. Contract Amount Increased S. 13. THIS ITEM APPL					agre specifie
IT MODIFIES TH	IE CONTRACT/ORDER	NO. AS DESCRIB	ED IN ITEM 14.		
A THIS CHANGE ORDER IS ISSUED PURSUANT TRACT ORDER NO. IN ITEM 10A.		THE CHANGES SET FOR		DE IN THE CON-	•
B. THE ABOVE NUMBERED CONTRACT/ORDER I appropriation date, etc.) SET FORTH IN ITEM	S MODIFIED TO REFLECT THE 11 14, PURSUANT TO THE AUTH	ADMINISTRATIVE CHANG ORITY OF FAR 43.103(B).	ES (Such as cha	nges in paying offi	ce.
C. THIS SUPPLEMENTAL AGREEMENT IS ENTER	ED INTO PURSUANT TO AUTH	DRITY OF:		-	
D. OTHER (Specify type of modification and author MUTUAL AGREEMENT OF THE COL					
. IMPORTANT: Contractor is not,	X is required to sign this	document and return or	ginal and 3 cop	eles to the issuir	ng office.
L DESCRIPTION OF AMENDMENT/MODIFICATION	(Organized by UCF section head	lings, including solicitation/t	ontract subject matter wit	ere feasible.)	
Contract for Little Calumet Munster, Hammond, and Highla IN.	River, Indiana, L nd, Indiana at Ha	ocal Flood Prommond, Highland	tection, Stag I, North Town	e 5 Phase ship and	2, Munster,
Reference No. R00013					
SS033 Exercise Bid Option See Page 2.	ons 0034, 0038 to	0043			
oto rage z.					
cept as provided herein, all terms and conditions co and effect.	of the document referenced t	in Item 9A or 10A, as he	relatore changed, ren	nains unchange	d and in fult
A. NAME AND TITLE OF SIGNER (Type or print)		SA NAME AND TITLE OF		R) (Type or	print)
Janet Furman Presid	ent	Contracting, Of	ficer/K		
OULT JURNAL	i i	68. UNITED STATES OF A		16	C DATE SIGNE
(Signature of person authorized to sign) V 7540-01-152-8070	30-105	, , , , , , , , , , , , , , , , , , , 	STANDAR	ED FORM 30	(REV. 10-8
EVIOUS EDITION UNUSABLE	,	0/11/	PRESCRIBED FAR (48 CFR)	BYGSA	IMEY. 10-8

DATE SIGNED PAGE OF PAGES MODIFICATION OF CONTRACT See Block 16C 2 Reference No. R00013 W91226-07-C-0011 Contract No: Modification No: P00007 Contractor: Dyer Construction Company Little Calumet River, Stage 5-2 Contract Title: Hammond, Highland, North Township and Munster, IN Location: 12. ACCOUNTING AND APPROPRIATION DATA (Continued) FUNCS ARE RESERVED AS FOLLOWS: PR&C LINE # _ \$ 12,600.00 INCREASE NON-FED 282LFC \$ 167,400.00 \$ 10,000.00 INCREASE FED 3 63KRKD INCREASE 95G374 (REC) FED J32FOC (REC) NON-FED \$ 10,000.00 INCREASE S

Pursuant to the "incremental Funding" clause, this modification hereby obligates an amount of \$200,000.00 for this contract; thus, increasing the total Contract funded amount from \$11,773,133.93 to \$11,973,133.93.

5 200,000,00

14. DESCRIPTION OF MODIFICATION (Continued)

A. SCOPE OF WORK

\$\$033 Ex

Exercise Bid Options 0034, 0038 to 0043

TOTAL

Exercise of Contract Optional Sub-Items below at the prices set-forth in Section 00010 (Bid Schedule) of the Contract.

ITEM NO 0034AA ITEM NO 0034AB ITEM NO 0034AC ITEM NO 0034AD ITEM NO 0034AE ITEM NO 0034AF ITEM NO 0034AG ITEM NO 0034AH ITEM NO 0038AA ITEM NO 0038AB ITEM NO 0038AC ITEM NO 0039AA ITEM NO 0039AB ITEM NO 0039AC ITEM NO 0040AA ITEM NO 0040AB ITEM NO 0040AC ITEM NO 0040AD TTEM NO 0040AE ITEM NO 0040AE ITEM NO 0041AA ITEM NO 0041A3 ITEM NO 0041AC ITEM NO 0042AA ITEM NO 0042A3 ITEM NO 0042AC ITEM NO 0042AD ITEM NO 0043AA ITEM NO 0043A3 ITEM NO 0043AC

The following utility agreements and authorizations for entry are attached hereto and made a part hereof:
Authorization for Entry, LCRBDC, 08/20/08
Easement Agreement, NIPSCO, 07/01/08
Deed of Easement, NSRR, 07/08/08
Relocation of Utilities Agreement, ConocoPhillips, 07/11/08
Relocation of Utilities Agreement, Explorer, 08/04/08
Relocation of Utilities Agreement, Marathon, 04/24/08
Relocation of Utilities Agreement, Buckeye, 04/03/08
Relocation of Utilities Agreement, B.P. Pipelines, 05/19/08
Relocation of Utilities Agreement, Wolverine, 06/23/08
Relocation of Utilities Agreement, NIPSCO, 03/20/08
Relocation of Utilities Agreement, T-Cubed, 09/10/08

DATE SIGNED MODIFICATION OF CONTRACT

See Block 16C

PAGE OF PAGES 3

· i ·

Contract No:

W912P6-07-C-0011 NA

Reference No. R00013

Contractor:

Modification No: P00007

Dyer Construction Company

Contract Title:

Little Calumet River, Stage 5-2

Location:

Hammond, Highland, North Township and Munster, IN

B. CHANGE IN CONTRACT PRICE

Total contract price is increased by \$2,246,107.49.

New CLINS

CLIN NO DESCRIPTION	QUANTITY	UNIT PRIÇE	CHANGE AMOUNT
CO34AA CONCRETE ABUTMENTS	2,00 FA	\$8,745.00/EA	\$17,490.0
0034AB CONCRETE PIER	1.00 MA	\$91,091.30/EA	\$91,091.3
0034AC SEGMENTAL BLOCK WALL	1.00LS	\$28,200.00	\$28,200.0
0034AD PRE-FABRICATED PEDESTRIAN ERIDGE	1,007.5	\$294,432,43	\$294,432,4
003JAE BOTLARDS WITH SLEEVES AND HARDWARE	2.00 EA	\$564.00/EA	\$1,128,0
0034AF PZC13 SHEET PILING	651.00 SF	\$41.28/5	\$26,873.2
0034AG NP 12X63 FILE	1,056.00LF	\$72.76/LF	\$76,834.5
PERFORMANCE AND PAYMENT BONDS	1.00L3	53,216,00	53,216.0
0038AA STEEL SHEET PILING, PZ-27	375.00 SP	\$46.50/SF	\$17,437.50
0038AB STRUCTURE AND APPURTENANCES	1.00LS	\$164,696,12	\$164,696.12
0038AC PERFORMANCE AND PAYMENT BONDS	1.00LS	51,342,00	
0039AA STEEL SHEETPILING, PZ-27	375.00 SE	\$46.50/SF	\$1,342.00
039AB STRUCTURE AND APPURTENANCES	1.0013	\$164,696.12	\$17,437.50
039AC PERFORMANCE AND PAYMENT BONDS	1.00 LS	\$1,093.00	\$164,696.12
040AA STEEL SEEET PILING, PZ-35	10,800.00SF	\$42.20/SF	\$1,093.00 \$455,760.00
040AB CONCRETE	1.00LS	\$282,118.22	
040AC 24" CLOSURE STRUCTURE	1.00LS	\$101,901.08	5282,118.22
040AD - 24"X24" PLAPGATE MOUNTED TO I-WALL	1.00LS	\$15,675.00	\$101,901.08 \$15,675.00
040AE : - 24"X24" SLUICE GATE MOUNTED TO WALL	1,00LS	\$12,000.00	\$12,000.00
040AF PERFORMENCE AND PAYMENT BONOS	1.00LS	55,205.00	
041AA STREE SHEET PILING, PZ-27	1,250.0055	\$35.01/SF	\$5,205.00
041AB CONCRETE	1.00LS	\$70,787.28	\$43,762,50
041AC PERFORMANCE AND PAYMENT BONDS	1,00LS	\$687.00	\$70,787.28
042AA CONCRETE	1.00LS	399,169.61	\$687.00
042AB STEEL SHEET PILIN, P2-27	2,800.00SF	\$34.42/SE	\$99,169.61
042AC STEEL H-PILES	240.00 LF	\$69.77/LF	\$96,376,00
C42AD PERFORMANCE AND PAYMENT BONDS	1.00LS	\$1,274.00	\$16,744.80
043AA STEEL SHEET PILING, PZ-27	1,510.00 SE	\$35,46/SF	\$1,274.00
043AB CONCRETE	1.0018	\$84,307.59	\$53,544.60
143AC PERFORMANCE AND PAYMENT BONDS	1.00 LS	\$827,00	\$84,307.59
	1 1.00 23 1	3027,00	

Total Change Amount \$2,246,107,49

The total cost of this contract was increased by \$2,246,107.49 from \$13,692,587.17 to \$15,938,694.66.

C. CHANGE IN CONTRACT TIME

The contract completion date shall remain unchanged by this modification.

D. CLOSING STATEMENT

BILATERAL AGREEMENT: By way of this contractual Modification, the Contracting Parties agree that the above identified options are firmly awarded in the quantities and prices stated in the Bid Schedule.

The Contractor shall perform the added items in accordance with the terms and conditions specified in the contract.

STANDARD FORM 30

(REV. 10-83)

5000.747.2006 11世・544

> DATE SIGNED PAGE OF PAGES MODIFICATION OF CONTRACT See Block 16C Reference No. R00013

-W912P6-07-C-0011 Contract No:

Modification No: P00007

Contractor:

Dyer Construction Company

Contract Title: Location:

Little Calumet River, Stage 5-2 Hammond, Highland, North Township and Munster, IN

This Modification does not result in a time extension to the contract performance period.

As a result of the aforementioned, the funding allocation for the Contract is increased hereunder. Funding in the amount of \$200,000.00 is added to CLINs OOFF (\$167,400.00), OOFR (\$12,600.00), OONR (\$10,000.00), OONF (\$10,000.00); increasing the total funded amount of the Contract from \$11,773,133.93 to \$11,973,133.93.

٠...



WORLD'S FOREMOST OUTFITTER®

Hunting . Fishing . Outdoor Gear

October 1, 2008

Honorable Thomas McDermott, Jr. Mayor City of Hammond 5925 Calumet Ave. Hammond, IN 46320

RE: Little Calumet River Flood Control and Recreation Project

Dear Mayor McDermott:

I wish to express Cabela's sincerest sympathy for the losses incurred as a result of the recent flooding to the City of Hammond. We can only hope that an event such as that experienced by your community never happens again while at the same time doing what we can to prepare for if it does. Accordingly, I wish to express our gratitude for your and your staff's efforts to achieve our mutually desired timely completion of that portion of the Little Calumet River Flood Control and Recreation Project that occurs within the City of Hammond's jurisdiction. The successful completion of this project should result in savings of flood insurance premiums, increases in property values, new construction, and development benefiting all citizens of the City of Hammond.

Cabela's interest in this project is the protection of those properties within the City of Hammond, including our own, that are at risk of flooding. As you know, Cabela's has been encouraging an accelerated work plan to complete the project. The completed project will result in the removal of the excess real estate surrounding our retail store from the flood plain making it economically viable as a location for other retail development. We do have tentative offers from developers on the excess real estate, yet they soon lose interest and are reluctant to act until a definitive schedule removing the property from the flood plain is available.

To assist the City of Hammond in its continuing efforts to achieve the timely completion of this project, Cabela's has engaged the services of SEH, Inc. and R.A. Smith National to work with Cabela's Facilities Department to prepare a LOMR Compressed Work Plan Schedule, attached hereto. Cabela's requests the City of Hammond schedule a meeting of the project stakeholders, including the City of Hammond, Congressman Visclosky or representative's from his office, Christopher B. Burke Engineering Ltd., The Indiana Department of Transportation, the Little Calumet River Basin Development Commission, Dyer Construction, the U.S. Army Corp of Engineers, the Federal Emergency Management Administration, Cabela's, and any other stakeholder the City

believes should attend. At this meeting we would review, and revise if necessary, the proposed schedule with the intended outcome being the unanimous agreement of all parties to proceed with their work adhering to the adopted schedule.

I realize the City of Hammond may still be recovering from the effects of the flooding, but it is important that this meeting be held as soon as possible in order to take advantage of the construction season and maintain the proposed schedule.

Your assistance in this matter is greatly appreciated. If you have any questions or wish to discuss this issue further, please do not hesitate to contact me at 308-255-2562 or steven.krajewski@cabelas.com.

Respectfully,

Steve Krajewski

Cabela's

Real Estate Manager

Cc: with attachment:

Marty J. Wielgos – Chief of Staff – City of Hammond
Rick Calinski – E.D. Dept. of Planning & Development – City of Hammond
Bobby Lendi – Director of Economic Development
Stanley J. Dostatni – City Engineer – City of Hammond
Congressman Pete Visclosky
Mark Lopez – District Director – Congressman Pete Visclosky
Siavash E. Beik – Christopher B. Burke Engineering Ltd.
Mike McPhillips – Indiana Department of Transportation
William Biller – President – Little Calumet River Basin Dev. Commission
Greg Furman – Vice President – Dyer Construction Company, Inc.
Imad N. Samara – Project Manager – U.S. Army Corp of Engineers,
Pat Glithero – Federal Emergency Management Administration
Thomas A. Bock – Senior Project Manager – R.A. Smith National, Inc.
Dean Button – Project Manager – SEH, Inc.

Attachment:

LOMR Compressed Work Plan Schedule



Jim Pokrajac

From: Brian McKenna [bmckenna@cbbel-in.com]

Sent: Friday, October 24, 2008 3:42 PM

Dennis.Armstrong@cabelas.com; Troy.Kurz@cabelas.com; Mark.Nienhueser@cabelas.com; To: Steven.Krajewski@Cabelas.com; calinskir@gohammond.com; Dean Button; Samara, Imad LRC;

Bock, Thomas A.; Schmidt, Joel L LRC; dostatnis@gohammond.com; sjd1948@sbcglobal.net; ken.hinterlong@dhs.gov; mike.hanke@dhs.gov; jpokrajac@nirpc.org; biller6625@comcast.net

Cc: Dave Haas; Siavash Beik

Subject: Hammond CLOMR and LOMR Meeting - October 21, 2008

All,

Based on discussions at our meeting regarding the Little Calumet River CLOMR and LOMR on October 21, Christopher B. Burke Engineering, Ltd. (CBBEL) has revised the schedule previously prepared by R.A. Smith National for the CLOMR and LOMR process. The attached schedule reflects a timeframe based on construction of the USACE levee being completed by the contract date of November, 2009. In previous meetings, the USACE had indicated that construction of the levee system might be completed ahead of schedule with as-builts possibly being available by as early as February or March of 2009. At the meeting on October 21, Mr. Samara of the USACE indicated that completion of the structural aspects of the levee is not likely to occur until June or July of 2009 with as-builts being completed shortly thereafter, of course provided that the contractor is willing and able to complete the construction and preparation of as-builts ahead of schedule. The attached schedule for the LOMR process could be shortened if construction and as-built documentation can be completed sooner than November of 2009.

At the request of Cabela's for someone to serve as an overall project coordinator for the CLOMR and LOMR, the city has asked CBBEL to submit a proposal for an amendment to their existing contract. Discussions between the City and CBBEL are currently ongoing regarding this amendment.

The following action items were discussed at the meeting:

- R.A. Smith/SEH/Cabela's is to provide the necessary documentation for the items that are needed for filling out MT-2 Form 3. An e-mail was sent to Tom Bock and Dean Buttons on September 29 listing necessary items that were needed to fill out the remaining information on the form. SEH stated that all information for the CLOMR was available and ready to submit. To date, CBBEL has not received this information. After the information is submitted and the MT-2 Form 3 is finalized, SEH will be responsible for having a professional engineer sign the MT-2 Form 1 to certify the tie-back levee.
- The Corps is to provide the necessary items that are needed for filling out MT-2 Form 3. An email was sent to the Corps on October 10 listing necessary items that were needed to fill out the remaining information on the form. Joel Schmidt stated during the meeting that he will try to get the needed information to CBBEL by the following week. After the information is submitted and the MT-2 Form 3 is finalized, the Corps will be responsible for having a professional engineer sign the MT-2 Form 1 to certify their levee system.
- CBBEL had a meeting arranged by Jim Pokrajac (LCRBDC) with the Town of Highland to address the concern from FEMA about the impact of the CLOMR submittal on the Town of Highland. CBBEL is in discussions with the Town of Highland to possibly submit an amendment to the Hammond CLOMR that would incorporate the Highland Levee System as well. This will not delay the submittal of the CLOMR for the City of Hammond.

- CBBEL is to submit the CLOMR to FEMA during the first week of November once all
 information from the Corps and R.A. Smith/SEH/Cabela's has been provided and necessary
 signatures from the Corps, SEH, and the City of Hammond have been acquired on the MT-2
 Forms.
- A meeting was scheduled for the Tuesday, November 18th at 10AM to discuss the status of the CLOMR submittal to FEMA.

If there are any questions/comments on the meeting summary, schedule, or list of action items, please let me know so we can discuss.

Brian W. McKenna, P.E., CFM
Water Resources Engineer
Christopher B. Burke Engineering, Ltd.
Ph: 317.266.8000 Fax: 317.632.3306
www.cbbel-in.com bmckenna@cbbel-in.com

Cabela's Hammond, Indiana	ļ			ŀ	ļ																				
LOMR Compressed Workplan Schedule	-			1	1			1			F		E	-	-			-							r
Dated: \$11608 Leal Revised: 10/2408		ļ	+	1	+	+		+					H		F	-		+			+			-	•
Responsible Party Legend USACE U.S. Army Corps of Engineers [USACE]	1000	U.S. Army	ops of Engineers	(BSACE)	Cacand	Criscal		+	#	+	1					-	-	-			-	+		+	
	HAN	2 P	Darie Contract		-		E	-		+	1	†	+				-					-		- -	1
		5	B. Burto Enginee	THIS THE	F	COSTANT AND ADDRESS OF THE PERSON ADDRESS	15.0	+		+	T	+	+	-	- † - †	-		H	Ē			+	1	-	Ţ
	3	3	-					-		+			+	-	-	1		-						+	7
	200		-	1		Testo	nong Create P.	AST WATER FLO.	,	-	I	+	+	Ī	1	+								F	Т
	3	5	KA, Switch Millions					F		-	-	†	-	-	+	+		1					-	-	1
						2	Canal Pa	THE WITH GLASSIC	n decread by re-	TANDAY STRUCTS	-		-		+	+	-	1	-						_
			-	-	†			+					-			-	1	+	1			1			,
	Property like		1	16002		+		-		-					F	+	1	+	Ţ	+	-	-			,
TOTAL	ė	Purmen	3484	Floren \$E	8	AQM .		2		-	-					-		-	2010	-	-	1	1		,
P IF NA CONTINUE IN THE PARTY I				E	 -	E	-	-			Į		T	ă Ž	SE	P 0CT	AON	DEC	247	8	KAR	24		•	_
e CSBEL complex information for Cr. Outp. accession	1						Ė	ŀ	1	<u> </u>		+	1	 	1						E	-		ŀ	,
CONTROL VICTOR OF THE CONTROL OF THE	CBBELHAM		In Progress 10	1031/06	SALE SALES	100		-		-		-	1	1	+	1						-			ī
	I						F	-				+	+		+							-	ŀ	-	3
Cebela's component				1		H		-		-		+	-		+	-	1	1				-			_
vitabal and also MT-2 form doc separation	700				7			E		-	ŀ	+	1	1	†			1			1.1111		Ė	-	
т	100	1	D Progress 10	Į.						-		1	+	1	+	-								-	_
Prepare design of closure extendence from the party leaves northern	100		1021/08					H		-		-	-		+	-		-	-				-	F	_
1			D 1100110			1							-	T	+	-									
					+				Ė	-			F	-	†	1	+	-		-					_
USACE component			1	†	1	7						-			†	1	†	+				-			_
Finaltze Items Issed by CSSEL as data not raceived	USACE		In Propess 10/11/1	-				-				-	-		 -		1	1		+					
Sign MT-2 forms, Hart Orich control structure supporting designs.	L				1	1	1						F		-	-		-				-			_
O&M menuts)	L				1		1	1		-		-	É		-	-		-	-			1	-		_
			1		†	-	1	1				H	É		-	-		1		-	-		1		ς,
a City of Hammond component (CBBEL)				†	-	1	1		-					-	<u> </u>	-		-		-		-	-		_
	CBBEL		Property 1014	1014.7900	Contract Contract	1	#					-		-	+	ſ.		1							_
				F			+					-	Ē	-	f-	f	†	ĺ		1		-			_
 CBBEL obtains shall signatures and submits CLOssR application to FELIA 				94000	+									-	† :	f	†			+					_
		Ĺ		1	+	1	-						É	F		-		-			1	-	1		_
MA Conditional Letter of Map Revision (CLOMR) approve]	†	+	-	1					-						-				-		-	_
-	FEMA	1	, 100 mg	1	+						-	-			1	ſ	+							-	_
	0.00			8	+								f	F	‡ 	f	+		1						_
	SEMUSACE			+	+		+	-				-	-	-	-	ſ		-	-						_
• FEMA sauss CLOAR to Hammond	FELVA		25	27000	+	1	+	-	-				H					-	1						_
					-		+	-	11	7		-			-					T	-		1		_
			+	ŧ	+		+	1	+					E		f	-	-			-		+	1	_
	USACE	1	In Program 112	300						-					-	F		-		-			+		_
	USACE	2 wits	11/13/09 11/27/09	7/09	-	-	-	F										F			-		+	1	_
dell'a famos construction									+	-	+	1	1	-	+							-	-	+	,
	700000			-		1			-		-	+		1	-	1									_
l	500		11/08	-		No.					<u> </u>	-	I	†	+	1	+	1		-					
(Includes utility coord, cleaura laves, 180% wall tis-io)		1	27.00	8	3	22.					-	-		1		-	+								_
Ī			1	+	+		-						I	†	+-	I	+	-		-					_
	P	1	10/12/04 12/18/PA	965				1							-			I				-	-		_
	SEHVRAS	d takes	11/10		4	T	1			-		L	E	ŀ		F	+	Ī	-	-	1	-	-	-	_
e Cabald's completes be-back leves cosum as-buil documentation	SEHRAS	2.0	12/1/64	3 5	+	1			-			-		-	-		+	-	+			-			_
				1	-	1	1	1		-						F		I	-	+		-	1		_
minorial levee closure			<u> </u>	-	-		1	-	+	1		1			-		-	-			-		+		_
HAM	HAM	9	10/17/08 12/1/08	3		TOTAL PERSONAL	-	1	+	†	+	-			H			F					+		_
MA Letter of Man Radalon (Dule) automites			1				-	-	+		+	Ī	1	+	1	7	-		F			-	-	ŀ	_
CBBEL complete as built documentation for LOLAR	10000		11 17 17 17 17 17 17 17 17 17 17 17 17 1	1							-		1	+	-		1						-	- -	_
(collects data completed as part of construction phases above)	SEHA NACE		TO LEGISTA	5	-	1					-	-	-	†	†		+			-	-				_
CBBCL Submits LOAM replication to FEMA	2000			-					-		-	-	-		-		-						H		_
			1252	B.						-	-	-		+	+		+	1		7	-	-			_
MA Letter of thep Revision (LOMR) approved		1		1	1	-					-	-	-		- - -		+		1						_
FEMA revolute CLOMR application automatis	FELM	A meta 12/78/70	CONTRACT CONTRACTOR		-	1					F		-	+	-	-	+	1		-	1		-		_
CEREL COordinates receipt of FEMA review and resubmittal	Cadel	•			-	1		1		-	-	F			-	-	-				†	-	-	-	_
(criticales comments on Cabeur), USACE & Hammand components) 5	SEHUSACE				-	†		1	-	-	-			H			-				+	-	+	+	_
FEMA ISSUED LONG to Naminand Confingent on public appeal period	¥.	*	STATE OF	6		+	1	Ì		1					-	-	+		-			1			_
FERRE SAURE Notice of pending LOAR	ĐÀ		37,710 4,2,710	-		+	-	1	+	1	+						-	-			-		+	+	_
S S S S S S S S S S S S S S S S S S S	ENA	Н	4/2/10 T/2/3	2			ſ	-	-	-	†		-	- 	-					-		ļ.		+	_
Figure 1 and laboration states to Hermand Tabowang and of suppositions. Fig	FELV	1 100	7/2/10 7/9/10	Q.	-	-		-			+	1	+	+			H H							-	
				-		H	Ē			+	+		+	†	-		-							-	_
				1	3						-		+	†		1	-								_
		1		-							-		-	+	-		-		+						_
	1			-	1		1				H	E	F	 - -	-	+++	-	1	+	‡	#		1		
																						-			

Lil Cal Stage 5-2 Utility/RR Corridor Pre-Construction Meeting October 22, 2008 @ 9 am in Wicker Park Social Center

There were many discussions. The following is our interpretation of the final outcome of the items discussed:

Sequence of Work:

- Prior to proceeding with construction activities, Dyer will create a schedule of expected work in specific sections of the Corridor.
- Dyer will begin work in the South East quadrant of the Corridor.
- Construction will take place in roughly 50' sections of the flood wall and all work will be coordinated with the Utility Companies that are in the affected area
- A staging area shall be coordinated on-site for Emergency Response Team equipment and supplies (It was understood that a Single Emergency Response subcontractor will be attempted to be agreed to by the Utility Companies).
- Dyer will excavate down to 4' above the pipe locations with a Utility Company representative onsite.
- The Utility Companies are then responsible for exposing their own pipelines and conducting any inspections / maintenance / work necessary. It was commonly understood that each Utility Company will determine the extent of their work. The Utility Companies will replace all soil removed from their pipeline excavations with impervious fill within the 15 foot zone each way from the future floodwall. It appeared that the Utility Companies would attempt to work together to use a single qualified subcontractor to perform all the pipeline work on this project. Although this would be preferable for simplicity and ease of communication, it was not clear if this was attainable.
- While pipelines are exposed, the owning Utility Companies are responsible for 24-hour surveillance of the pipelines
- Utility Companies are responsible for backfilling their exposed pipelines 15' away from the location of the floodwall in both directions (along the pipeline) with impervious clay to the depth and width of the required trenching needed to expose the pipeline. Properly compacted impervious backfill material shall be placed 4' vertically over the exposed pipelines.
- There will be an attempt to coordinate with Dyer to have Impervious Clay on-site for the Utility Companies to use for backfill material
- Dyer will coordinate with the Utility Companies to survey and place vertical 2"-3"metal conduit or PVC pipe to mark the locations of the pipelines and the start of the sheet piling. All surveyed points will be recorded on the Contractor required As-Built drawings. The Utility Companies requested a copy of the pertinent As-Built drawings.
- Dyer is responsible for site security related to each particular pipeline and location after the pipelines are backfilled to the proper levels and the Utility Companies are done with their work.

General Notes:

- Dyer will develop a more uniform and comprehensive Emergency Response Plan (ERP). It was requested that the Utility Companies send copies of their ERPs to Dyer. Dyer will need to coordinate their ERP with all the Utility Companies and add it as an amendment to their contract required Environmental Protection Plan. USACE, Utility Companies and the local municipalities will need to approve the ERP.
- A MEETING HAS BEEN AGREED UPON FOR THURSDAY 30 OCT 2008 AT 9:00 AM AT WICKER PARK SOCIAL CENTER TO COORDINATE THE EMERGENCY RESPONSE PLAN.

Lil Cal Stage 5-2 Utility/RR Corridor Pre-Construction Meeting October 22, 2008 @ 9 am in Wicker Park Social Center

- A utility presented a site drawing with a proposed single access road at a minimum of 15' from the centerline of pipeline exposures. It was stressed many times that there be five (5) feet of soil plus double mats over the pipelines at each drive, road or access way over a pipeline. This is a conflict with the USACE construction plans that show a "Typical Road Template" of six (6) feet of fill over the pipeline for the site access roadway.
- A list of a single point of contact in case of emergency for each Utility Company needs to be developed and distributed to the Fire Department, USACE and Dyer.
- The use of a vibration hammer is not allowed within 50' of a pipeline in this contract. Dyer plans to use an impact hammer to drive the sheet piling. Vibratory monitoring shall be conducted over the closest pipeline during sheet piling installation. A 2 in/sec maximum particle velocity is allowed for placement.
- Buckeye requested that Dyer drills down to the required depth and drops the H-Piles in and a concrete encasement around the H-Piles in lieu of placing the H-Piles with typical impact methods. This was a verbal request only and no action was taken on this request during the meeting.
- NIPSCO can coordinate power line de-energizing during driving activities.
- Note 4 on contract sheet S-36 states "The Contractor shall support all concrete form work spanning over pipelines for a minimum of 14 days before concrete forms and supports can be removed. Form supports shall not impact on the pipelines." It appears to have been concluded during the meeting that, if there was 5 foot of compacted earth above the pipeline, the Utility Companies were not concerned with loadings on the pipelines. (To aid in understanding this issue, the table included in Attachment No. 1 was developed after the meeting to show elevations and final cover below the floodwall. This table shows that there are fourteen (14) pipelines where the top of pipe is closer than 5 feet to the bottom of the concrete in the floodwall. Regardless of the figures shown in Attachment 1, the requirement of Note 4 on Sheet S-36 is to remain in effect for all pipelines and thus, forms over all pipelines must be supported so as to not transfer any loads onto the soil over the pipelines.)

Sheldon Edd

Sheldon Edd Contracting Officer's Representative US Army Corps of Engineers October 24, 2008

Jim Pokrajac

Subject: Location: 9 am, 10/30/08, 2nd Pre-Con for Lil Cal Stage 5-2 Utility/RR Corridor

Social Center, Wicker Park, Highland, Indiana

Start: End: Thu 10/30/2008 8:30 AM Thu 10/30/2008 11:30 AM

Show Time As:

Tentative

Recurrence:

(none)

Meeting Status:

Not yet responded



Summary of Utility Corridor Pr...

<Summary of Utility Corridor PreCon Meeting .pdf>> As discussed at the 10/22/08 meeting, there is a second pre-con meeting scheduled for 9 am on Thursday 10/30/08 at the same location, Wicker Park Social Center. As it is hoped that this meeting will be relatively short, coffee and rolls will not be provided.

It is understood that the main reason for this next meeting was expected to be (topics will be added as needed) discussions on Emergency Response plan, procedures, on-site staging of response equipment and materials, and possible single subcontractor for all Utilities. I am expecting that discussions may continue on the possibility of using a single pipeline construction subcontractor for all Utilities.

Jim Pokrajac of the Lil Cal Commission has asked that a portion of this meeting be used for a discussion of fiscal responsibility. Basically, based on the original agreements, who is responsible for which items of work. All need to clearly understand the scope of the work and who is responsible for the value of that work. Need to balance the contract requirements and the agreements with the Utilities so that there are no surprises.

I have developed a summary of the October 22, 2008 meeting and have attached for your reference. There were a lot of discussions going on and a lot of decisions being made. This summary is based on our notes and the discussions, or portions thereof, that we were a part of. I am sure that there are things that were missed. Please bring up any corrections that need to be made during the October 30, 2008 meeting.

Sheldon Edd Project Engineer Calumet Area Office Chicago District USACE 219-923-1763 312-860-0159



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

September 10, 2008

Programs and Project Management Branch

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

Dear Mr. Gardner,

I am writing this letter regarding the contaminated soil found during the construction of Stage V-2 at the levee location behind Wendy's Restaurant at Kennedy Avenue.

This letter will serve as USACE official request for the Little Calumet River Basin Development Commission (LCRBDC) to remove the contaminated soil from the construction site. Attached to this letter is a memorandum written by Jennifer Miller, PhD, PE Chief, Environmental Engineering Team outlining the findings and the steps required for the contaminated soil removal. As you know the Local Cooperation Agreement (LCA) signed between the LCRBDC and USACE in August 1990 identifies this activity of removing contaminated soil as a local sponsor (LCRBDC) responsibility funded entirely by the LCRBDC.

If you would like to discuss this issue further please feel free to contact me at 312-846-5560.

Sincerely

Imad N Samara.

Project Manager



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

Mitchell E. Daniels, Jr. Governor

Thomas W. Easterly Commissioner

100 North Senate Avenue Indianapolis, Indiana 46204 (317) 232-8603 Toll Free (800) 451-6027 www.idem.IN.gov

October 22, 2008

Mr. Ron McAhron Little Calumet River Basin Development Commission 402 West Washington Street Indianapolis, IN 46204

Re: Soil Verification Sampling Results
Little Cal River Levee Project-Stage V
Project segments 39+00 to 35+00
Hammond, Lake County, IN

Dear Mr. McAhron:

As you are aware, the Little Calumet River Basin Development Commission ("LCRBDC") requested the support of the Indiana Department of Environmental Management ("IDEM") to conduct verification soil sampling of overburden soil excavated from along the north bank of the Little Calumet River. The excavated soil was stockpiled along the levee construction area until the appropriate soil management option could be determined. The purpose of this letter is to inform the LCRBDC of the results of the verification soil sampling conducted by the IDEM and to suggest an appropriate soil management option for the overburden soil produced during levee construction activities based upon a risk assessment based evaluation of the soil sample data.

IDEM understands that it was necessary to excavate the soil as a result of the project geotechnical requirements necessary for levee construction. The area of concern identified as requiring soil verification sampling was determined by the LCRBDC and the United States Army Corps of Engineers ("USACE") to be from project survey stations 39+00 to 35+00. Specifically, the area of soil requiring sampling was a stockpile along an approximate stretch of 900 linear feet and oriented in a "wind row" fashion between the above stated survey marks. The soil was piled about 4 to 8 feet deep with the wind row approximately 20-30 feet wide. The soil stockpile was estimated by the USACE, the construction contractor and IDEM to be approximately 8,000 to 9,000 cubic yards of material in total.

In order to properly sample and characterize the soil IDEM determined the best method for sampling was to utilize a track mounted excavator to collect buckets of soil from the soil stockpile for ease of sampling. Bucket loads of soil were collected from the stockpile wind row on fifty foot centers throughout the full 900 linear feet. Soil was collected from the excavator bucket and placed directly into the laboratory supplied glass sample containers. Soil was collected at each location at a depth of 2 to 3 feet. IDEM collected a total of 20 soil samples which were laboratory analyzed for volatile organic compounds ("VOCs"), semi-volatile organic compounds ("SVOCs"),

metals, poly-chlorinated biphenyls ("PCBs") and total petroleum hydrocarbons ("TPH") as gasoline range organics ("GRO") and extended range organics ("ERO"). Laboratory analysis of the IDEM collected soil samples indicate that six of the eastern most sample locations have detected concentrations of TPH-ERO above the IDEM Risk Integrated System of Closure ("RISC") industrial default closure levels ("IDCLs"). In addition, lead was detected in two sample locations above the IDEM RISC IDCL. Benzo(a)pyrene, cadmium and chromium were detected at one sample location above the IDEM RISC IDCL. The remaining sample locations showed detections of TPH-ERO at concentrations exceeding the IDEM RISC residential default closure level, but below the IDEM RISC IDCL.

Assessment of the soil sample data was conducted by IDEM to determine the need for offsite disposal. During this data assessment, IDEM considered the potential for human health exposure from the contaminated soil to determine the overall need for off-site disposal or continued on-site soil management. Potential human health exposure pathways appropriate for the levee construction project include construction worker exposure during completion of the levee and recreational exposure on the finished levee if the stockpiled soil were to be used as topsoil on the levee. IDEM data assessment has determined that the detected contaminant concentrations are well below IDEM's RISC default construction worker exposure concentrations, so no potential construction worker exposure exists. The recreational exposure pathway was evaluated by calculating representative closure levels for the recreational exposure scenario and comparing these recreational closure levels to the actual data results. IDEM calculated representative recreational closure levels by utilizing the recreational exposure factors in the standard algorithms provided in the IDEM RISC Technical Guide. Assumptions made by IDEM to replicate the recreational exposure scenario included assuming an age based exposure of adolescent children aged 6 to 15 years of age and exposure duration of 104 days per year. IDEM has determined that the highest observed contaminant concentrations are below the representative recreational closure levels. Please refer to the table below for specific comparisons of highest observed contaminant concentrations to the representative recreational closure levels.

Recreational Closure Level (mg/kg)	Highest Observed Concentration (mg/kg)
13.0	10.0
0.51	0.11
	110
	1,900
	320
	6,000
	Level (mg/kg)

In conclusion, the IDEM has determined that all observed contaminant concentrations detected in the soil verification sampling are below applicable risk assessment based closure levels. Specifically, all contaminant concentrations are below both the IDEM RISC default construction worker closure levels and also the calculated representative recreational exposure pathway closure levels. IDEM considers the construction worker exposure and recreational use exposure pathways to be the only potential exposure pathways of concern. Consistent with the assessment of the soil sample data collected and evaluation of potential risk exposure pathways IDEM recommends that the soil stockpile be managed on-site and incorporated into the levee construction project as over-seeded topsoil.

If you have any questions or concerns regarding the determination made by this letter please contact Ryan Groves, Senior Environmental Manager, at (317) 232-3413.

Sincerely,

Harry E. Atkinson, Chief State Cleanup Section Office of Land Quality

HEA/RG/sb

cc:

Ms. Jennifer Miller, United States Army Corps of Engineers, Chicago District, Via Email

Mr. Scott Nally, Assistant Commissioner, IDEM Office of External Affairs Ms. Peggy Dorsey, Assistant Commissioner, IDEM Office of Land Quality

Mr. Ryan Groves, IDEM State Cleanup Section



DEPARTMENT OF THE ARMY

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

6 October 2008

Construction-Operations Branch

Mr. Jim Pokrajac Little Calumet River Basin Development Commission 6100 Southport Road Portage, Indiana 46368

SUBJECT: Little Calumet River – Project Modification Request 08-04, New Engine Generator at North Drive Pump Station - Highland, IN

Dear Mr. Gardner:

This letter is in response to a request from the Little Calumet River Basin Commission to have the U.S. Army Corps of Engineers, Chicago District review a design prepared by Nies Engineering, Inc. in regards to installing a new engine generator at the North Drive Pump Station. This design was transmitted to our office in an e-mail letter from Nies Engineering on August 18, 2008.

The Corps has reviewed the final plans submitted on October 1, 2008 and approves the requested modification to the levee system to install the new engine generator.

At the completion of this work, the As-Built drawings are required to be submitted to properly maintain the levee project records.

If you have any questions, please contact Mr. William Rochford at (312) 846-5450 or me at your convenience.

Sincerely.

Shamel Abou-El-Seoud, P.E.

Chief, Construction-Operations Branch

Dick Lalbert

cf: Nies Engineering, Inc. - Derek Snyder -

Jim Pokrajac

From: Jim Pokrajac [jpokrajac@nirpc.org]

Sent: Wednesday, October 08, 2008 4:15 PM

To: 'Terry Hodnik'

Cc: 'John Bach'; 'wbiller@hammondsd.com'; 'huffmun@sbcglobal.net'; 'Samara, Imad LRC'

Subject: RE: Highland Engine-Generator Program [Scanned]

Thanks Terry,

This is something I will include in my monthly report updates that is a very positive thing. In light of all the storms, tornados, and other acts of nature recently I must compliment you and the Town of Highland for implementing such a plan to keep these stations operational during power failures.

From: Terry Hodnik [mailto:thodnik@mail.niesengineering.com]

Sent: Tuesday, October 07, 2008 5:11 PM

To: jpokrajac@nirpc.org

Cc: John Bach

Subject: Highland Engine-Generator Program [Scanned]

Jim:

This email is just to keep you informed of Highland's current projects to install standby power equipment at it's remaining two storm water pump stations that lift interior drainage into the Little Calumet River. The projects will be similar to the 500KW Engine-generator installation at the Town's 81st Street Storm Water Pump Station, where diesel fueled standby power equipment will allow the station to automatically transfer from normal power to standby power when the normal power supply fails. The Town Council in Highland campaigned on the promise of standby power for all pumping stations in Town and is extremely interested in seeing these two projects move forward as quickly as possible. Recent storm events in 2008 have left these stations temporarily without electric power normally supplied by NIPSCO.

The new North Drive Pump Station, recently completed in 2007 by the Little Calumet River Basin Development Commission and the US Army Corps of Engineers, will receive a 500KW Engine-Generator, capable of running all four of the pumps (100 cuft/sec capacity) in the station. The unit will be sound attenuated, located outside the Station, and have its automatic transfer switch located inside the station. The unit is currently on order and is expected to be operational by the end of January, 2009. Plans for installation of the engine-generator have been reviewed and approved by the US Army Corps of Engineers.

The North 5th Street Storm Water Pump Station, rehabilitated in 2005 by the LCRBDC and USACE, will have two, 1000KW engine-generators installed. These two engine-generators will be capable of running all ten storm water pumps in the station (300 cuft/sec) plus three sanitary pumps in the nearby lift station. Both units will be sound attenuated, located outside the station, and be capable of automatic transfer if normal power fails. The installation is currently under design and is expected to be operational by the end of May 2009. A preliminary site plan has been forwarded to LCRBDC in order to obtain approval from the USACE.

I hope this provides sufficient background on these two important Highland Projects. Let me know if you need any other information.

Terry Hodnik, P.E. NIES Engineering, Inc. 2421 173rd Street Hammond, In 46323 Office: 219-844-8680 Fax: 219-844-7754

Jim Pokrajac

From: Sent:

Sent: To: Cc: Subject: Jim Pokrajac [jpokrajac@nirpc.org] Wednesday, October 15, 2008 9:59 AM 'Samara, Imad LRC'; 'Terry Hodnik' 'Rochford, William A LRC'; 'John Bach'

RE: 08-520 [Scanned] (UNCLASSIFIED)

M. FIFTH PUMP STATION -EMERGENCY BACK-UP GENERATOR

Imad,

Attached is the proposed layout for the Town of Highland engine-gen set installation at the North 5th St. Pump Station for your review. My review of their layout appears to create no negative impacts to our project and will greatly aid this site to continue pumping during power outages, which will greatly benefit the Town. Will you please review this plan and provide your comments directly to Nies Engineering and the Town of Highland with a copy to me.

\Thank you,

Jim

----Original Message----

From: Samara, Imad LRC [mailto:Imad.Samara@usace.army.mil]

Sent: Tuesday, October 07, 2008 3:00 PM To: Terry Hodnik; jpokrajac@nirpc.org Cc: Rochford, William A LRC; John Bach

Subject: RE: 08-520 [Scanned] (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Jim Bill would like you (local sponsor) to concur and ask for our review. Once you do that we can start the review.

Imad N Samara
Project Manager
USACE, Chicago District
Chicago, IL 60606
(W) 312-846-5560
(F) 312-353-4256
(Cell) 312-860-0123
----Original Message-----

From: Terry Hodnik [mailto:thodnik@mail.niesengineering.com]

Sent: Tuesday, October 07, 2008 1:13 PM

To: jpokrajac@nirpc.org

Cc: Rochford, William A LRC; John Bach; Samara, Imad LRC

Subject: FW: 08-520 [Scanned]

Jim:

Our next engine-gen set installation for Highland is a complex one at the North 5th Street Storm Water Pump Station, and would be intended to run all ten storm water pumps plus the three sanitary pumps. We have completed gen-set sizing based on the request by the Town Council to use two engine-generators instead of one to improve reliability. Each of the two gen-sets is 1000KW and is 26.5 ft long and 8.5 ft wide in Plan. We have started electrical design based on a location shown in the attached pdf site plan. We would like your comments and those from the US Army Corps concerning the proposed preliminary site plan. As you can see, the top of concrete base pad would be set at elevation 597.00 ft which, in turn, would require some concrete block retaining wall between the back of the engine-gen sets and the Levee System I-Wall. Is this an acceptable plan relative to the Levee System itself? The nearest part of the retaining wall is 9 ft horizontal distance from the I-Wall and the engine-generator is about 17 ft from the I-Wall.

The Town Council of Highland is very interested in getting these engine-generators installed as soon as possible. Anything you can do to expedite this review would be greatly appreciated.

Terry Hodnik, P.E. NIES Engineering, Inc. 2421 173rd Street Hammond, In 46323 Office: 219-844-8680

Fax: 219-844-7754 Cell: 219-741-4725

email: thodnik@niesengineering.com

From: Andrew Riecken

Sent: Tuesday, October 07, 2008 12:09 PM

To: Terry Hodnik

Subject: 08-520 [Scanned]

Classification: UNCLASSIFIED

Caveats: NONE



October 2, 2008

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

UPS Ground

Re:

Krosan Interstate Business Park Lots 1 & 2, Hammond, Indiana

Dear Mr. Pokrajac:

On lot 1, the Levee Contractor didn't follow the plans and basically destroyed lot 1's ability to store and drain water. The slope and size of the levee is in excess of the drawing and outside the easement boundaries. We used the levee drawings to develop our site drainage plans thru our professional engineer, Geoff Grant, of Plumb Tuckett & Associates. The levee has encroached our property up to 20'. The levee is also shedding it's water onto our lot without regard to the effect on our site. The levee clogs our Bio-filters and manholes. We have dug a ditch 30 additional feet to the north about 8' wide and 2' deep to try to stop the levee's run off from flowing north. It is now impairing our ability to complete site work on the south end of the new building.

On lot 1, we are requesting you correct the levee by location, slope, containing and removing the additional drainage water shedding onto our property.

On lot 2, the installation of the sheet piling has covered a man hole draining the east half of the lot. Under any rain conditions, we are holding water on the south end of the parking lot. We are requesting the man hole be located from under the rip rap and a shoot installed to the manhole to drain the lot as designed.

All of the above relates to our meeting at the site on Wednesday, October 1, 2008 in which we reviewed the issues.

We are expecting your immediate attention to address these issues. Without; we are forced to make the corrections ourself to save both our facilities from further damage and expense and pursue reimbursement of all costs.

Thank you,

KROSAN DEVELOPMENT, LLC KROSAN ENTERPRISES, LLC

Albert Kropp, Member

☐ 2009 45TH AVE. • GRIFFITH, IN 46319 • PHONE: 708-895-2000 • FAX: 219-922-9249

MBR

☐ 1020 KENNEDY AVE. • SCHERERVILLE, IN 46375 • PHONE 219- 865-1111 • FAX 219-865-4545



Little Calumet River Basin Development Commission

October 10, 2008

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

MARK GORDISH, Secretary Mayor of Hammond's Appointment

DAVID BURRUS
Porter County Commissioners'
Appointment

ARLENE COLVIN Mayor of Gary's Appointment

STEVE DAVIS Dept. of Natural Resources' Appointment

ROBERT HUFFMAN Governor's Appointment

JOHN MROCZKOWSKI Governor's Appointment

VACANCY Governor's Appointment

VACANCY Governor's Appointment

DAN GARDNER Executive Director

LOU CASALE Attorney Mr. Imad Samara
Project Manager
U.S. Army Corps of Engineers
111 N. Canal Street

Chicago, Illinois 60606-7206

Dear Imad:

Enclosed for your information, is a letter from Krosan Development dated October 2 indicating concerns they have had with construction along the back portion of their property. They claim that the contractor did not follow the plans that were provided to them and that they used in laying out their subdivision plat, which is currently under review for approval by the city of Hammond Planning Department. They feel the construction destroyed their ability to store drain water. Krosan also indicated that the levee encroached onto their property which would require approximately an additional 20'. They also contend it impairs their ability to complete their ongoing site work at the south end of their new building. They request that the Army Corps correct the conflicting levee construction to be in compliance with plans previously submitted. They also stated that installation of the sheetpiling covered a manhole on the east end of one of their lots which blocked their drainage from getting to the river.

On October 1, 2008 I met with Albert Kropp, who represented Krosan, to discuss their concerns. As agreed with the Army Corps, the LCRBDC has completed legal descriptions for purchasing the additional 20' (approximately) to accommodate the construction of the levee onto their property. He did not want to work with the LCRBDC to sell that property until the above-mentioned concerns are addressed. Will you please respond to their letter in order that the Commission may move along with negotiations to acquire the additional land required by the Army Corps for their construction.

Sincerely,

James E. Pokrajac, Agent
Engineering/Land Management

Encl.

Doug Anderson, Sheldon Edd, Curtis Lee, ACOE, Griffith Brian Poland, City of Hammond Planning Bill Biller, LCRBDC Chairman Bob Huffman, LCRBDC member Lou Casale, LCRBDC attorney



LETTER OF TRANSMITTAL

To: l	lim Pokrajac Little Calumet River Basin Development Commission	Date	28-Oc	:t-08
Thru:		Projec	t No:	Little Calumet River Flood Control Project
		Re:	Stage \	VII Levee Backcheck BCOE Review
Attn:				
No. of Copies				
10	Half Size Backcheck BCOE Review Pla	ns		
10	Backcheck BCOE Review Specifications			
10	Civil Design Memorandum For Record d	ated Octo	ber 27,	, 2008
Sent to you t	for the following reason:			
For	r ApprovalReview	Completed		Revise and Resubmit
	r Your UseNot Ref	viewed		Returned
	Please review and comment on the enclosed plur comments in Dr. Check by Nov 7, 2008. The 1			
	and specification with the local municipalities an			
	ir written comments in Dr. Checks by Nov 07, 20		L IS VEIY	important triat you provide
	7 10107320			
Contact Ma	tt Cunningham at 312-846-5416 to add you in the	 ∋ Dr. Check	 (s syster	m.
Сору То:		Signed:		medlint anew

U.S. Army Corps of Engineers, Chicago District 111 North Canal Street, Chicago, Illinois 60606-7206, (312) 846-5560, FAX (312) 353-4256

LRC FORM 1110-1 (RE), June 1997

CELRC-TS-DC

MEMORANDUM FOR RECORD

SUBJECT: Final Backcheck Review Set of Plans & Specifications

PROJECT: LCR - Stage 7 Floodwall

I) Design Notes On The Final Backcheck Review Set

- 1) The PDT is raising the floodwall height to elevation 603.0 ft. This was a design change from TS-DH (hydraulics) based on the recent flood events in Indiana. All the walls and structures in Stage 7 are currently being changed to reflect the new height and the drawings and design calculations will be updated before the plans go out for solicitation.
- 2) The PDT is extending the limits of the current riprap locations due to erosion that occurred during the recent flood events in Indiana. The plans and the bid item quantity have not been updated for this review, but will be updated before the solicitation. Here are the new areas of riprap:
 - 7N 46+00 to 7N 46+84
 - 7N 40+00 to 7N 41+84
 - 7S 38+00 to 7S 40+00
 - 7S 28+00 to 7S 33+50
 - 7S 19+00 to 7S 20+00
- 3) The modification to the original 401 permit has not been issued by IDEM yet. The PDT had originally expected it by late October. It may take longer since IDEM was notified about changes to the riprap locations and quantities from the recent erosion.
- 4) The sandbag closure on the north side of the river at Columbia Avenue needs to be adjusted to meet the new location of the Stage 8 floodwall on the west side of Columbia. Originally Buffalo District had a levee shown on the west side of Columbia, but due to utility conflicts changed the design to floodwall and moved the alignment slightly south. This affected the sandbag closure, but the PDT did not have time to update the plans for this review period. The plans will be updated by the time of solicitation.
- 5) The drawings for the pre-cast panel alternative have been included in this set for review.

II) REAL ESTATE ISSUES

1) There are no real estate issues at this time. The local sponsor has acquired all necessary land for the project to be constructed.

III) UTILITY AGREEMENT ISSUES

1) The local sponsor only has one utility agreement(s) to get signed with BP for the areas where the floodwall crosses their oil lines. Once this agreement(s) is signed the Local Sponsor will issue the Corps a signed Right of Entry Agreement (ROE) so the pre-solicitation notice can be issued.

IV) UTILITIES IMPACTED BY PROJECT

- 1) All the final utility information from the daylighting work has been incorporated into the plans.
- 2) It is possible a water line valve box located on the northeast side of Columbia Ave may conflict with our floodwall alignment. An in-house survey should verify if there is an issue with the valve box. If there is a conflict with the floodwall and valve box the PDT will need to adjust the alignment.
- 3) There is one pipe elevation from the daylighting work that needs to be verified. There were several submissions of the information and the result was two different elevations submitted for the same pipe. This elevation will be confirmed with the parties who performed the work.

V) UP COMING SUSPENSE DATES:

1) Final Backcheck Review:

October 28, 2008 to November 07, 2008

VI) CONTACTS

1) Direct all questions to Matt Cunningham at (312) 846-5416.

Matt Cunningham

Civil Engineer

Civil, Specifications, & Cost Section



Lake County Bridge #245 - Columbia Ave. over the Little Calumet River Thursday, 8/28/08 10 am SEH Lake County Office

Meeting Chair:

Paul Knueppel

Minutes by:

Mike Ford

Present:

Dan Gardner, Jim Pokrajac - Little Calumet River Basin Development

Commission (LCRBDC)

Duane Alverson, Marc Malczewski - Lake County Highway Dept.

Jim Mandon – Town of Munster Stan Dostatni – City of Hammond

Doug Olson, Paul Knueppel, Mike Ford - SEH

Copies to:

Everyone present, Mark Gordish, City of Hammond

- 1. Alverson stated his concern over the Bridge being part of the Indiana Historic Bridge Inventory (IHBI). The concern being that if the Bridge were to be raised, would it become tied up in permitting issues with IHBI.
- 2. Mandon stated that he has had conversations with a person who has experience and knowledge of the Historic Bridge Inventory. His source advised him that by raising the Bridge to the same height as the levees being installed by the US Army Corps of Engineers (US ACE) that this would help our cause in removing the Bridge from the Historic Inventory list.
- 3. The US ACE Little Calumet River levee project Stage 7 is to be let in Fall 2008 and would be a 1-year construction project. The Stage 7 project includes the levee system between Northcote Avenue and Columbia Avenue. Stage 8 will follow in 2009 and is a 2-year construction project.
- 4. Knueppel informed everyone that IDNR would not require filing of new permit but would request additional documentation to revise the existing permit, FW-24898. The project would be placed in abeyance until new plans were submitted along with the new profile of the river with the revised bridge deck height and disturbed area. Hydraulics would also be required to analyze the water opening and the roadway overflow.
- 5. Pokrajac added that US ACE has already run the hydraulies for that portion of the Little Calumet River and they should be able to modify their model based on new bridge height and opening. SEH will contact Rick Ackerson at the US ACE to coordinate.

Lake County Bridge #245 - Columbia Ave. over the Little Calumet River Thursday, 8/28/08
Page 2

- 6. Dan Gardner will contact the US ACE to request financial participation in the project. The amount of financial participation would be equal to the savings in construction cost due to raising the bridge. Items such as the closure structures will no longer be required in Stage 7 for Columbia Avenue. Mandon and Dostatni both acknowledged that their respective communities would contribute toward the additional cost to raise the bridge on a 50/50 split or on a percentage basis per construction work on respective sides of the bridge in their jurisdiction. These financial statements and intergovernmental agreement will have to be approved by the respective municipalities once US ACE states what amount they are willing to contribute.
- 7. Malczewski stated that the County will move forward with the bridge being raised, financing not withstanding, due to the concerns of the City of Hammond, Town of Munster and the LCRBDC over closing the bridge during major storm events. The current construction bid will be rejected and re-bid with the raised bridge deck. The engineering will proceed with target completion by the end of 2008 and out for bids in February 2009.

THESE ARE MEETING NOTES AND NOT INTENDED TO BE MEETING MINUTES.

SEH believes that this document accurately reflects the business transacted during the meeting. If any attendee believes that there are any inconsistencies, omissions or errors in these notes, they should notify the writer at once. Unless objections are raised within seven (7) days, we will consider this account accurate and acceptable to all.

If there are errors contained in this document, or if relevant information has been omitted, please contact Mike Ford at 219-513-2502 or mford@sehinc.com.

p:\ko\l\lakin\103536\meetings\08_0828 mtg minutes bridge 245.doc



Little Calumet River Basin Development Commission

6100 Southport Road Portage, Indiana 46368

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

October 27, 2008

WILLIAM BILLER, Chairman Governor's Appointment

ROBERT MARSZALEK, Vice Chairman Governor's Appointment

R. KENT GURLEY, Treasurer Lake County Commissioners' Appointment

MARK GORDISH, Secretary Mayor of Hammond's Appointment

WILLIAM BAKER Governor's Appointment

DAVID BURRUS
Porter County Commissioners'
Appointment

ARLENE COLVIN Mayor of Gary's Appointment

DAN DERNULC Governor's Appointment

ROBERT HUFFMAN Governor's Appointment

RON McAHRON Dept. of Natural Resources' Appointment

JOHN MROCZKOWSKI Governor's Appointment

VACANCY Executive Director

LOU CASALE Attorney Marcie L. McPike Right of Way Specialist BP Pipelines (North America) Inc. 28100 Torch Parkway Suite 600 Warrenville, Illinois 60555

Dear Marcie:

Enclosed please find two (2) copies each of two separate Utility Maintenance Agreements between the Little Calumet River Basin Development Commission and BP Pipelines for existing pipelines that will be in the line of protection, both north and south of the Little Calumet River for the Little Calumet River Flood Control/Recreation project. One agreement is in the name of BP Products North America Inc. that includes the 14" and 12" lines; and the second agreement in the name of BP Pipelines (North America) Inc. that includes the 18" line.

The intent of these agreements is to assure that, upon completion of the construction in the area between Northcote and Columbia Avenue, we refer to as Stage VII, BP Pipelines will comply with U.S. Army Corps of Engineers regulations for coordinating with the LCRBDC and Army Corps to maintain a contiguous, non-permeable line of protection. The locations are shown on Exhibit A in the agreements. Upon completion of any inspections or repairs of these lines by BP Pipelines, the backfilling of the areas shall be done with impervious fill, and be coordinated through the LCRBDC.

The contract for this segment of levee is intended to be advertised in early November and the Army Corps requires that this utility maintenance agreement, as well as the utility relocation agreement, be signed before they can advertise the Stage VII contract. It is extremely important to expedite this process. We deeply appreciate the cooperation we have received from your company, and, foremost, from yourself for helping us meet our deadline.

Please have the appropriate representatives sign these copies, notarize, and then return them to the Commission; we will counter-sign and immediately mail a copy back to you. As soon as we receive your cost estimates, we will forward the Relocation Agreement. If you have any questions, please call me at any time. Thank you for your cooperation in this matter.

Sincerely,

James E. Pokrajac, Agent Engineering/Land Management

/encl.

William Biller, LCRBDC Chairman; Lou Casale, LCRBDC attorney Imad Samara, Project Manager, ACOE

40

Jim Pokrajac

From: Jim Pokrajac [jpokrajac@nirpc.org]

Sent: Friday, October 17, 2008 12:29 PM

To: 'mark.lopez@mail.house.gov'; 'McAhron, Ron'

Cc: 'Louis M. Casale'; 'Biller, William'; 'biller6625@comcast.net'

Subject: Stage VII - BP Amoco Utility Agreements

Mark.

Under separate cover I will forward you and Ron McAhron the e-mails requesting the urgency of executing these agreements. One is a utility maintenance agreement that assures our having a continuous line of protection if, or when, they need to do inspections, maintenance, or any repairs to their pipelines. It has provision of coordination that involves the Army Corps and the LCRBDC to assure they replace any features in kind, under supervision from the Corps, to prevent the possibility of failure in that location. The second agreement is a reimbursable utility re-location agreement for any time or material that is required by their company due to our project. This requires their engineering team to review the design and come up with some type of cost figures that would then be reviewed by the Corps to determine they are fair and reasonable. Once costs are concurred, I have an agreement ready to submit to them that was previously reviewed and approved by Amoco for a previous segment so I wouldn't foresee a problem. Once we get past their engineering I think we can get it executed quickly.

Thank you for your help in assisting to expedite this agreement. It is the last item needed to have us sign the ROE for Stage VII. If you have any questions, need clarification or additional data please let me know.

Jim Pokrajac



October 22, 2008

Mr. William Biller, Chairman Little Cal River Basin Development Commission 6100 Southport Rd. Portage, IN 46368

Re: Little Cal - Stage VIII Property Acquisition

Dear Chairman Biller and Commission Members:

The ACOE, in Feature Design Memorandum 5, identified that the four homes on River Drive located north of I80/94 be bought out. It is my understanding that the Little Cal Commission requested that the ACOE keep these homes and develop an evacuation plan. This area would be protected to the 30-40 year flood level. As we are reminded from September, these four homes were inundated. We have problems in this area on a regular basis with rainfalls significantly less than what we experienced in September. This diverts resources from other more heavily populated areas..

The Town wants these homes to be acquired. These will be the only properties remaining on the river side of the new level of protection. We must begin this process immediately to insure the Stage VIII construction is not delayed any longer.

The Town Council respectfully requests that the Little Cal River Basin Development Commission take formal action at your November meeting to begin the acquisition of these four properties under the threat of condemnation. We are prepared to discuss this with you at your earliest convenience.

Yours truly,

Thomas F. DeGiulio

Town Manager

cc:

Honorable Peter Visclosky pete.visclosky@mail.house.gov

MayorThomas McDermott, City of Hammond

Munster Town Council

Thomas & De Lilio

Imad Samara, U.S. Army Corps of Engineers Imad.Samara@usace.army.mil

Jody Melton, LCRBDC <u>imelton@wirpc.org</u>

James Pokrajac, LCRBDC jpokrajac@nirpc.org

Dean Button, SEH Engineering, Inc. dbutton@sehinc.com

Elizabeth Johnson, Congressman Visclosky's Office Elizabeth.johnson@mail.house.gov

Lou Casale, Attorney, LCRBDC LCasale@cwblawfirm.com



Ĵim Pokrajac

From:

Samara, Imad LRC [Imad.Samara@usace.army.mil]

Sent:

Wednesday, October 01, 2008 10:06 AM

To:

Sandy Mordus; Jim Pokrajac

Cc:

rsutton@netnitco.net

Subject:

FW: NOTIFICATION OF CONTRACT AWARDs --more to follow (UNCLASSIFIED)



Blair, Regina G LRC.vcf (2 KB)...

Classification: UNCLASSIFIED

Caveats: NONE

Please see Little Calumet River Award

Imad N Samara
Project Manager
USACE, Chicago District
Chicago, IL 60606
(W) 312-846-5560
(F) 312-353-4256
(Cell) 312-860-0123
----Original Message-----

From: Blair, Regina G LRC

Sent: Tuesday, September 30, 2008 5:08 PM To: Blair, Regina G LRC; DLL-CELRC-ALL

Subject: NOTIFICATION OF CONTRACT AWARDS --more to follow (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

The following Projects have been awarded in the manners delineated below:

Project Title: DES PLAINES RIVER, 37 MILWAUKEE ROAD

Contract Award No.: W912P6-08-C-0024

Contract Type: Firm-Fixed-Priced Construction

Date Awarded: 30 September 2008 Contractor: Vistas Construction of IL Total Contract Value: \$23,673,474.97 Total Funded Amount: \$11,100,000.00

. Note: The Company is certified as an 8(a), SDV, and HUBZone small business concern.

Project Title: LCR, PUMP STATION 2B

Contract Award No.: W912P6-08-C-0027

Contract Type: Firm-Fixed-Priced Construction

Date Awarded: 30 September 2008

Contractor: Garner Services, LLC.

Total Contract Value: \$20,188,400.00 (includes options)

Total Awarded Amount: \$18,903,380.00 Total Funded Amount: \$100,000.00

Note: The Company is certified as a Service Disabled Veteran Owned small business concern.

Very respectfully submitted,

REGINA G. BLAIR
CHIEF, CONTRACTING BRANCH
USACE, CHICAGO DISTRICT
(312) 846-5371 (Office)
(312) 316-1011 (Cell)

1

WORK STUDY SESSION

AQUISITION COMMITTEE 5 November 2008

Robert Marszalek, Chairman

(NO ACTION ITEMS)

There are no condemnations. There are no increased offers.

STAGE VII UPDATE – (Northcote to Columbia)
All 48 acquisitions have been accepted and recorded.
We are waiting on one utility relocation (BP Amoco) to be signed for the LCRBDC to sign the Right-of Entry for the Corps to advertise bids for Stage VII.

STAGE VIII UPDATE: (Columbia to Hohman Avenue)

Of 96 acquisitions

- 70 are accepted and in process to be recorded,

- 23 are in condemnation,

- 3 are in negotiations.

(We're discussing easement language changes with CSX RR and NICTD. The Hammond Clinic offer for the new easement will go out next week.)

DISCUSSION:

FOUR HOUSES WEST OF HOHMAN AVE. IN MUNSTER

We've received a letter dated 10/22/08 from Mr. Tom DeGiulio, Munster Town Manager requesting LCBRBC purchase these four homes (page 29 of the main agenda). Mr. DeGiulio states these properties were severely flooded during the flood of 9/13-9/14 and Munster must divert its resources from more populated areas to deal with this area in flood or heavy rainfall situations. Land acquisition will proceed to acquire the properties if directed and if funds are available.

LAND ACQUISITION REPORT

For meeting on Wednesday, November 5, 2008
(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 August 29 – October 29, 2008)

EAST REACH - REMAINING ACQUISITIONS

- 1. This stage has 28 properties left that we need flowage easements. These easements are needed as a requirement for Gary to comply with FEMA rules that we've acquired all easements in Gary, so Gary can be removed from the floodplain. We could start acquiring these parcels during the first quarter of 2009, if money is available.
- 2. Offers for the overflow area at 27th and Chase are being prepared. Six acquisitions (one to INDOT, two to Gary and three to private landowners) for a cost of \$13,979.
- 3. The new drainage overflow area at 27th and Chase Streets in Gary consists of six acquisitions. All six appraisals have been approved. We can now send offers. Attorney is now preparing Uniform land offers to be sent to property owners: one to INDOT, two to Gary, three to private landowners.

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

- 1. Right-of-entry was signed July 11th, 2007.
 - A. NIPSCO (DC-1112/1113) Signed easements have been received and will be recorded.
 - B. NSRR (DC-1169) Signed easements have been received and will be recorded.
 - C. Pipeline utility agreements are all completed.
 - The option was awarded to the contractor on 9/24/08, and has been incorporated into the contract.

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

1. Final inspection will be scheduled upon contractor remediation of settlement crack in levee west of Krosan. (ongoing)

<u>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)</u>

- 1. All 48 easements have been signed and recorded.
- 2. All utility maintenance agreements and utility relocations have been signed, except BP Amoco. (refer to Engineering Report.)

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

- 1. All 96 acquisitions are in process:
 - -- 26 in condemnation
 - -- 2 private in negotiations over easement language (NICTD & CSXRR)
 - -- 1 private will sign offer for an additional easement (Hammond Clinic)
 - --67 private landowners accepted offers and easements are recorded.

2. A letter was received from the Town of Munster on October 22, 2008, requesting LCRBDC begin acquisition process of 4 homes West of Hohman Ave. (Refer to Engineering Report) We need to have discussions with the Corps and Munster about this issue.

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.
- 2. Construction started mid June 2007.
- 3. Current construction completion date is November 20, 2008.

FOREST AVENUE LEVEE

- 1. An aerial survey was overlaid with property owner indicating eleven (11) individual agreements exist.
- 2. The initial location survey was completed on August 11th, 2008.
- 3. The revised easement drawings were received on August 19th, 2008, that showed the 15' on the landward side of the sheet piling that will be included as part of the permanent easement
- 4. The overlay of the 75' drainage easement onto the properties was received on October 7th, 2008.
- 5. We need to discuss with the Corps if the 75' easement gives us access to the properties to begin initial survey work. If not, we will probably have to acquire an easement for the Corps to conduct soil borings, etc.

PUMP STATION REHABILITATION - CONTRACT 2

- 1. Received an email from the Corps on November 19, 2007 indicating that the contract was broken up and that 2A will include pump rebuilds of the (2) smaller stations Forest Avenue/173rd St., and Tapper Avenue. Pump Station 2B contract will include Indianapolis Blvd., Jackson Avenue, and the Southside Pump Stations.
 - Pump Station 2A has been awarded (Refer to Engineering Report)

2. Property Surveys

- Property identification has been completed by DLZ and they have completed all plats and legals for all (5) stations.
- The pump station real estate is available for both the 2A and 2B projects. Easement agreements have been signed for the "perpetual pump station easements" and the ROE/s will be sent to the Corps.
- The ROE for Pump Station 2A (Tapper & Forest) was signed by the LCRBDC on April 16, 2008 and was forwarded to the Corps on June 11, 2008.
- Sent request to Corps on June 11, 2008 for a ROE for the 2B contract (LCRBDC already has the real estate). Still awaiting ROE from COE on October 25th, 2008

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

- 1. LCRBDC was directed by the COE to obtain a flowage easement on the entire property in a letter dated October 7, 2005. Appraisal was completed and reviewed. Offer was sent 8/16/06, landowner rejected offer and requested modifications to the design for future development.
- 2. Landowner met with Corps and LCRBDC on 1/10/07 to discuss modifications to the real estate requirements. Owner's possible buyer submitted plans that address hydrology concerns and the CORPS has approved.

- 3. LCRBDC wrote a letter of support to the IDNR on June 22, 2007 indicating that the landowner's plan is compatible with the Little Calumet River Flood Control Project and provides additional (compensatory) storage for flood waters. (Ongoing)
 - LCRBDC received a public notice for permit application from V3 (Realty agent) dated May 7, 2007 and received May 25, 2007. (Ongoing.)
- 4. The landowner attended the LCRBDC 10/16/08 meeting and asked LCRBDC to re-start a dialogue with him. The recent flood has caused permanent damage to his property and he needs to know his status in the project so he can make future plans.

CREDITING:

1. INDOT CREDITING

- A. LCRBDC has requested credit to the project for the bridges reconstructed as part of the project Indianapolis Blvd., Cline Avenue, Grant and Georgia Streets.
- B. The Army Corps from Detroit agreed to help the LCRBDC with INDOT bridge crediting coordination.
 - A meeting, and field inspection, was held with their representative on July 31 and August 1, 2007, to familiarize them with the INDOT construction.
 - They have already obtained some data for Indianapolis Boulevard, Cline Avenue, Grant St., and Georgia. (Ongoing)
- C. A conference call with INDOT and Chicago/Detroit Corps, and the LCRBDC was held on November 29, 2007 to discuss points of contact for information and coordination. (Ongoing)
- 2. The Corps Real Estate in Detroit has reviewed the Woodmar/Cabela appraisal for the property value of \$1,875,000. They are requesting we follow-up with a letter and complete crediting documentation to receive crediting for that amount.
- 3. To date, a total of \$9,269,883 has been credited for land acquisition. Another \$1,503,224 is still pending with the Corps review process. We have had no response to date. We continue to submit land acquisition costs for crediting. (ongoing)