



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

DANIEL DENULC, Chairman
Governor's Appointment

WILLIAM BAKER, Vice Chairman
Governor's Appointment

R. KENT GURLEY, Treasurer
Lake County Commissioners' Appointment

MARK GORDISH, Secretary
Mayor of Hammond's Appointment

WILLIAM BILLER
Governor's Appointment

ARLENE COLVIN
Mayor of Gary's Appointment

RON McAHRON
Dept. of Natural Resources Appointment

JOHN MROCZKOWSKI
Governor's Appointment

RUDOLF SUTTON
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

VACANCY
Governor's Appointment

VACANCY
Executive Director

LOU CASALE
Attorney

MEETING NOTICE

THERE WILL BE A MEETING OF THE
LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION

AT 6:00 P.M. WEDNESDAY, MAY 6, 2009
5:30 WORK STUDY SESSION

AT THE MUNSTER TOWN HALL
1005 Ridge Road, Munster, Indiana

AGENDA

1. Call to order by Chairman Dan Dernulc
2. Pledge of Allegiance
3. Recognition of Visitors and Guests
4. Approval of Minutes from April 1, 2009
5. Chairman's Report
 - Letters to Army Corps regarding Stage VIII
 - Update on Stage VII bid opening
 - Contract award went to lowest bidder - CERES Environmental Services, Inc. from Minnesota for a total bid amount of \$13,814,973.70 on April 17, 2009
 - Status of Stage VIII
6. • Action Required:
 - Finance: Approval of claims for April 2009
 - Approval of O&M claims for April 2009

Any other action required?

Spm
JEP
JV
LC

(no Lorraine)

new high blue
sweater w/
blue side tank,
blk slacks

7. Standing Committees:

A. Finance Committee – Treasurer Kent Gurley

- Financial Status Report for end of March 2009
- NIRPC invoice for March 2009

11
12

B. Land Acquisition/Land Management Committee – Arlene Colvin

Land Acquisition – Arlene Colvin

- Status of Stage VIII
 > Pre bid meeting scheduled for May 15

18th

Land Management – Bill Baker

- Items of Discussion

Ans Water

C. Project Engineering Committee – Kent Gurley

- Status of Stage V-2 pipeline corridor
- Update on Stage VII utilities
- Status of Pump Station contracts – 1A, 2A and 2B

Dep

D. Operation & Maintenance – Jim Pokrajac

- Receipt of FEMA (partial) reimbursement
- Army Corps revising O&M manuals

13-14

E. Legislative Committee – Ron McAhrn

- Update on HB 1716 – restructuring of Commission
- Update on HB 1001 – Funding for project completion

8. Other Issues / New Business

9. Statements to the Board from the Floor

10. Set date for next meeting; adjournment

June 2nd bid opening

V-2 progress
get from schedule
\$5000 - borrow material
at Wisla?
Return \$20 checks
to you re: hearing

8
A, B, C

MINUTES OF THE LITTLE CALUMET RIVER BASIN DEVELOPMENT
COMMISSION HELD AT 6:00 P.M. WEDNESDAY, APRIL 1, 2009

Held at
Munster Town Hall,
1005 Ridge Road, Munster, IN

Chairman Dan Dernulc called the meeting to order at 6:00 p.m. Roll call of seven (7) Commissioners declared a quorum. Pledge of Allegiance was recited. Chairman Dernulc thanked the visitors for coming and asked them to please sign in.

Development Commissioners:

Rudy Sutton
Dan Dernulc
Arlene Colvin
William Baker
Ron McAhrn
Kent Gurley
Mark Gordish

Staff:

Jim Pokrajac
Sandy Mordus
Lou Casale
Judy Vamos
Lorraine Kray

Visitors:

Bill Petrites – Highland
Carolyn Marsh – Sand Ridge Audubon
Patricia Piekarczyk – Munster
Pat Huber – Munster
Ruth Mores – Southmoor Rd, Hmd
Tina Kutkoski – Hmd
Mike Zarantonello – Southmoor Rd, Hmd
Sheldon Edd – USACE
A./C. Fogarty – Munster
Doug Anderson – USACE
Beatrice Plunard – Howard Ave, Munster
Greg Starrett – Crestwood, Munster
John Harrigan – Northcote, Hmd
Barbara Whitaker – Munster
Carol Goldman – Munster
David Rohentso – Munster
Craig/Beatrice Hanusin – Howard Ave
Jayson Reeves – 21st Ave., Gary
David Fehlberg – Tapper
Mike/Sue Wood – Munster

Visitors:

Ronald Albin – Munster
Sue Brown – The Times
Karen Lorenz – Southmoor Rd, Hmd
Adele Riemerts – Munster
Stan Slazyk – Munster
Lynne Whelan – USACOE
Vanessa Villarreal – USACOE
Michael Kroll – Munster
Bridget Bodefelf – Crestwood
Ken Schmitt – Munster
Carol Malici – Munster
Bill Howard – Munster
Larry/Irene Behling – Munster
Tula Kavadias – Munster
James/Kalliope Dedelow – Munster
James Peterman – Lincoln, Munster
John Beckman – Lake Cty Fish & Game
Leon/Alice Kozlowski – Oakwood, Munster
John Mogle – Baring, Munster
Keely Bell – Munster
Robert Farag – Griffith Golf Center
Marc Campagna – Crestwood, Munster
Fred Connor – Munster
Ron Smith – Northcote, Munster
Jerry Iwachin – Crestwood, Munster
Elizabeth Howard – Munster
Christine Fus – Munster
Elizabeth Johnson – Congressman's Office
Bob/Jennifer Grow – Northcote, Munster
Paul/MaryLou Daniels-Castle Dr, Munster
John Melessa – Munster

Chairman Dan Dernulc introduced Doug Anderson and Sheldon Edd from the Army Corps.

Minutes of the March 4 meeting were approved by a motion from Arlene Colvin; motion seconded by Kent Gurley; motion passed unanimously.

Chairman's Report – Chairman Dernulc talked about the meeting with the Army Corps on March 26. Mr. Gurley and Mr. McAhron also attended. Main topic of discussion was moving ahead on Stage VIII (Columbia Avenue to the state line, both sides of the river). It was decided that the Army Corps would start the solicitation process and the Stage VIII contract would be advertised to contractors. Bids would be opened on June 2. The Corps has asked the Commission to write a letter stating that we intend to have the two railroad acquisitions completed and have the next 7% cost share amount by May 29. The letter will say that if we do not have the money or the railroads completed, the Army Corps will not open the bids. The letter will request that we will exclude the Southmoor area as an option. The attorney will draft the letter for the Chairman's signature. Mr. Gurley made a motion for the authorization of the letter; seconded by Bill Baker. With a roll call vote, motion passed 7-0.

- Chairman Dernulc asked for an update on Stage VII (Northcote to Columbia, both sides of the river). Doug Anderson replied that the contracting officer has opened the bids; there is an apparent low bidder. The evaluation process is going on now. Once the administrative process is complete and the contractor has met all Corps criteria, an award will be made. It will take several weeks for the contractor to provide bonds and insurance required; it will be about 60-90 days before construction. Mr. Dernulc asked Doug Anderson to talk to Roy Deda and Imad Samara to urge them to see if there is anything they can do to speed up. All residents want construction started as soon as possible. Mr. Gurley asked if the low bid compared with the Corps estimated amount. Mr. Anderson said that the government estimate was about \$18 million; the low bid was under \$14 million. There were 10 bids received.

Action Required – Treasurer Kent Gurley presented items for action.

- Mr. Gurley referred to the revised claims payable for the April meeting at a total of \$114,939.90 and made a motion to approve the claims; motion seconded by Arlene Colvin;. Bill Baker inquired about the insurance claim for \$46,381.25. This is for the annual policy on commercial general liability insurance on the lands that in the Commission's name. Motion passed with a roll call vote of 7-0.
- Mr. Gurley made a motion to approve the O&M claims in the amount of \$76.14; motion seconded by Bill Baker; motion passed with a roll call vote of 7-0. Jim Pokrajac added that he has reduced the minutes on the T-Mobile phone, thus the monthly amount will be less.
- Mr. Gurley referred to the revised monthly budget report. The balance remaining from RDA funds is \$234,144.14. The unallocated budgeted balance for both Administrative budget and Land Acquisition/Project Development budget is \$292,498.13.
- Mr. Gurley referred to NIRPC's invoice for the month of February.
- Mr. Gurley referred to the Army Corps letter informing us that they are withdrawing \$600,000 from the escrow account.

Finance Committee – Treasurer Kent Gurley referred to the Financial Statement for the month ending February 28, 2009.

Land Acquisition/Land Management Committee – Commissioner Arlene Colvin deferred to attorney Casale for an update on Stage VIII. He reported that easement acquisition is completed in Stage VIII except for 2 remaining parcels that are outstanding in the Southmoor area. The court is in the process of settlements, finalizing closings or finalizing condemnations; money is being paid into court. The 2 remaining active acquisitions are NICTD and CSX railroads. Intensive negotiations are ongoing and we are confident that we can agree on terms. That is why we have asked the Corps to go ahead with advertising Stage VIII. One issue with NICTD is the trail alignment that includes an “at grade” crossing on their right-of-way. We requested that the Corps remove all recreation features west of Calumet Avenue for Stage VIII at this time. Ms. Colvin thanked the town of Munster and the city of Hammond for sending support letters to NICTD on the Commission’s behalf.

Engineering Committee – Commissioner Kent Gurley asked for a V-2 construction update. Sheldon Edd from the Army Corps informed the Board members that Dyer Construction is starting to ramp back up for the season. Site conditions are still a little wet to do earth work but they will soon be starting with remaining construction for the floodwall and sheet pile driving. When asked what their completion date is, Mr. Edd replied around June 2010. Work is about 50% done. The only remaining sheet piling is on and adjacent to the utility corridor. When asked how much remaining was sheet piling and how much was dirt, he replied only a portion with sheet piling is for the utility corridor; rest of the area is dirt. Chairman Dernulc requested that he would like a more detailed breakdown at the next meeting.

- Jim Pokrajac reported that he has been attending weekly progress meetings which includes status on the pipeline corridor for V-2. The work is winding down and should be completed within the next couple of weeks. As soon as the last pipeline work is completed, Dyer will begin driving sheet piling across the NIPSCO corridor. They will start on the north side first. The pipeline work has been well monitored for safety; there have no incidents.
- Jim Pokrajac reported that BP Amoco, the town of Munster, and the city of Hammond had a meeting on April 6 to inform the residents in attendance prior to BP Amoco starting their relocation work in Stage VII.

Operation & Maintenance Committee – Jim Pokrajac informed the Board members that when heavy rains came again in the middle of March, we had Dyer Construction officially close down Chase Street, using concrete blocks and heavy plastic as closure structures to eliminate any flooding.

Legislative Committee – Commissioner Ron McAhron stated that the Natural Resources Commission met on Monday and considered the amendment that was added to HB 1716. The amendment broadened the area for membership for the restructured Commission to be drawn from, and including, the entire river basin. The amendment passed 9-1. It will become law effective July 1, 2009. Regarding HB 1001, there is \$9 million appropriated in the House budget for a one year budget. The Senate is working on a two year budget. They should release it next week. It probably will not be finalized until the end of the session which is April 29. There is a lot of legislative support for the project. Mr. McAhron added

that NIRPC had also sent a resolution to the legislators in support of the funding for completion.

Other Business – Ron McAhrn thanked the Army Corps for meeting with the Commission. The meetings were positive and cooperative. Chairman Dernulc added that, at the Commission's request, the Army Corps will reduce the number of contract days in the Stage VII contract to 500 days from 700 days as originally stated.

- Chairman Dernulc added that he does not know who the new 5-member board will be in July but he is sure they will perform in the project's best interest. He proceeded to thank Munster residents who took the time to travel to the State house and talk to legislators about the funding and completion of this project.

Statements from the Floor – Chairman Dan Dernulc asked that statements be kept to a "polite" 3-minute time period. Statements were received from the floor by John Harrigan, John Beckman, Jayson Reeves, Bill Howard, Steve Enger, Tula Kavadias, John Melessa, Bob Farag, and Bill Petrites.

- John Harrigan from Hammond commended the town of Munster for their handling of the flooding situation and what they have done to raise the elevation of the existing dikes to prevent flooding to the residents. Even though it is at a high cost to the town, the residents can feel more secure and confident knowing the dike has been raised. He also commented that he thinks it is a disgrace that the cost of the levee project is so high. He added that he does not support closing the Northcote bridge.

- John Beckman represented the Lake County Fish & Game Protective Assoc. He distributed a resolution declaring that the Association endorses using open lands for water storage capacity in flood events. He understands that the Commission has limited authority but would appreciate anything that the Commission can do to help enforce their cause.

- Jayson Reeves from Gary expressed his concern about engineering/geological issues with the river. He expressed concern at Harrison and Chase Streets. He hopes we are evaluating the entire basin; O&M needs to be addressed. Chairman Dernulc informed him that the County is looking at raising some of the bridges in Gary. The city of Gary is looking at the possibility of closing Chase Street. The Commission is aware of the amount of flooding in that area and that it is the lowest area in Gary.

- Bill Howard from Munster thanked the Commission members for all working together and appreciates the cooperation of the Army Corps as well. He asked about the low bidder for SVII. He was informed that the low bid was \$14 million and the firm is from Minnesota. However, there is no award yet. The contract will be awarded based upon the lowest and best bid and assurance by the Corps that the apparent low bidder is in compliance with all Corps bidding requirements. Based upon the projected starting date for Stage VII, Mr. Howard expressed concern about losing valuable summer weather time for construction. He also added that it is not the Commission's job as to how the Northcote bridge should be handled.

- Steve Enger from Munster inquired when landscaping would be done along the west side of Hart Ditch. The Commission will check with the Corps. Mr. Enger also asked the Commission to ask the Corps for a more positive plan to provide closure, other than sandbagging, for the Northcote bridge.

- Tula Kavadias thanked the Board members, especially Mr. McAhrn, for the commitment they have shown to this project. She also expressed a concern that the residents did not want to delay construction to allow the Corps to modify tie-ins for the Northcote bridge.

She feels the bridge does remain a source of vulnerability and it has been the neighbors who do the sandbagging when needed and feels sandbagging is not the best method for closure. Chairman Dernulc said we will discuss this with the Corps.

Discussion took place on O&M. It was stated that the main focus at present is to complete the lines of protection. In the meantime, short term preventative maintenance has been done by the town of Munster. At this time, it is not known how long term O&M will be funded.

- John Melessa thanked everyone for expediting Stage VIII. He commented on the log jams that occurred prior to and during the flooding in September. He currently has concerns with log jams downstream and how they could affect water levels in Munster. Chairman Dernulc responded that the O&M is not a current issue at this point and we will address this in the future with funding. Mr. Gurley commented that we will be having more discussions with the communities in the future regarding long term and short term O&M.

- Bob Farag, owner of Griffith golf course, stated he was glad to see the public finally come together in support of the project; there was little public support prior to the flood. He asked what the transition would be when new Board members came in July. Chairman Dernulc feels, and he thinks he is speaking for all current members, that they will do everything they can to help for a smooth transition. Mr. Farag wants to keep the positive momentum going. He was assured that the Commission members want the same thing.

Ron McAhron added that he thinks the focus of the new Board will be more on O&M and not construction and that the DNR will be active and participate in the future.

- Bill Petrites from Highland inquired about the INDOT project which includes constructing a pump station on Indianapolis Blvd. He has had an interest in this project for a long time because it is near his home and business, which has flooded in the past. At this point, INDOT has not even secured the land for the pump station. He feels there has been no progress for several years. In the meantime, Wicker Park Manor is at risk as well as the closing of Indianapolis Blvd if we had another flood event. Jim Pokrajac has asked INDOT's engineering firm for an update. He will pursue. Ron McAhron asked for the contact info; he will also see what he can find out.

There being no further business, the meeting was adjourned. The next meeting is scheduled for Wednesday, May 6, 2009 at the Munster Town Hall.

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LOU CASALE
Attorney

April 9, 2009

Mr. Roy Deda, Deputy
Project Management
U.S. Army Corps of Engineers
111 N. Canal Street
Chicago, Illinois 60606-7206

Dear Mr. Deda:


This letter is to inform you that the Little Calumet River Basin Development Commission is hereby requesting that the U.S. Army Corps of Engineers proceed to advertise for invitation for bidders to construct Stage VIII of the Little Calumet River Basin Flood Control Project in Lake County, Indiana with the exception of the area west of the NICTD/CSX railroad property, commonly known as the "Southmoor Road" area, which should be bid as an option to said contract. The Commission has substantially completed all other acquisitions and is in the final stages of completing the NICTD and CSX acquisitions. It is expected that all acquisitions will be completed on or before May 29, 2009, which is the Friday before the anticipated bid opening date, with the exception of the Southmoor Road area.

In addition thereto, this letter shall serve as assurance to the Army Corps of Engineers that the Little Calumet River Basin Development Commission is in the process of and intends to obtain the necessary \$1.2 million local share to precede with said project. The Commission is aware that if all acquisitions, excepting those in Southmoor Road area, are not completed and/or the \$1.2 million local funding is not available on or before May 29, 2009 the Army Corps of Engineers may, at its discretion, delay the opening of bids for the Stage VIII levee project until the above-stated conditions are met.

On behalf of the Commission, and the citizens of Lake County, Indiana, it would be greatly appreciated if the Army Corps of Engineers give this request positive consideration. Moving forward with the bid process will save considerable time and lead to an earlier completion of the project.

Thank you in advance for your consideration of this matter.

Sincerely,


Daniel E. Dernulc
Chairman
Little Calumet River Basin
Development Commission

/sjm

cc: Imad Samara, USCOE
Daniel Dernulc, Ron McAhron, Kent Gurley, LCRBDC

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LOU CASALE
Attorney

April 9, 2009

Mr. Roy Deda, Deputy
Project Management
U.S. Army Corps of Engineers
111 N. Canal Street
Chicago, Illinois 60606-7206

Re: Stage VIII
Recreational Features

Dear Mr. Deda:

This letter is to formally request that the Army Corps of Engineers eliminate from its acquisition and construction plans the recreational features contained in Stage VIII commencing on the east side of Calumet Avenue in Hammond, Indiana and proceeding westerly to the western border of the Little Calumet River Basin Development Commission Flood Control Project. It is the Commissions' opinion that the recreational portion of the project, over the described geographic area, is unnecessary; and that the elimination of this feature will lead to a faster and less costly completion of property acquisition and construction of the flood control portion of the project.

Thank you in advance for your anticipated cooperation and consideration of this matter.

Sincerely,

Daniel E. Dernulc
Chairman
Little Calumet River Basin
Development Commission

/sjm

cc: Imad Samara, USCOE
Daniel Dernulc, Ron McAhron, Kent Gurley, LCRBDC

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LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION

MONTHLY BUDGET REPORT - MAY 2009

	2009	Actual	Actual	Actual	Actual	Actual		UNALLOCATED
	BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	ALLOCATED BUDGETED
								TOTAL BALANCE
5801 PER DIEM EXPENSES	4,200.00	4,200.00	0.00	0.00	0.00	0.00		4,200.00 0.00
5811 LEGAL EXPENSES	3,500.00	283.33	283.33	283.33	283.33	283.33		1,416.65 2,083.35
5812 NIRPC SERVICES	86,462.00	12,299.98	13,322.25	10,672.12	9,422.54	9,216.33		54,933.22 31,528.78
5821 TRAVEL/MILEAGE	1,250.00	1,140.48	30.36	0.00	18.48	39.60		1,228.92 21.08
5822 PRINTING/ADVERTISING	750.00	113.13	215.00	38.68	0.00	0.00		366.81 383.19
5823 BONDS/INSURANCE	6,500.00	0.00	0.00	0.00	5,509.38	0.00		5,509.38 990.62
5824 TELEPHONE EXPENSES	6,500.00	637.09	666.83	834.94	561.48	665.21		3,365.55 3,134.45
5825 MEETING EXPENSES	-	0.00	0.00	0.00	0.00	0.00		0.00 0.00
5840 PROFESSIONAL SERVICES	212,690.00	42,405.25	22,254.20	43,225.51	70,477.80	34,327.24		212,690.00 0.00
5860 PROJECT LAND PURCHASE EXP.	500,380.00	146,060.00	0.00	345,127.50	0.00	1,500.00		492,687.50 7,692.50
5882 UTILITY RELOCATION EXP.	332,577.00	141,291.40	7,495.17	0.00	0.00	10,135.93		158,922.50 173,654.50
5883 PROJECT LAND CAP. IMPROV.	-	0.00	0.00	0.00	0.00	0.00		0.00 0.00
5884 O & M BUDGET	50,595.00	3,610.00	0.00	15,900.34	14,242.64	0.00		33,752.98 16,842.02
5892 PROJECT COST SHARE	605,500.00	605,500.00	0.00	0.00	0.00	0.00		605,500.00 0.00
	1,810,904.00	957,540.66	44,267.14	416,082.42	100,515.65	56,167.64	0.00	1,574,573.51 236,330.49
ADMINISTRATIVE BUDGET	109,162.00							
REMAINING STATE FUNDS	50,683.00	47,893.00	47,519.00	44,974.60	30,550.35	22,365.57		
REMAINING RDA MONIES	1,701,742.00	762,875.35	733,125.98	328,872.63	234,144.14	198,189.02		
TOTAL ALL FUNDS	1,861,587.00							

CLAIMS PAYABLE FOR MAY 2009

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5811	CASALE ,WOODWARD & BULS LLP	283.33	MONTHLY RETAINER THROUGH APRIL 28, 2009
5812	NIRPC	9,216.33	SERVICES PERFORMED MARCH 2009
5821	SANDY MORDUS	39.60	MILEAGE 3/26/09-4/23/09
5824	VERIZON NORTH	157.47	BILLING PERIOD 4/16/09-4/16/09(TOTAL BILL290.39 KRBC 132.92)
5824	AT & T	438.40	BILLING PERIOD 3/17/09-4/13/09(TOTAL BILL452.39,KRBC 13.99)
5824	AT & T TELECONFERENCE SERVICES	69.34	CONFERENCE CALL
5844	JAMES E POKRAJAC	5,910.00	ENGINEERING/LAND AGENT 3/16/09-3/31/09
5844	JAMES E POKRAJAC	245.96	MARCH MILEAGE
5844	JAMES E POKRAJAC	5,259.90	ENGINEERING/LAND AGENT 4/1/09-4/15/09
5844	JUDITH VAMOS	3,689.00	LAND ACQUISITION AGENT SERVICES 3/16/09-3/31/09
5844	JUDITH VAMOS	2,907.80	LAND ACQUISITION AGENT SERVICES 4/1/09-4/15/09
5844	G. LORRAINE KRAY	1,279.65	CREDITING TECH & LAND ACQUISITION ASST 3/17/09-3/31/09
5844	G. LORRAINE KRAY	1,279.65	CREDITING TECH & LAND ACQUISITION ASST 4/1/09-4/15/09
5861	CASALE WOODWARD BULS	19,454.06	LAND ACQUISITION/LEGAL SERVICES THROUGH 4/28/09
5861	CSX TRANSPORTATION INC	1,500.00	PURCHASE PRICE OF DC-1344
5861	LAKE COUNTY RECORDER	258.00	RECORD EASEMENTS RE: DC-1305,1308,1309,1311,1345,1366,1367,1306 1396
5861	LAKE COUNTY RECORDER	229.00	RECORD EASEMENTS RE: DC-1300A,1344,1402-1407
5882	NORFOLK SOUTHERN CORPORATION	37.73	SV-2 PART OF CONOCO PIPELINE RELOCATION COORDINATION (FLAGGING SERVICES)2/23/09-2/26/09
5882	NORFOLK SOUTHERN CORPORATION	645.05	SV-2 PART OF CONOCO PIPELINE RELOCATION COORDINATION (FLAGGING SERVICES)3/2/09-3/4/09
5882	GARCIA CONSULTING ENGINEERS	295.00	PROFESSIONAL SERVICES ON DC-1023 SV-2 INV# 5193
5882	GARCIA CONSULTING ENGINEERS	210.00	UTILITY RELOCATION SERVICES SVII INV#5194
5882	GARCIA CONSULTING ENGINEERS	165.00	PROFESSIONAL SERVICES ON DC-1204 SVII INV# 5195
5882	GARCIA CONSULTING ENGINEERS	70.00	UTILITY RELOCATION SERVICES SVIII INV# 5196
5882	GARCIA CONSULTING ENGINEERS	600.00	UTILITY RELOCATION SERVICES SVIII INV#5197
5882	GARCIA CONSULTING ENGINEERS	100.00	PROFESSIONAL SERVICES ON DC-1411 SVIII INV# 5198
5882	GARCIA CONSULTING ENGINEERS	70.00	UTILITY RELOCATION SERVICES ON DC-1113 SV-2 INV# 5293
5882	GARCIA CONSULTING ENGINEERS	100.00	PROFESSIONAL SERVICES ON DC-1319 SVIII INV# 5294
5882	GARCIA CONSULTING ENGINEERS	125.00	PROFESSIONAL SERVICES ON DC-1329 SVIII INV# 5294
5882	GARCIA CONSULTING ENGINEERS	113.75	PROFESSIONAL SERVICES ON DC-1315 SVIII INV# 5295
5882	GARCIA CONSULTING ENGINEERS	162.50	PROFESSIONAL SERVICES ON DC-1344 SVIII INV# 5295
5882	GARCIA CONSULTING ENGINEERS	100.00	PROFESSIONAL SERVICES ON DC-1199 SV-2 INV# 5296
5882	GARCIA CONSULTING ENGINEERS	100.00	PROFESSIONAL SERVICES ON DC-1411 SVIII INV#5297
5882	SHORT ELLIOTT HENDRICKSON INC	2,225.90	PROFESSIONAL SERVICES RE: SVIII LEVEE PROJECT

TOTAL 62,637.42

ADMINISTRATIVE

RDA \$1,701,742.

DRAW FROM STATE

**APPROVAL TO PAY THE FOLLOWING INVOICES
FROM O&M FUND
May 6, 2009**

- **\$57.14 to T-Mobile for costs incurred for cell phone for engineer field work; monthly service 3/11/09 – 4/10/09**

Total \$ 57.14

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
FINANCIAL STATEMENT
JANUARY 1, 2008 - MARCH 31, 2009

CASH POSITION - JANUARY 1, 2009

CHECKING ACCOUNT		
LAND ACQUISITION	193,123.92	
GENERAL FUND	118,336.33	
SAVINGS	28,004.80	
TOTAL OF ALL ACCOUNTS		339,465.05

RECEIPTS - JANUARY 1, 2008 - MARCH 31, 2009

LEASE RENTS	34,787.32	
;; INTEREST INCOME(FROM CHECKING)	243.08	
LAND ACQUISITION	100,772.73	
ESCROW ACCOUNT INTEREST	372.36	
MISC. RECEIPTS		
KRBC REIMBURSEMENT RE: TELEPHONE CHARGE	418.72	
TRANSFERRED FROM SAVINGS	363,343.98	
CITY OF MUNSTER FOR PROPERTIES	73,335.00	
TOTAL RECEIPTS		573,273.19

DISBURSEMENTS - JANUARY 1, 2008 - MARCH 31, 2009

ADMINISTRATIVE		
2008 EXPENSES PAID IN 2009	393,148.11	
PER DIEM		4,150.00
LEGAL SERVICES		849.99
NIRPC		51,612.07
TRAVEL & MILEAGE		1,157.64
PRINTING & ADVERTISING		366.81
BONDS & INSURANCE		75.00
TELEPHONE EXPENSE		2,495.61
MEETING EXPENSE		
LAND ACQUISITION		
LEGAL SERVICES		49,363.11
APPRAISAL SERVICES		36,750.00
ENGINEERING SERVICES		
LAND PURCHASE CONTRACTUAL		4,275.00
FACILITIES/PROJECT MAINTENANCE SERVICES		15,689.90
OPERATIONS SERVICES		
LAND MANGEMENT SERVICES		52,399.80
SURVEYING SERVICES		19,349.24
MISCELLANEOUS EXPENSES		
ECONOMIC/MARKETING SOURCES		
PROPERTY & STRUCTURE COSTS		142,853.00
MOVING ALLOCATION		
TAXES		
PROPERTY & STRUCTURES INSURANCE		
UTILITY RELOCATION SERVICES		139,601.63
LAND CAPITAL IMPROVEMENT		
STRUCTURAL CAPITAL IMPROVEMENTS		15,900.34
BANK CHARGES HARRIS BANK		33.50
PASS THROUGH FOM SAVINGS (O&M)		228.21
PAYBACK TO SAVINGS		
TOTAL DISBURSEMENTS		537,150.85

CASH POSITION - MARCH 31, 2009

LAND ACQUISITION (STATE FUNDS)	254,165.40	A
GENERAL FUND	93,044.83	
TOTAL FUNDS IN CHECKING ACCOUNT	347,210.23	

CHASE SAVINGS ACCOUNT BALANCE #4414	655,373.72	
(Balance of 1,701,742.)	644,785.38	
(O & M MONIES)	**9352.15	
SAVINGS INTEREST	1,236.19	
CHASE SAVINGS ACCOUNT BALANCE #4747	24,054.61	
ARMY CORP CONSTRUCTION MONEY	16,795.00	B
ESCROW ACCOUNT INTEREST AVAILABLE	7,259.61	

TOTAL OF BOTH SAVINGS ACCOUNTS 679,428.33

TOTAL OF ALL ACCOUNTS 1,026,638.56 C

COMMITTED FUNDS: (FROM ABOVE)		
LAND ACQUISITION	A	254,165.40
ARMY CORP ESCROW MONEY	B	16,795.00
UNCOMMITTED FUNDS AVAILABLE)	C-(A+B)	755,678.16

REMAINING STATE APPROPRIATIONS AVAILABLE (As of MARCH 31, 2009)

30,551.00

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

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NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSSION

6100 SOUTHPORT ROAD
PORTAGE, INDIANA 46368

TELEPHONE : (219) 763-6060
FAX: (219) 762-1653

INVOICE

To:	<u>Little Calumet River Basin Dev. Commission</u>	Date:	<u>16-Apr-09</u>
For:	<u>Services Performed: MARCH 2009</u>	Billing Code:	<u>1201-1012-03-03</u>

DESCRIPTION	AMOUNT
Salaries & Fringe: Sandy Mordus	4,915.00
Occupancy Fees:	2,054.00
Accounting Services: Administrative	846.00
Accounting Services: Project Relating Accounting	846.00
Postage: March 2009	122.81
Copier Charges @ \$5.00/month plus \$.06 per copy: # 4,306	263.36
Color Prints made on Color Copier @ \$0.20 per page # 344	68.80
Fax machine/long distance @ \$5.00 plus current charges:	5.00
Graphics, printing & clerical time @ \$40 per hour: # 2	80.00
Petty Cash Distributions:	15.36
TOTAL DUE:	\$ 9,216.33

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MITCHELL E. DANIELS, Jr., Governor
STATE OF INDIANA

DEPARTMENT OF HOMELAND SECURITY JOSEPH E. WAINSCOTT, JR., EXECUTIVE DIRECTOR

*Indiana Department of Homeland Security
Indiana Government Center South
302 West Washington Street
Indianapolis, IN 46204
317-232-3980*

Date: 4-3-09

RE: FEMA DR 1795

Dear Applicant,

Enclosed is your partial payment for Disaster Related Expenses,
Disaster # 1795.

Please include the PA CFDA # 97.036 in your records for the State Board of Accounts.

If you have any questions, please email me at cspencer@dhs.in.gov.

Sincerely,
Carmen Spencer
Public Assistance Program Director

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Indiana Department of Homeland Security
Disaster Relief Reimbursement Form
Severe Storms and Flooding

1795

Date	Disaster	Entity No	Supp No			
03/27/2009	1795	127-07173-00	1			
Applicant		Auditor's Request				
LITTLE CALUMET RIVER BASIN DEV Attn: JAMES POKRAJAC 6100 SOUTHPORT ROAD PORTAGE, IN 46368		LITTLE CALMUET RIVER BASIN DEVELOPMENT 6000 SOUTHPORT ROAD PORTAGE, IN 46368				
	Eligible Amount	Federal Amount	Admin Amount	Total To Be Paid	Total Paid	Balance Due
PW-00761.0 - 100% Complete	19,172.06	14,379.05	191.72	14,570.77	14,379.05	191.72
PW-00811.0 - 49% Complete	32,139.90	24,104.93	321.40	24,426.33	12,052.47	12,373.86
Applicant Total Per P.5 Report:	\$51,311.96	\$38,483.98	\$513.12	\$38,997.10	\$26,431.52	\$12,565.58
Current Payment List:						
Payment 03/27/09		26,431.52	0.00		26,431.52	12,565.58

Pay Federal Share:	38,483.98
Pay Admin Share:	513.12
Total to be Paid:	38,997.10
Applicant's Share:	12,827.98
Total Eligible and Administration:	\$51,825.08

BREAKDOWN OF THIS PAYMENT:	
FEDERAL:	26,431.52
ADMIN:	0.00
TOTAL:	\$26,431.52

Calculations of Federal Share Payment 03/27/09:

PW-00761.0 - 100% Complete - Completion Reimbursement
PW-00811.0 - 49% Complete - 50% Advance Payment***
TOTAL FEDERAL SHARE PAID 03/27/09

Federal Paid	Admin Paid
14,379.05	0.00
12,052.47	0.00
\$26,431.52	\$0.00

* Admin share will only be paid after complete documentation of administrative costs is received.

** Payment is based on documentation received as of the date of creation (above).

*** To receive the remainder of partial payments, please submit documentation demonstrating completion of project.

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LOCAL

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In Munster (219) 933-3223

In Portage (219) 462-5151
In Valparaiso (219) 462-5151

TODAY: Former Lake County officials are accused of bilking unemployment PAGE A4

Local officials challenge revamp

Proposal rules out local picks for Little Cal panel

BY SUSAN BROWN

susan.brown@nwi.com, (219) 836-3780

MUNSTER | As the Little Calumet River Basin Development Commission meets tonight, efforts to reduce its ranks from 11 to five now appear to be sailing through the General Assembly.

The proposal calls for all five members of the commission to be solely appointed by Gov. Mitch Daniels. The potential has raised the ire of local officials.

"The problem was the state never provided the money," Lake County Commissioner Roosevelt Allen Jr. said.

Without local input on the costly levee project Allen said there won't be room for the state to continue to criticize local decision-making. "(Daniels) won't be able to run back here to Lake County and blame us," he said.

Like Allen, Hammond Mayor Thomas McDermott Jr. said locals have been made the "fall guy." McDermott defended his appointee, Hammond Assistant City Engineer Mark Gordish.

"He's been on the board for years and somehow now he's the scapegoat," McDermott said. "The culprit on the Little Cal project is state government. They underfunded this project."

As proposed, the legislation is certain to remove Gordish; Arlene Colvin, an appointee of Gary Mayor Rudy Clay; John Mroczkowski, a governor's appointee; and possibly William Biller, a governor's appointee.

All but Biller hold city, town or county employment, which would be forbidden by the bill.

Because the measure calls for a representative of the Indiana Department of Natural Resources on the board, the commissioner most likely to be reappointed is DNR Deputy Director Ron McAhron.

McAhron doesn't rule out the need for local input. "There have to be boots on the ground from that point on," he said of the need for the long-term operation and maintenance of the levee system.

Also likely to remain are Chairman Daniel Dernulc and Vice Chairman William Baker, both recent governor's appointees. More in doubt are Treasurer Kent Gurley, a Lake County appointee, and Porter County appointee Rudolf Sutton.

*Post Tribune
Thursday
April 2, 2009*

Different mood at Little Cal meeting

April 2, 2009 10:38 AM

There was a noticeable sea change in public attitude at the Little Calumet River Basin Development Commission Wednesday night.

During the first four months after the September floods, residents would line up for the comment period at the end of commission meetings and take turns -- sometimes for hours -- excoriating the commission members for ineptitude, malfeasance, neglect, you name it. Those who struck the most cogent blows would get a chorus of agreements and a round of applause from the crowd, like they were chewing out the devil at a tent revival meeting.

Last night, however, the criticism turned to praise.

The new members of the commission -- four of the nine current members are new since the flood -- have impressed the public with their engagement and effort. And now, months before the state will likely dissolve the commission in favor of a new enterprise, the public is happy with them. Several went so far as to wonder aloud at Wednesday's meeting how a newly reformed commission will be able to capture the "positive momentum" of the current one.

REGION

Little Cal commission wants to meet 2010 deadline

BY ERIK POTTER

Post-Tribune staff writer

MUNSTER — Little Calumet River flood control commission members are intent on completing the levee project by the end of 2010, even if it means putting off the final recreational phase of the project.

The 22-mile project contains both a flood control and recreation component, principally a 17-mile system of hiking trails. But commission chairman Dan Denulc said at Wednesday's monthly meeting that, if Hammond and Munster are willing to go along with it, he would like to set aside the last stretch of trail between Calumet Avenue and the state line in order to push the levee work forward and come back to the trail at a later time.

"If we don't have to do this we won't, because the No. 1 overall goal is to get these flood walls done," Denulc said.

In other business, representatives from the Army Corps of Engineers informed the board that bids were opened on Stage VII of the project, from Northcote to Columbia avenues, and that the Corps is in the process of evaluating the low bidder before awarding the contract.

The Corps expected to pay \$18 million for Stage VII, and the low bidder — a firm out of Minnesota — came in at under \$14 million.

Depending on how fast the bidder approval takes and how long the permitting process lasts, work on the phase should begin around August.

Project Engineer Jim Pokrajac said levee wall construction work should begin near Kennedy Avenue by mid-April. Work at that location had been held up by legal wranglings over relocating a pipeline corridor to make room for sheet piling for the levee wall to be drilled into the ground.

LOCAL

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TODAY: Council gives green light for businesses' recycling program PAGE A4

Little Cal's new resolve hailed

Residents worry panel overhaul will stall cash

BY SUSAN BROWN

susan.brown@nwi.com, (219) 836-3780

MUNSTER | Construction contracts either have been or soon will be bid on the last stages of the Little Calumet River flood control project, and the riverfront communities are beginning to work on the question of the levee system's long-term maintenance.

The progress has heartened some for-

merly furious critics of the Little Calumet River Basin Development Commission. In sharp contrast to previous meetings, commissioners were lauded Wednesday, particularly Indiana Department of Natural Resources Deputy Director Ron McAhron, who serves as the commission's liaison with the Legislature.

The makeup of the 11-member commission has been in almost constant flux since the September flood that overwhelmed it in controversy. Some on Wednesday feared the almost certain revamping of the current commission by the General Assembly may halt continued progress.

McAhron, however, said the "positive momentum" that's been gained can't be lost, regardless of the commission's makeup.

McAhron said the proposed legislation ensures the continued participation by the DNR even if he is not reappointed by the governor, who would have the sole appointment power. Other commissioners said they would assist with any potential transition, which would become effective in July.

The proposal also would require three of the five members to have a background in construction, project management, flood control or something similar, as well

as the issuing of more frequent reports for greater transparency, he said.

While the commission seems certain to be heading for a reduction in number, its funding is less certain. That's not likely to be known until April 29, just days before the commission next meets May 6, McAhron said.

A \$15 million budget request by state Sen. Frank Mrvan never received a hearing, but McAhron said that doesn't spell the end of the road for the state Senate to arrive at a satisfactory figure. Since the September flood, the issue has caught the Legislature's attention as never before, he said.

STATE

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Vol. 100, No. 263 (USPS 629-960) and Vol. 98, No. 228 (629-960)

2009 INDIANA GENERAL ASSEMBLY

Little Cal overhaul clears Senate

BY PATRICK GUINANE

patrick.guinane@nwi.com, (317) 637-9078

INDIANAPOLIS | The Indiana Senate voted 47-1 Monday to let Gov. Mitch Daniels reconstitute the Little Calumet River Basin Development Commission.

Legislators created the 11-member commission 28 years ago to oversee construction of about 25 miles of protective levees along the river from Gary to the Illinois border. Fall flooding that damaged more than 4,000 homes along incomplete portions of the levees spurred the legislative effort to replace the current commission with five gubernatorial appointees.

Region legislators have billed the commission overhaul, House Bill 1716, as the key to unlocking up to \$15 million in state money needed to complete the levee



SOLIDAY

project. "We're trying to fund the Little Calumet project, and we're not quite done yet," Senate Appropriations Chairman Luke Kenley, R-Noblesville, said Monday. "But obviously the worse (the state budget picture) gets, the more that any project is put in question."

Kenley's comments came the same day as new figures showing that state tax collections took a \$157 million nose-dive last month, falling 15 percent below what the state collected in March 2008. On Thursday, Kenley will unveil the Senate version

FETICIDE BILL PASSES INDIANA HOUSE

The Indiana House unanimously approved a bill on Monday that would lengthen prison terms for those who murder or attempt to murder a pregnant woman and cause the death of her unborn child. Feticide, now a Class C felony, carries two to eight years in prison. Senate Bill 236 increases the prison time to six to 20 years.

of a new two-year state budget.

Sen. Frank Mrvan, D-Hammond, said lawmakers are considering putting the Indiana Department of Natural Resources in charge of maintaining the Little Calumet River levees once the project is complete.

The bill's author, Rep. Ed Soliday, R-Valparaiso, said lawmakers likely will wait until next year to decide who is responsible for the levee maintenance.



2009 INDIANA
GENERAL ASSEMBLY

Budget plan tilts to schools

Proposal also allocates
\$9M to Little Cal levees

BY PATRICK GUINANE

patrick.guinane@nwi.com, (317) 637-9078

INDIANAPOLIS | Northwest Indiana schools would see state funding shifts ranging from a 6 percent annual boost in Cedar Lake to a 7 percent

cut in Gary under a Republican budget plan now before the state Senate.

INSIDE: See a breakdown of 3 plans, A13

ONLINE:

Find more details from the proposal at NWI.COM

At \$13.3 billion, support for public schools is by far the biggest item in the two-year, \$28.1 billion state spending plan, which includes \$9 million to help complete Little Calumet River flood protection levees.

The budget proposal also would restore \$30 million for a parking garage at Purdue University North

Budget

Central, \$2.4 million to engineer a new Gyte Building at Purdue University Calumet and \$1.6 million for Portage's new downtown college building.

Those initiatives were among \$177 million in construction projects Republican Gov. Mitch Daniels halted when state revenues began to plummet last year.

The GOP plan would allocate another \$220 million for new university projects, which could include replacing Tamarak Hall, the Indiana University Northwest theater building that was ruined by September flooding.

Democrats leveled few complaints against the Republican budget, which cleared the Senate Appropriations Committee on a 10-2 vote Thursday. They would like to spend more on job-creating construction projects and tweak

school funding.

Most of the education dollars would be funneled through a per-student formula that favors growing schools. Beset by falling enrollment, Gary Community School Corp. could see its funding drop 5 percent next year, to \$105.8 million, and fall another 7 percent to \$98.2 million in 2011.

"I guess it's school bells for some and the death knell for others," said Sen. Earline, D-Gary, one of two Democrats who voted against the plan in committee.

Gary schools would, however, stand to gain \$6 million of the \$159 million in one-time stimulus money that will flow directly to Indiana schools from the federal government. The state sent districts a list of those allocations late Thursday.

Sen. Karen Tallian, D-Odgen Dunes,

voted for the Senate budget but said she hopes to see the Little Calumet River levee funding boosted up to the \$15 million needed to finish the project.

Tallian also hopes to increase annual adult education funding by about \$4 million to \$18 million a year. The GOP plan calls for a \$1 million cut, which would further hamstring Portage's already cash-strapped program.

The Times

FRI. APRIL 10, 2009

THE TIMES OPINION

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The Times was established in Dec. 1880 and is a publication of Lee Enterprises

In Indy, sports stadiums trump floodwalls

The culture in the Indiana General Assembly has sometimes been referred to an "us" versus "them" where the "us" is Indianapolis and the "them" is the rest of the state. Although there has been progress on some issues, the latest bailout proposal for Indianapolis by increasing our taxes has me scratching my head again, wondering if they really think we don't see what is going on.

Everyone in Lake County, and around the state, is aware of the terrible flooding that occurred here last September. Homes were lost, lives were changed, and people watched everything they had ever worked for disappear under water. Incredibly, almost no work has been done on the floodwall since the flood, unless you count finger-pointing and debate.

Shortly after the flood, I presented a proposal to properly fund the floodwall project. I suggested we divert the sales tax from generated from Cabela's as a local match for the levee project. Hammond is in a unique position to do this because Cabela's happens to sit in the only "Sales Tax Increment Financing District" in Lake County. This STIF district has been in existence since the 1980s, yet it has never once been

GUEST COMMENTARY

BY THOMAS MCDERMOTT JR.

used.

The proposal seemed to make sense: use local sales tax to fix a local problem.

This plan would have brought in about \$5 million annually. With the total local cost estimate of around \$16 million to finish the floodwall project in its entirety, it was plausible that, in a few years, the floodwall project would have been completed, and our homes would have been protected. The resulting economic development of the Cabela's site (which has been on hold until the levee project is completed) would more than make up for the "temporary" loss of revenue Indiana would have experienced under this plan.

This plan was well received by the Republican Town Council in Munster, the Hammond City Council, North Township Trustee Frank Mrvan and his Advisory Board. Yet when this idea reached Indianapolis, it was immediately rejected.

State Rep. Ed Soliday, R-Valparaiso, stated that "there is no sup-

port [for the use of STIF] ... That is not sales tax increment financing [McDermott's] talking about; that's sales tax diversion." The governor's office flatly admitted, "It's unlikely the state would look favorably on the proposal."

In other words, the idea of using sales tax money on a local project, even a project of such vital importance as flood protection, was not even considered by Indianapolis. That is, until they needed to fund a local project of their own.

The Indianapolis Capital Improvements Board, which operates Lucas Oil Stadium, home of the Indianapolis Colts, has found itself \$50 million in the hole. A combination of poorly estimating costs and lower attendance than expected resulted in this financial pickle.

So what solution do Gov. Mitch Daniels and our state government, who were so completely opposed to using sales tax dollars to build a floodwall, come up with? You guessed it; they proposed to use sales tax to bail out the stadium authority.

The governor's plan would double the state liquor tax on every Hoosier and allow the Indianapolis agency to capture around \$5 million in sales tax

The idea of using sales tax money on a local project, even a project of such vital importance as flood protection, was not even considered by Indianapolis. That is, until they needed to fund a local project of their own.

to help finance their deficit. Interestingly, the amount of sales tax the agency would capture under this proposal was almost exactly the same amount of sales tax revenue we were seeking to build the flood walls.

We cannot ignore the blatant double standard being used by our state government, not to mention the completely skewed priorities. The suggested bailout of the Indianapolis Capital Improvements Board is yet another illustration that Indianapolis's problems are statewide problems, but our local problems must be handled ourselves. And that a stadium is apparently more important to our state government than the safety and welfare of Northwest Indiana residents.

Maybe we should take the advice of a local radio commentator and build a football stadium in Cabela's parking lot.

We would probably draw larger crowds than the current facilities in Indianapolis, and we'd surely have the governor's support for capturing the sales tax generated in that STIF district.

Thomas McDermott Jr. is mayor of Hammond. The opinion expressed in this column is the writer's and not necessarily that of The Times.

LOCAL

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TODAY: U.S. EPA OKs \$66.5 million plan to clean up Gary lagoon PAGE A4

Holes for pipes to be cut in Hammond levee

Temporary steps will be taken to prevent flooding

BY STEVE ZABROSKI
Times Correspondent

HAMMOND | Crews will begin cutting holes in the Little Calumet River levee on Monday to prepare oil pipelines there for construction of the permanent containment structure this summer.

Contractors for BP Pipelines plan to dig at two locations south of River Drive between Catalpa and Columbia avenues in order to inspect and mark the lines.

The U.S. Army Corps of Engineers is

scheduled to build a new levee along the river between Northcote and Columbia avenues later this year.

BP officials said Thursday that a temporary levee will be built at the work site to maintain flood protection, and material will be kept on hand to backfill the excavations on short notice should the river rise to threatening levels.

Hammond City Engineer Stan Dostani said the river's water level is dropping, so next week would be a good time for BP to start its maintenance work.

The inspection, marking and recoating of the pipelines on the north side of the river is expected to take 30 to 45 days, then work will start on the Munster side.

LOCAL

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TODAY: ArcelorMittal to lay off 400 at E.C. plant PAGE A1

Highland looks to raise Little Cal bridge

Town Council will pay
share for study of five
of river's crossing sites

BY CHARLES F. HABER
Times Correspondent

HIGHLAND | The Town Council on Monday said it will pay its part for a study to determine what would be required to elevate the Kennedy Avenue bridge over the Little Calumet River.

The study would include five bridges that span the river in Highland, Munster, Hammond and Gary. All communities would contribute to the cost, Public Works Director John Bach said.

If the other communities approve the study, Highland would pay \$3,570 of the \$75,000 study that also would explore what effect the elevated bridges would have on nearby roads.

Bach said a higher Kennedy bridge would require higher road approaches. This would, in turn, affect the driveways and other entry points of properties. For example, the elevated approaches would sit higher than the entrance to the South Shore Convention & Visitors Authority and other parking lots.

"It might take several years for this (actual construction) to happen," Bach said. If the work actually takes place, it is expected the county would pay for it since all bridges are under its jurisdiction, Bach noted.

There are three virtues of elevating the Kennedy bridge, Bach said.

First, there are several vertical support pillars under the existing bridge that can snag debris, which reduces the water flow. A rebuilt bridge would be designed without these pillars.

Currently, the town must stack sandbags across the bridge when there is a risk of flooding.

"This has a real crippling effect on traffic," Bach said.

A higher bridge would eliminate the need for the sandbags and provide the third virtue of uninterrupted traffic flow.

The Times
Wed. APRIL 15, 2009

Senate endorses \$30 billion budget

BY PATRICK GUINANE

patrick.guinane@nwl.com, (317) 637-9078

INDIANAPOLIS | The Republican-led Indiana Senate voted 32-18 along party lines Tuesday to approve a two-year, \$28.1 billion state budget that would allocate another \$2 billion in federal stimulus money.

Gov. Mitch Daniels criticized the spending plan last week, saying it's about \$600 million too large. An updated state revenue forecast due out Friday will dictate how much the House and Senate must trim.

"Unfortunately, all the indications are that even though we tried to reduce spending by \$1 billion extra beyond the (December) forecast, it seems like the (new) revenue forecast will come out even lower than that," said Sen. Luke Kenley, R-Noblesville, the Senate's chief budget negotiator.

The Senate plan injects \$823 million in

one-time federal money to send school districts an average budget boost of 1.9 percent next year and \$2.1 million in 2011.

Districts with declining enrollment would get increases in per-student funding but would see overall state support decline by as much as 7 percent in Gary. The budget plan is headed to a House-Senate conference committee for final negotiation ahead of the General Assembly's April 29 adjournment deadline.

"I look forward to coming up with a school funding formula that benefits all of the school children in Indiana," said Sen. Earline Rogers, D-Gary.

The budget proposal also would provide \$9 million to complete Little Calumet River flood protection levees.

Sen. Frank Mrvan, D-Hammond, fought for the at least \$13.5 million believed to be needed to finish the project.

THE TIMES

NORTH LAKE COUNTY EDITION

THURSDAY, APRIL 16, 2009

Six region school districts don't make the grades

READ ABOUT IT ON PAGE A3

Get your NASCAR keepsake page

FIND IT IN SPORTS ON PAGE B8

Harangody flirting with NBA draft

READ ABOUT IT ON PAGE ON PAGE B1



LOCAL

A3-5 OBITUARIES

D3-5 NATION/WORLD A11 SPORTS

B1-8 PUZZLES

E5, F3 CLASSIFIEDS

E1, F1

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County won't sue Munster

City vows fight if town tries to close bridge

BY BILL DOLAN

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CROWN POINT | Lake County Commissioners voted Wednesday to let the town of Munster close its side of the controversial Northcote Avenue bridge.

The three-member board of commissioners heard an hour of debate from a packed meeting room of Munster residents supporting the span's closure and Hammond residents asking commissioners to keep it open.

Then it unanimously passed a resolution that states the board "will not file any legal action against the town of Munster or the city of Hammond should that municipality decide to close off access to the Northcote Avenue bridge."

Hammond Mayor Thomas McDermott Jr. pledged after the vote he would sue Munster and possibly the commissioners if Munster turns its side of the bridge into a cul de sac.

"I won't let them close it without a fight," McDermott said.

Residents in Munster's Wicker Park neighborhood say the bridge's elevation over the Little Calumet River is so low it was the source of flooding in September that caused evacuations and damage to numerous

homes on the town's side of the river. They say the bridge will remain a continue flooding peril and an obstacle to completion of a flood levee system unless it is walled off.

"The Northcote bridge is our Achilles' heel," Munster Town Councilwoman Helen Brown said. "You ask why we haven't closed it earlier. We have been waiting for your permission."

FIGHT NOT OVER:

After the county voted to stay neutral, Hammond Mayor Thomas McDermott Jr. said he would sue Munster if the town turns its side of Northcote Avenue bridge into a cul de sac.

See BRIDGE on Page A9

Hammond City Attorney Kris Kantar urged commissioners to defer the resolution indefinitely while both sides continue trying to reach a solution because the bridge should remain open as a vital traffic link between both communities.

"Northcote is not the source of the flooding last September," Kantar said.

McDermott said flooding complaints are a pretext for Munster residents who don't want Hammond residents driving on their residential streets. He said many Munster residents use the bridge to access Hammond and have asked him to defend the bridge.

Lake County Attorney John Dull told both sides Hammond or the federal government are free to sue Munster if it chooses to close its side of the bridge.

"But we will take no action and let the two communities fight it out," Dull said.

Later, Brown said Munster officials are debating exactly what they plan to do now that the commissioners have removed themselves from the equation.

Brown, along with Munster Town Council President Michael Mellon, said they intend to talk to Hammond officials before taking any action.

"The Northcote bridge is our Achilles' heel. You ask why we haven't closed it earlier. We have been waiting for your permission."

MUNSTER TOWN COUNCILWOMAN HELEN BROWN

LOCAL

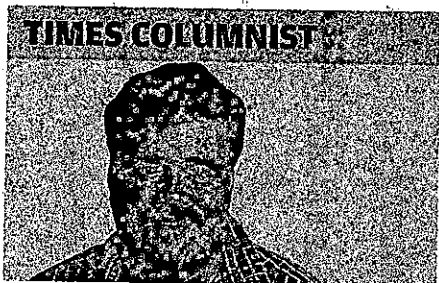
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TODAY: Legacy Foundation unveils help for first-generation students PAGE A12



MARK KIESLING

Attorneys need to stay off the bridge

Munster town officials have been put in a sort of no-win situation by the decision of Lake County commissioners Wednesday not to stand in the way of the closure of the Northcote Avenue bridge over the Little Calumet River.

As most people who live in the area recall, on Sept. 13 and 14 the Little Cal overflowed at a number of spots, including the bridge, inundating nearby houses and causing millions of dollars in damage.

Recently, Munster Town Councilman Mike Mellon said he is hesitant to close the bridge permanently, which he and others fear would result in a costly lawsuit by the city of Hammond, where Mayor Tom McDermott Jr. has made it clear he does not want to see the bridge removed.

"I won't let them close it without a fight," McDermott said this week.

At almost every Town Council meeting, though, residents from the Wicker Park Estates area, which was hit hard, have asked the council why it hasn't closed the bridge, and the answer has been that the county has the authority over the bridge.

Mellon said, "Whether it be a rational fear or an irrational fear, the residents over there are terrified every time it rains. I've seen the emotional toll this is taking."

And now, the commissioners, by their resolution not to stand in the way of any Munster decision, have removed the county barrier to closing the bridge and put the ball in Munster's court.

Regarding a proposal to temporarily close the bridge at Monday's Town Council meeting, council member Rob Mangus said, "I think we would be foolish to act."

"I don't think it's just a threat of litigation (by Hammond). I'd rather play nice with Hammond."

And he added that he believes, as Hammond officials do, that Northcote is a key crossing for Munster over the Little Cal. "The reality is that there are times when we need it," he said. "I remember a time when the Calumet Avenue and Columbia Avenue bridges were closed, and Northcote was the one way" open between Hammond and Munster.

McDermott said he will fight every attempt to close the bridge, and City Attorney Kris Kantar said the bridge is not the source of the flooding as she asked commissioners to delay action on the resolution.

Although that did not happen, there are reasons to hope both sides can reach a solution without resorting to the courts, which would be in the best interest of everyone except lawyers.

Razing the old bridge and replacing it could be done for about \$2 million, Munster Town Manager Tom DeGiulio said, although he admits the cost is more than Munster alone can bear and he is hopeful Hammond will share in the cost if the city wants the thoroughfare to remain open.

It's at least \$500,000 less than the projected cost of rehabbing the current bridge.

And any way you look at it, that's going to be less money, less time wasted and more flood protection than both Munster and Hammond will get from a roomful of lawyers fighting.

LOCAL

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TODAY: County kicks food vendors out at fairgrounds PAGE A1

Northcote controversy continues

Munster, Hammond's McDermott set a powwow

BY CARMEN MCCOLLUM

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MUNSTER | Munster town leaders don't know what to do about the controversial Northcote Avenue bridge.

They've tossed around a lot of ideas, including closing it, but have not made any decisions.

Munster officials will meet with Hammond Mayor Thomas McDermott Jr. on Monday afternoon to talk about options, a few hours before the 7 p.m. Munster Town Council meeting. McDermott has threatened to sue Munster if it closes the bridge.

Munster Town Manager Thomas

DeGiulio and council members Robert Mangus and Helen Brown spoke to The Times last week about the situation. Town Council President Michael Mellon, who was on vacation, participated by telephone.

The Lake County commissioners paved the way for Munster to take whatever action it deems necessary to protect its residents from flooding. The commissioners, who own the bridge, approved a resolution saying they would not sue the town if it chose to close off access to the Northcote Avenue bridge.

Brown has said she supports creating a flood wall across Northcote if it will pro-

vide the flood protection the community needs.

"I will do everything in my power to avoid a repeat of the devastation that Munster residents experienced in September," she said.

Munster town leaders broached the idea of closing the bridge temporarily, but Mangus doesn't want to see the council rush into a hasty decision. He wants to see the results of a countywide bridge study, and he'd rather "play nice" with McDermott, he said.

Town officials also have talked about

See **NORTHCOTE** on Page A8

Mayor: Bridge lawsuit a genuine possibility

BY CARMEN MCCOLLUM

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HAMMOND | Mayor Thomas McDermott Jr. is very clear regarding his position on the Northcote Avenue bridge: If Munster makes any attempt to close it or impede traffic, Hammond will sue.

McDermott said the Northcote Avenue bridge is a traffic collector — as declared by the Indiana Department of Transportation — and needs to remain open. He said the commissioners "passed the buck" when

See **LAWSUIT** on Page A8

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CONTINUED FROM PAGE A3

Northcote

raising the bridge or replacing it.

DeGiulio said replacing the bridge could cost \$2 million, about \$500,000 less than it would cost to rehab the current bridge.

Meanwhile, residents in the Wicker

Park neighborhood on Munster's north side, which flooded heavily, said the bridge's elevation over the Little Calumet River is so low that it was the source of flooding last September that caused evacuations and millions of dollars in damage.

Those residents want the town to close off access to Northcote Avenue and River Drive, where it meets at the bridge,

which would effectively cut off traffic to the bridge.

They'd like to see the federal flood control project completed in Munster, with a flood wall built across Northcote Avenue.

Resident Rey Candelaria, whose house recently was demolished as a result of the floods, doesn't believe the flood control system the town intends to use will work

because it can crack.

Candelaria said residents formed a technical committee that has studied the flow of the river and looked at spots where erosion occurs.

He said the committee has concurred the best way to handle the problem is to "take the levee wall straight across Northcote at the same height all the way to the state line."

THE TIMES

STATE

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Vol. 100, No. 277 (USPS 629-960) and Vol. 98, No. 242 (629-960)

Dems eager to end flood project

BY PATRICK GUINANE

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INDIANAPOLIS | While public safety is the chief concern, there is a seemingly self-interested reason why Indiana Senate Democrats are pushing for \$14 million to finish Little Calumet River flood control levees.

"It's to be done with this project," Senate Minority Leader Vi Simpson, D-Ellettsville, said Monday. "Let's do it and get it over with."

For more than two decades now, the

Little Calumet River Basin Development Commission has gone to the General Assembly for funding to construct about 25 miles of flood walls from Gary to the Illinois border. The commission has made biennial requests for up to \$12 million but never received more than \$4 million.

With fall flooding that damaged more than 4,000 region homes still a fresh memory, the commission estimates it needs \$13.5 million to complete the levees. But the budget Republicans have proposed offers only \$9 million.

Simpson said Sen. Frank Mrvan, D-

Hammond, has explained the predicament to her at least a dozen times.

"The \$13.5 million would be enough to finish the project, and we wouldn't have any more delays," Mrvan said Monday. "It would be done at the end of 2010 or early 2011."

The sooner the levees get done, the sooner legislators can be done with a project that has far surpassed its initial trajectory. But Senate Appropriations Chairman Luke Kenley, R-Noblesville, has said it was a challenge just to find \$9 million for the levees.

The Times
Tuesday
April 21, 2009

Munster, Hammond to work on flooding

Plan includes raising
bridge above flood wall

BY CARMEN MCCOLLUM

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MUNSTER | The Town Council unanimously agreed to work with the city of Hammond to resolve flooding problems on the north side of town.

The leaders agreed in principle to develop a flood emergency response plan between the two communities, acquire a bridge study and the money to implement flood protection at the Northcote Avenue bridge within 75 days.

The plan calls for the county to step up to the plate by raising the bridge above the flood walls.

See FLOOD PLAN on Page A7

The Times

Tues. APRIL 21, 2009

CONTINUED FROM PAGE A1

Flood plan

Hammond Mayor Thomas McDermott Jr., who threatened to sue Munster if it closed access to the bridge, met with Munster leaders Monday. They discussed an option that McDermott said could satisfy both communities.

"When we walked in, we asked them if it was about water or about traffic," McDermott said, shortly after the meeting ended.

McDermott is proposing the towns work together to provide a local match of approximately \$500,000 to help with construction of the "approaches" or entry to the bridge from Hammond and Munster. He said the project could be funded through the Hammond Sanitary District.

However, he said the Lake County Board of Commissioners, which owns the bridge, needs to bear the responsibility to

raise the bridge above the flood wall.

"I believe the county is running away from its responsibility. It is required to maintain the bridge under state statute," he said. "The federal flood control project will still be done. That way residents of Wicker Park and Schleicher will be assured the bridge remains open and they have flood protection at Northcote."

Residents in Munster's Wicker Park neighborhood have said the bridge's elevation over the Little Calumet River is so low that it was the source of massive flooding in September. They say the bridge will remain a flooding peril and an obstacle to completion of a flood levee system unless it is walled off.

Last week, the Lake County commissioners approved a resolution saying they would not sue the town if it chose to close off access to the bridge, dumping the issue in Munster's lap.

Commissioner Fran DuPey could not be reached for comment Monday night.

In an unprecedented move, McDermott attended the Munster Town Council meeting and responded to questions from the community. McDermott met with boos and hisses when he suggested the money for the project could come from the Hammond Sanitary District.

Residents contended they have been waiting for many years for the district to complete sewer separations in their neighborhood and wondered why they should believe the district could fund a flood control project.

Resident Steve Enger, armed with a map of the area, suggested closing off the bridge at River Road and Northcote Avenue, offering an alternative traffic route.

He suggested the city of Hammond purchase land now owned by Cabela's to construct an egress road at Northcote Avenue to Cabela Drive, about a half-mile in length. McDermott said he would look into it.

The Times
Thurs. April 23, 2009



2009 INDIANA
GENERAL ASSEMBLY

Little Cal overhaul hits snag in Indy

Lawmakers expect to
settle differences in
House, Senate bills

BY PATRICK GUINANE

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INDIANAPOLIS | Northwest Indiana lawmakers expect to settle a slight disagreement over whom Gov. Mitch Daniels could tap to restock the Little Calumet River Basin Development Commission.

A House-Senate conference committee led by Rep. Dan Stevenson, D-Highland, met Wednesday on House Bill 1716. The bill would end five local appointments to the 11-member commission and have the governor appoint a new five-member board.

The House called for four of Daniels' appointees to hail from communities adjacent to the river, such as Munster and Hammond. The Senate expanded the territory to the river's drainage basin, which extends to St. John, Crown Point and Valparaiso.

See LITTLE CAL on Page A4

Little Cal

"It doesn't really expand the board," said Sen. Sue Landske, R-Cedar Lake. "It just gives the governor more people to choose from."

But Stevenson said the House chose the tighter appointment area at the behest of local officials, including Hammond Mayor Thomas McDermott Jr., who wants to ensure the communities most impacted by Little Calumet River flooding retain a voice on the levee-building commission.

"They still weren't happy with losing their appointments, but they could live with (the House version)," Stevenson said.

Rep. Mara Candelaria Reardon, D-Munster, said she believes the House version of the next state budget would appropriate \$5,000 for a study of the Little Calumet River drainage basin.

Rep. Ed Soliday, R-Valparaiso, stressed the need for a swift resolution. The commission overhaul is seen as the key to securing state dollars to complete the two-decade-old levee project.

Region legislators are seeking \$14 million, which the commission estimates would allow it to finish the levees in 2010 or early 2011. The current state budget proposal offers \$9 million.

The Times

Wed.

April 29, 2009

\$3 million earmarked for three pump stations

Federal money will help accelerate Little Calumet River flood control work

BY TIMES STAFF

About \$3 million in federal stimulus money will help complete three pump stations in Hammond and Munster, U.S. Rep Pete Visclosky, D-Ind., said Tuesday. The news was welcomed by Ron

McAhron, who represents the Indiana Department of Natural Resources on the Little Calumet River Basin Development Commission. "Every dollar that rolls in is good news."

The influx amounts to accelerated funding for projects already identified by the commission to complete the Little Calumet River Flood Control Project. The commission had been working with the U.S. Army Corps of Engineers to accelerate the project's timing, McAhron said.

The money is allocated through the

See PUMPS on Page A8

CONTINUED FROM PAGE A3

Pumps

American Recovery and Reinvestment Act, a news release from the Merrillville Democrat said.

"In choosing to support the Little Calumet River Flood Control and Recreation Project, the administration has wisely decided to create jobs in the near-term on a project with long-term economic benefits," Visclosky said. "Northwest

Indiana has been devastated by floods too many times and we cannot finish the levee system soon enough."

The money is in addition to \$24 million that Visclosky secured for the project in fiscal year 2009, and the \$14.76 million he secured in fiscal year 2008, the news release said.

The money will go toward construction of the Indianapolis Boulevard pump station in Hammond, the Southside pump station in Hammond, and the Jackson Avenue pump station in Munster.

Once complete, the whole project will include 22 miles of levees and flood walls that reduce the risk of floods for more than 9,500 homes and businesses in Gary, Griffith, Hammond, Highland and Munster.

The projects still require matching funds to complete the project, the news release said.

State budget, bills are down to wire

BY PATRICK GUINANE

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INDIANAPOLIS | Region construction workers can rest assured their unemployment benefits are safe, and some might find work building flood walls.

State lawmakers reached agreement Tuesday on a plan to repair Indiana's bankrupt unemployment system without cutting worker benefits. They still were hammering out a budget deal that includes \$14 million to complete Little Calumet River levees.

"It couldn't be a nicer present. Today is my 53rd wedding anniversary," Sen. Frank Mrvan, D-Hammond, said Tuesday. "I'll tell my wife I'm sorry I wasn't there but we got \$14 million, and we don't have to go through this again."

Earlier budget proposals offered only \$9 million, meaning Northwest Indiana legislators would have to rattle the tin cup again in two years. Downstate legislators have grown weary of continued funding pleas for the two-decade-old project.

School funding remains the sticking point as House Democrats and Senate Republicans work to pass a new two-year, \$30 billion state budget ahead of tonight's adjournment deadline.

Republicans offered education funding formula changes designed to aid East Chicago, Gary and other districts destined to lose state dollars due to dwindling enrollment. But Sen. Luke Kenley, R-Noblesville, said GOP negotiators want to reduce the \$13.3 billion in school funding included in the biennial budget by \$100 million.

The move, which would leave Indiana

UNEMPLOYMENT FUND FIX

Negotiators reached agreement Tuesday on a plan to begin repairing Indiana's bankrupt unemployment fund by increasing employer taxes by \$400 million a year and seeking \$300 million in annual savings.

The plan would not reduce worker benefits, and it does not include an earlier proposal to increase the ranks of seasonal workers, who are ineligible for unemployment during off-season layoffs.

Employers currently pay an unemployment insurance tax ranging from 1.1 percent to 5.6 percent of the first \$7,000 earned per employee. Lawmakers plan to change that to 0.75 percent to 10.2 percent of the first \$10,000 in worker wages. Employers, who now pay \$75 to \$392 per employee in annual taxes, would pay \$75 to \$1,002 per worker.

with \$1.4 billion in rainy day funds, is aimed at heading off a potential budget veto by Republican Gov. Mitch Daniels.

Meanwhile, region legislators continued closed-door negotiations Tuesday on an ambitious plan to replace one of Gary's two lakefront riverboats with a land-based casino near Interstate 80/94.

Any resulting increase in gaming revenues would go to build a teaching hospital in Gary, extend South Shore commuter rail lines to Lowell and Valparaiso and redevelop the Lake Michigan shoreline.

The casino move is tied to legislation to create a local income-tax-backed transit authority to oversee South Shore improvements in Lake, Porter, LaPorte and St. Joseph counties and create a regional bus system for Lake and Porter counties.

The Times
Wed. April 29, 2009

Little Cal plan goes to Daniels

BY PATRICK GUINANE

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INDIANAPOLIS | State lawmakers gave final approval Tuesday to legislation handing Gov. Mitch Daniels the keys to the Little Calumet River Basin Development Commission.

House Bill 1716 would end five local appointments to the 11-member levee building panel and have the Republican governor name a new five-member commission. Four board members must come from communities adjacent to the river, such as Hammond and Munster.

"The wisdom of that is, if we're going to reduce the membership down to the point that we're reducing it, the communities that border the river should have voices on that commission," said Rep. Dan Stevenson, D-Highland.

An earlier Senate version of the measure would have allowed the governor to select levee commissioners hailing from within the river's drainage basin, which stretches to Crown Point and Valparaiso.

"Every time the Little Cal gets to a certain level, it flows east. And when it flows east, all of that stuff comes out at the Portage beach," Sen. Karen Tallian, D-Ogden Dunes, said after voting against the more narrow appointment area. "The Hammond group is not the only group concerned about the Little Cal River. I just wanted to send that message."

The legislation cleared the Senate 46-2 and the House 90-1. It now goes to the governor.

LITTLE CALUMET RIVER BASIN DEVELOPMENT COMMISSION
MONTHLY BUDGET REPORT - MAY 2009 REVISED

	2009	Actual	Actual	Actual	Actual	Actual		UNALLOCATED
	BUDGET	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	ALLOCATED BUDGETED
								TOTAL BALANCE
5801 PER DIEM EXPENSES	4,200.00	4,200.00	0.00	0.00	0.00	0.00		4,200.00 0.00
5811 LEGAL EXPENSES	3,500.00	283.33	283.33	283.33	283.33	283.33		1,416.65 2,083.35
5812 NIRPC SERVICES	86,462.00	12,299.98	13,322.25	10,672.12	9,422.54	9,216.33		54,933.22 31,528.78
5821 TRAVEL/MILEAGE	1,250.00	1,140.48	30.36	0.00	18.48	39.60		1,228.92 21.08
5822 PRINTING/ADVERTISING	750.00	113.13	215.00	38.68	0.00	0.00		366.81 383.19
5823 BONDS/INSURANCE	6,500.00	0.00	0.00	0.00	5,509.38	0.00		5,509.38 990.62
5824 TELEPHONE EXPENSES	6,500.00	637.09	666.83	834.94	561.48	665.21		3,365.55 3,134.45
5825 MEETING EXPENSES	-	0.00	0.00	0.00	0.00	0.00		0.00 0.00
5840 PROFESSIONAL SERVICES	212,690.00	42,405.25	22,254.20	43,225.51	70,477.80	34,327.24		212,690.00 0.00
5860 PROJECT LAND PURCHASE EXP.	500,380.00	146,060.00	0.00	345,127.50	0.00	9,192.50		500,380.00 0.00
5882 UTILITY RELOCATION EXP.	332,577.00	141,291.40	7,495.17	0.00	0.00	42,178.43		190,965.00 141,612.00
5883 PROJECT LAND CAP. IMPROV.	-	0.00	0.00	0.00	0.00	0.00		0.00 0.00
5884 O & M BUDGET	50,595.00	3,610.00	0.00	15,900.34	14,242.64	0.00		33,752.98 16,842.02
5892 PROJECT COST SHARE	605,500.00	605,500.00	0.00	0.00	0.00	0.00		605,500.00 0.00
	1,810,904.00	957,540.66	44,267.14	416,082.42	100,515.65	95,902.64	0.00	1,614,308.51 196,595.49
ADMINISTRATIVE BUDGET	109,162.00							
REMAINING STATE FUNDS	50,683.00	47,893.00	47,519.00	44,974.60	30,550.35	19,903.57		
REMAINING RDA MONIES	1,701,742.00	762,875.35	733,125.98	328,872.63	234,144.14	158,454.02		
TOTAL ALL FUNDS	1,861,587.00							

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1716

AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

SOURCE: IC 14-13-2-7; (09)HE1716.1.1. -->

SECTION 1. IC 14-13-2-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]:

Sec. 7. (a) The commission has ~~eleven (11)~~ members as follows:

- (1) ~~One (1)~~ member appointed by the county executive of Lake County;
- (2) ~~One (1)~~ member appointed by the county executive of Porter County;
- (3) ~~One (1)~~ member appointed by the executive of Gary;
- (4) ~~One (1)~~ member appointed by the executive of Hammond;
- (5) ~~One (1)~~ member appointed by the director;
- (6) ~~Six (6)~~ **five (5)** members appointed by the governor.

(b) ~~Not more than six (6) members may belong to the same political party. The governor shall make appointments after all the others are made so that this requirement is feasible to implement.~~

(b) The governor shall appoint members of the commission so that the following requirements are met:

(1) **One (1) member must be a representative of the department of natural resources. The member may not be an employee or elected official of a city, town, or county governmental unit.**

(2) **The remaining four (4) members must meet the following requirements:**

(A) **Four (4) members must reside in a:**

- (i) city;
 - (ii) town; or
 - (iii) township (if the member resides in an unincorporated area of the county);
- that borders the Little Calumet River.**

(B) **At least three (3) of the members must have a background in:**

- (i) construction;
- (ii) project management; or
- (iii) flood control;

or a similar professional background.

(C) A member may not be an employee or elected official of a city, town, or county governmental unit.

SOURCE: IC 14-13-2-10; (09)HE1716.1.2. --> SECTION 2. IC 14-13-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10. (a) The commission shall meet on call of any of the following:

- (1) The chairman.
- (2) The executive director.
- (3) Any three (3) members.

(b) ~~Six (6)~~ **Three (3)** commission members constitute a quorum.

SOURCE: IC 14-13-2-17; (09)HE1716.1.3. --> SECTION 3. IC 14-13-2-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 17. (a) The commission may provide for the construction, improvement, development, operation, and management of projects, including any facilities, betterments, and improvements that are part of projects, in the manner that the commission considers appropriate in furtherance of the purposes of this chapter.

(b) The commission may enter into:

- (1) a lease agreement as lessor or sublessor; or
- (2) an operation or a license agreement;

with respect to all or part of a site, a facility, a betterment, or an improvement that is part of projects with at least one (1) public or private person or entity, including political subdivisions of the state and public agencies, departments, and agencies, on the terms and conditions that the commission considers appropriate in furtherance of the purposes of this chapter.

(c) The commission shall provide or provide for the training and instruction of persons who are responsible for maintaining any levees or other improvements related to flood control under this article. The training and instruction must be sufficient to enable those persons to properly maintain the levees or other

improvements related to flood control.

SOURCE: IC 14-13-2-30; (09)HE1716.1.4. --> SECTION 4. IC 14-13-2-30 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 30. The commission is responsible for the safekeeping and deposit of money the commission receives under this chapter. The state board of accounts shall:

- (1) prescribe the methods and forms for the keeping of; and
- (2) annually audit;

the accounts, records, and books of the commission and fund.

SOURCE: IC 14-13-2-31; (09)HE1716.1.5. --> SECTION 5. IC 14-13-2-31 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 31. (a) Subject to subsection (c), before November 1 of each year, the commission shall make a report of the commission's activities to the following:

- (1) The governor.
- (2) The legislative council.

(b) A report made to the legislative council under this section must be in an electronic format under IC 5-14-6.

(c) The governor may require the commission to issue reports more frequently than would otherwise be required under subsection (a).

SOURCE: ; (09)HE1716.1.6. --> SECTION 6. [EFFECTIVE JUNE 1, 2009] (a) The definitions that apply to IC 14-13-2 also apply to this SECTION.

(b) Notwithstanding IC 14-13-2-8, the terms of the members of the commission serving on June 30, 2009, expire on June 30, 2009.

(c) The governor shall appoint five (5) members to the commission under IC 14-13-2-7, as

amended by this act. Notwithstanding IC 14-13-2-8, the members appointed under this SECTION have the following initial terms:

- (1) One (1) member has a term of one (1) year.
- (2) One (1) member has a term of two (2) years.
- (3) One (1) member has a term of three (3) years.
- (4) Two (2) members have a term of four (4) years.

(d) An individual appointed to the commission under subsection (c) becomes a member of the commission:

- (1) on July 1, 2009; or
- (2) on the date of appointment, if that date follows July 1, 2009.

However, for purposes of determining when the initial term of a member appointed under subsection (c) expires, July 1, 2009, shall be treated as the date on which the member's term began.

(e) This SECTION expires July 1, 2013.

SOURCE: ; (09)HE1716.1.7. --> SECTION 7. An emergency is declared for this act.

HEA 1716 _ CC 1

Figure

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**Construction Progress
Report
Thru End of April
2009**

CONTRACT NO.:	DACW27-01-C-0001	CONTRACT TYPE:	Construction	TS-C-S
CONTRACTOR:	Overstreet Electric Co., Inc.			D. Anderson
DESCRIPTION:	Little Calumet River - Pump Station Rehabilitation Phase 1A			G. Anderson Craig

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	5-Oct-00	4,638,400.00
NTP DATE./CURRENT CONTRACT AMOUNT: Mods A00015 & P00021	7-Nov-00	4,177,420.85
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	8-Oct-02	700
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	21-Oct-04	1,444
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	21-Oct-04	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE: T4D - Not Applicable		

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No. 31	4,177,420.85
B. Estimated Earnings thru end of reporting period	0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)	0.00
TOTAL ESTIMATED PROGRESS (A+B+C)	4,177,420.85

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod. A00015 & P00021	4,177,420.85
E. Current Value of Overruns/Underruns (+/-)	0.00
F. Directed, Pending Modifications	0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)	4,177,420.85

FUNDS OBLIGATED FOR PAYMENT: thru Modification A00015 & P00021 4,177,420.85

ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F) 100.00%

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

TOTAL EARNINGS AT THE END OF FY08 **4,239,286.58**

Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00	Oct	0.00	Feb	0.00	Jun
0.00	Nov	0.00	Mar	0.00	Jul
0.00	Dec	0.00	Apr	0.00	Aug
0.00	Jan	0.00	May	0.00	Sep

G. Current Projection of Total Fiscal Year Earnings 0.00

H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY) 0.00

I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H) 0.00

ACCRUALS THIS MONTH

	LINE ITEM	WORK ITEM	CURRENT ACCRUAL	THIS MONTH ACCRUAL	TOTAL ACCRUAL
FEDERAL	0001	00229B	0.00	0.00	0.00
NON-FED	0001A	00229C	0.00	0.00	0.00

PROJECT STATUS/MAJOR ISSUES:

- The Termination for Default Modification P00020 was issued by the CO on 22 FEB 2006.
- The T4D mod decreased the contract amount by \$711,445.19 (estimated work not complete) from \$4,974,280.67 to \$4,262,835.48. \$119,791.61 was deobligated, decreasing total funded from \$4,382,627.09 to \$4,262,835.48.
- Work will be completed under the Pump 1A Surety Takeover Agreement contract.
- Surety Takeover Agreement between USACE and bonding company signed 25 JAN 2008.
- P00021 - Final Transfer of Remaining Earnings and Retained Percentage mod completed 30 DEC 2009. \$85,414.63 refunded to Government.
- Contract Close-Out in Progress.

**Construction Progress
Report
Thru End of April
2009**

CONTRACT NO.: DACW23-02-C-0011
CONTRACTOR: Renewable Resources
DESCRIPTION: Little Calumet River - Mitigation

CONTRACT TYPE: Service /Supply

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

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	29-Sep-02	921,102.68
NTP DATE./CURRENT CONTRACT AMOUNT: Mods P00025	7-Nov-02	1,405,845.29
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION	11-Jan-04	430
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	31-May-08	1895
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	31-May-08	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	31-May-08	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	19	1,405,845.29
B. Estimated Earnings thru end of reporting period		0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		1,405,845.29

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod.	P00025	1,405,845.29
E. Current Value of Overruns/Underruns (+/-)		0.00
F. Directed, Pending Modifications		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)		1,405,845.29

FUNDS OBLIGATED FOR PAYMENT: thru Modification P00025 1,405,940.96

ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F) 100.00%

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

TOTAL EARNINGS AT THE END OF FY08 1,405,845.29

Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00	Oct	0.00	Feb	0.00	Jun
0.00	Nov	0.00	Mar	0.00	Jul
0.00	Dec	0.00	Apr	0.00	Aug
0.00	Jan	0.00	May	0.00	Sep

G. Current Projection of Total Fiscal Year Earnings	0.00
H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)	0.00
I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)	0.00

ACCRUALS THIS MONTH

	LINE ITEM	WORK ITEM	CURRENT ACCRUAL	THIS MONTH ACCRUAL	TOTAL ACCRUAL
FEDERAL	0001	FC9630	0.00	0.00	0.00
NON-FED	0002	JGDLFC	0.00	0.00	0.00
FEDERAL	0003	723J83	0.00	0.00	0.00
NON-FED	0004	DD93KF	0.00	0.00	0.00

PROJECT STATUS/MAJOR ISSUES:

- Final Quantities Modification P00022 was completed 22 OCT 2007 (-\$95.67)
- Modification P00024 completed 15 JAN 2008 to extend contract to 31 MAY 2008 to achieve final burn.
- Wet weather prevented final burn - this was voluntary work by Contractor not Contract requirement.
- Final Inspection completed 11 JUL 2008 - no punch list items remain.
- Contract close-out in progress - As-Built drawings being finalized by the Contractor.
- **WORK CONSIDERED SUBSTANTIALLY COMPLETE ON 05/31/2008.**

**Construction Progress
Report
Thru End of April
2009**

CONTRACT NO.: W912P6-04-C-0003	CONTRACT TYPE: Construction	TS-C-S
CONTRACTOR: Tallgrass Restoration, LLC		D. Anderson
DESCRIPTION: Little Calumet River Landscaping, Phase 2		Mills
		Rundzaitis

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	30-Jun-04	648,995.23
NTP DATE./CURRENT CONTRACT AMOUNT: Mods P00008	29-Jul-04	648,995.23
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION	1-Oct-10	2255
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	1-Oct-10	2255
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS	1-Oct-10	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE		

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No. 12	531,304.69
B. Estimated Earnings thru end of reporting period	0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)	0.00
TOTAL ESTIMATED PROGRESS (A+B+C)	531,304.69

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod. P00008	648,995.23
E. Current Value of Overruns/Underruns (+/-)	0.00
F. Directed, Pending Modifications	0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)	648,995.23

FUNDS OBLIGATED FOR PAYMENT: thru Modification P00008	648,995.23
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ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)	81.87%
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SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	77.00%
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TOTAL EARNINGS AT THE END OF FY08	490,962.43
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Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00	Oct 158,032.80	0.00	Feb 135,974.06	0.00	Jun 117,683.23
22,058.74	Nov 135,974.06	0.00	Mar 135,974.06	18,290.83	Jul 99,392.40
0.00	Dec 135,974.06	0.00	Apr 135,974.06	0.00	Aug 99,392.40
0.00	Jan 135,974.06	18,290.83	May 117,683.23	10,983.00	Sep 88,409.40

G. Current Projection of Total Fiscal Year Earnings	69,623.40
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H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)	58,539.16
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I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)	11,084.24
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ACCRUALS THIS MONTH

LINE ITEM	WORK ITEM	CURRENT ACCRUAL	THIS MONTH ACCRUAL	TOTAL ACCRUAL
FEDERAL 0001	001T8X	0.00	0.00	0.00
NON-FED 0002	001TCQ	0.00	0.00	0.00
FEDERAL 0003	1C94LF	0.00	0.00	0.00
NON-FED 0004	1C94LF	0.00	0.00	0.00

PROJECT STATUS/MAJOR ISSUES:

- Awaiting request from Mr. Pokarjac to remove a portion of the damaged area from the contract work. Mr. Pokarjac will also had the levee's surveyed to compare to as-built drawings. The sponsor's surveys show results with elevations as much as 8" below design elevations. The surveys should be reviewed by geotech to determine if the sponsors elevations are accurate. CAO sent an email on 27 November to follow up on this issue.
- Some bare areas exist along the project stretch. The Contractor plans to reseed the areas, a detailed plan will be provided from the Contractor.
- The Government is evaluating correspondence from the Contractor in regards to areas inundated with water, areas affected by the billboard contractor, and bare spots. The Contractor has reseeded these areas.
- The Contractor is working on the monitoring portion of the project.

**Construction Progress
Report
Thru End of April
2009**

CONTRACT NO.:	W912P6-04-C-0007	CONTRACT TYPE:	Construction	TS-C-S
CONTRACTOR:	Illinois Constructors Corporation			D. Anderson
DESCRIPTION:	Local Flood Protection Little Calumet River, Indiana Stage VI-1 South Levee			Edd
				Lee

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	30-Sep-04	6,503,093.70
NTP DATE./CURRENT CONTRACT AMOUNT: Mods P00015& A00013	4-Nov-04	7,568,211.87
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	4-Dec-06	760
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	5-Sep-07	1035
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	5-Sep-07	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:		

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No. 27	7,568,211.87
B. Estimated Earnings thru end of reporting period	0.00
C. Value of work Performed on Directed Mods (Earnings not paid for)	0.00
TOTAL ESTIMATED PROGRESS (A+B+C)	7,568,211.87

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod. P00015& A00013	7,568,211.87
E. Current Value of Overruns/Underruns (+/-) (Variations in Final Quant)	0.00
F. Directed, Pending Modifications	0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)	7,568,211.87

FUNDS OBLIGATED FOR PAYMENT: thru Modification P00015& A00013	7,568,211.87
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ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)	100.00%
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SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	100.00%
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TOTAL EARNINGS AT THE END OF FY0 (Includes \$97,969.48 accruals made in FY 08)	7,558,843.75
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Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00	Oct 9,368.12	0.00	Feb 9,368.12	0.00	Jun 0.00
0.00	Nov 9,368.12	9,368.12	Mar 0.00	0.00	Jul 0.00
0.00	Dec 9,368.12	0.00	Apr 0.00	0.00	Aug 0.00
0.00	Jan 9,368.12	0.00	May 0.00	0.00	Sep 0.00

Liquidated Damages of \$20,748 within SEP 08 earnings

G. Current Projection of Total Fiscal Year Earnings	9,368.12
H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)	0.00
I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)	9,368.12

ACCRUALS THIS MONTH	PROJECT	CURRENT	THIS MONTH	TOTAL
LINE ITEM	WORK ITEM	ACCRUAL	ACCRUAL	ACCRUAL
FEDERAL 0001	001TXB	0.00	0.00	0.00
NON-FED 0002	00230C	0.00	0.00	0.00
FEDERAL 0003	1C94LF	0.00	0.00	0.00
NON-FED 0004	KF4KF0	0.00	0.00	0.00
FEDERAL 0005	1C94LF	0.00	0.00	0.00
NON-FED 0006	KF4KF0	0.00	0.00	0.00
TOTALS		0.00	0.00	0.00

PROJECT STATUS/MAJOR ISSUES:

Contract fully funded. - North Drive Pump Station being fully operated by Town of Highland. Town installed permanent standby generator. Punch List Completed, last repair of leaking conduit in North Drive Pump Station seems to have worked.

Final Quantity Mod complete. Final Inspection was held on Oct 12, 2007.

====> \$14,150.00 withheld until as-builts complete. ICC working on As-Built Red lines, coordinating review with District

====> Liquidated damages of \$20,748.00 assessed Sep 6 thru Sep 19, 2007.

***** WORK CONSIDERED SUBSTANTIALLY COMPLETE ON 09/19/2007 *****

**Construction Progress
Report
Thru End of April
2009**

CONTRACT NO.:	W912P6-05-C-0006	CONTRACT TYPE: Construction	TS-C-S
CONTRACTOR:	Dyer Construction Company		D. Anderson
DESCRIPTION:	Little Calumet River, Stage VI-Phase II		Edd/Nielsen Babcock

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	18-Oct-05	4,205,644.17
NTP DATE./CURRENT CONTRACT AMOUNT: Mods	18-Oct-05	4,295,071.91
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	11-Apr-07	540
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	1-Jun-07	591
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	1-Jun-07	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	NA	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	14	4,162,588.37
B. Estimated Earnings thru end of reporting period		131,343.54
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		4,293,931.91

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod.	A00004/P00007	4,295,071.91
E. Current Value of Overruns/Underruns (+/-)	(Deduct for Actual Bond Costs)	-1,140.00
F. Directed, Pending Modifications		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)		4,293,931.91

FUNDS OBLIGATED FOR PAYMENT: thru Modification	A00004/P00007	4,295,071.91
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ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)	100.00%
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SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	99.00%
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TOTAL EARNINGS AT THE END OF FY08 (Includes \$56,741.09 accruals made in FY08)	4,219,329.46
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Earnings		Funds Available	Earnings		Funds Available	Earnings		Funds Available
0.00	Oct	75,742.45	0.00	Feb	75,742.45	0.00	Jun	1,140.00
0.00	Nov	75,742.45	0.00	Mar	75,742.45	0.00	Jul	1,140.00
0.00	Dec	75,742.45	74,602.45	Apr	1,140.00	0.00	Aug	1,140.00
0.00	Jan	75,742.45	0.00	May	1,140.00	0.00	Sep	1,140.00

G. Current Projection of Total Fiscal Year Earnings	74,602.45
H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)	77,494.16
I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)	-2,891.71

ACCRUALS THIS MONTH	PROJECT	CURRENT	THIS MONTH	TOTAL
LINE ITEM	WORK ITEM	ACCRUAL	ACCRUAL	ACCRUAL
FEDERAL 0001	1C94LF	53,900.76	67,235.55	53,900.76
NON-FEDERAL 0002	KF4KFO	1,480.83	6,072.56	1,480.83
FEDERAL 0003	1C94LF	679.75	647.17	1,326.92
NON-FEDERAL 0004	KF4KFO	679.75	347.17	1,026.92
	TOTAL	56,741.09	74,302.45	57,735.43

PROJECT STATUS/MAJOR ISSUES:

Contract is fully funded - ACCRUALS LIMITED TO CURRENT OBLIGATIONS

- Final Inspection held on August 22, 2007. Final Insp. letter with punch list issued August 28, 2007.
- Final Quantities being determined in preparation for Variation in Estimated Quantities Change Order.
- As-Builts complete. Modification being prepared to deduct difference between actual bond cost and bid amount.
- Final inspection punch list items completed, trees were replaced. Trees to be moved will need to be by others.

***** THE WORK WAS DETERMINED TO BE SUBSTANTIALLY COMPLETE ON NOVEMBER 30, 2007 *****

**Construction Progress
Report
Thru End of April
2009**

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

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	30-Sep-05	5,566,871.00
NTP DATE./CURRENT CONTRACT AMOUNT: Mods A00007 & P00012	19-Oct-05	5,751,905.19
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	21-Jul-07	640
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	27-Nov-07	769
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	27-Nov-07	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	N/A	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	16	5,448,720.53
B. Estimated Earnings thru end of reporting period		\$72,339.74
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		5,521,060.27

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod.	A00007 & P00012	5,751,905.19
E. Current Value of Overruns/Underruns (+/-)	(Variations in estimated Quantities)	-33,041.65
F. Directed, Pending Modifications	(Misc Changes in Progress)	-2,530.41
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)		5,716,333.13

FUNDS OBLIGATED FOR PAYMENT: thru Modification	A00007 & P00012	5,751,905.19
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ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)	96.58%
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SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	96.00%
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TOTAL EARNINGS AT THE END OF FY08	(Includes \$287,711.31 accruals made in FY08)	5,526,505.19
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Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00 Oct	225,400.00	0.00 Feb	225,400.00	65,000.00 Jun	95,400.00
0.00 Nov	225,400.00	0.00 Mar	225,400.00	76,958.00 Jul	18,442.00
0.00 Dec	225,400.00	0.00 Apr	225,400.00	18,442.00 Aug	0.00
0.00 Jan	225,400.00	65,000.00 May	160,400.00	0.00 Sep	0.00

G. Current Projection of Total Fiscal Year Earnings	225,400.00
H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)	200,000.00
I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)	25,400.00

ACCRUALS THIS MONTH	Obligation	CURRENT	THIS MONTH	TOTAL
LINE ITEM	WORK ITEM	ACCRUAL	ACCRUAL	ACCRUAL
FED 0002	1C94LF	\$72,339.74	\$0.00	\$72,339.74
NON-FED 0001	KF4KF0	\$0.00	\$0.00	\$0.00
	TOTAL	\$72,339.74	\$0.00	\$72,339.74

FULLY FUNDED PROJECT Field work for Levee Crack investigation drilling and pit sampling was completed on 04/24/08. Contractor directed to replace non-conforming satisfactory fill, 100% Contractor respon. Work completed on removing and replacing nonconforming sat fill. Topsoil final grading and seeding remain, awaiting warm weather. Final Inspection on hold until grading/seeding are completed. Most work essentially completed. Pre-Final Punchlist assembled. ** Change orders pending for Kennedy Pump Sta outlet change, debris in the drive line, deletion of 7-1C pre-load. ** Wetland fill violation at Oxbow outside work limits an issue between LCRBDC, City of Hammond, Corps Regulatory and IDEM. RESOLUTION UNKNOWN - in hands of LCRBDC. Krosan Properties crossed easements and tied into MH 172 with RCP outlet line and placed minor retaining wall on levee land side slope, LCRBDC informed. Waiting for final cross sections after repairs. ****SUBSTANTIAL COMPLETION WAS 11/27/07 - LEVEE CRACK RESOLUTION MAY AFFECT****

**Construction Progress
Report
Thru End of April
2009**

CONTRACT NO.: W912P6-07-C-0003 CONTRACT TYPE: Construction
CONTRACTOR: Dyer Construction Co., Inc.
DESCRIPTION: LCR, Local Flood Protection, Burr Street Phase 2 East

TS-C-S
D. Anderson
Edd/Nielsen
Craib

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	28-Feb-07	3,342,583.22
NTP DATE./CURRENT CONTRACT AMOUNT: Mods A00005	13-Mar-07	3,265,664.86
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	5-Jul-08	480
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	30-Jul-08	505
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	30-Jul-08	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	30-Jul-08	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No. 8	2,831,385.55
B. Estimated Earnings thru end of reporting period	180,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)	0.00
TOTAL ESTIMATED PROGRESS (A+B+C)	3,011,385.55

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod. A00005	3,265,664.86
E. Current Value of Overruns/Underruns (+/-)	0.00
F. Directed, Pending Modifications (Mult. Changes)	56,600.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)	3,322,264.86

FUNDS OBLIGATED FOR PAYMENT: thru Modification A00005 3,265,664.86

ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F) 90.64%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart) 95.00%

TOTAL EARNINGS AT THE END OF FY0 (Includes \$180,000.00 accruals made in FY08) 3,011,385.55

Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00	Oct 254,279.31	0.00	Feb 254,279.31	110,000.00	Jun 19,279.31
0.00	Nov 254,279.31	0.00	Mar 254,279.31	75,879.31	Jul -56,600.00
0.00	Dec 254,279.31	0.00	Apr 254,279.31	0.00	Aug -56,600.00
0.00	Jan 254,279.31	125,000.00	May 129,279.31	0.00	Sep -56,600.00

G. Current Projection of Total Fiscal Year Earnings	310,879.31
H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)	360,566.31
I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)	-49,687.00

ACCRUALS THIS MONTH

	LINE ITEM	WORK ITEM	CURRENT ACCRUAL	THIS MONTH ACCRUAL	TOTAL ACCRUAL
FEDERAL	0001	1C94L4	90,000.00	0.00	90,000.00
NON-FED	0002	B72JJ5	90,000.00	0.00	90,000.00
				TOTAL	180,000.00

PROJECT STATUS/MAJOR ISSUES:

This Contract is fully funded. Contract Awarded 02/28/2007. NTP Acknowledged 03/13/2007

- All current major features of work completed. RR Closure Plates installed.
- RFP sent to Contractor for miscellaneous mod and debris in levee foundation, received preliminary approval from LCRBDC. Proposal being reviewed and processed.
- Modification completed to extend Sheet Pile Wall with small levee at West Closure. Levee installed, finish work left.
- Final Quantities being determined, awaiting contractor resubmittal.

**Construction Progress
Report
Thru End of April
2009**

CONTRACT NO.:	W912P6-07-C-0011	CONTRACT TYPE:	Construction	TS-C-S
CONTRACTOR:	Dyer Construction Co., Inc.			D. Anderson
DESCRIPTION:	LCR, Local Flood Protection, Stage 5-2			Edd/Ibrahim Babcock

ORIGINAL CONTRACT AWARD DATE/AMOUNT:		29-Sep-07	13,140,189.41
NTP DATE./CURRENT CONTRACT AMOUNT: Mods	A00017/P00010	17-Oct-07	17,540,475.92
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:		5-Nov-09	750
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:		5-Nov-09	750
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:		5-Nov-09	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:		30-Jun-10	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	15		10,946,156.71
B. Estimated Earnings thru end of reporting period (est. work in place)			100,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)			0.00
TOTAL ESTIMATED PROGRESS (A+B+C)			11,046,156.71

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod.	A00017/P00010		17,540,475.92
E. Current Value of Overruns/Underruns (+/-) (over strip/impervious)			600,000.00
F. Directed, Pending Modifications (see comments below for descr.)			1,551,500.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)			19,691,975.92

FUNDS OBLIGATED FOR PAYMENT: thru Modification	A00017/P00010		14,445,805.20
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ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)			56.09%
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SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)			56.00%
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TOTAL EARNINGS AT THE END OF FY08	(Includes \$790,000.00 accruals made in FY08)		9,768,247.54
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Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00	Oct 4,677,557.66	130,065.37	Feb 4,001,511.81	1,000,000.00	Jun 1,549,648.49
390,310.56	Nov 4,287,247.10	501,863.32	Mar 3,499,648.49	1,000,000.00	Jul 549,648.49
73,547.86	Dec 4,213,699.24	100,000.00	Apr 3,399,648.49	900,000.00	Aug -350,351.51
82,122.06	Jan 4,131,577.18	850,000.00	May 2,549,648.49	805,706.61	Sep -1,156,058.12

G. Current Projection of Total Fiscal Year Earnings			5,833,615.78
H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)			6,508,742.15
I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)			-675,126.37

ACCRUALS THIS MONTH	OBLIGATION	CURRENT	THIS MONTH	TOTAL
LINE ITEM	WORK ITEM	ACCRUAL	ACCRUAL	ACCRUAL
NON-FED 0001	KF4KFO	0.00	7,000.00	7,000.00
FEDERAL 0002	1C94L4	0.00	93,000.00	93,000.00
FEDERAL (Recr.) 0003	1C94L4	0.00	0.00	0.00
NON-FED (Recr.) 0004	KF4KFO	0.00	0.00	0.00
TOTAL		0.00	100,000.00	100,000.00

PROJECT STATUS/MAJOR ISSUES:

This Contract is incrementally funded. - The Contractor has requested a total of 61 work days (not calendar days) for in-process contract modifications due to interference from utilities that were not relocated in advance, contract changes, and differing site conditions. The Contractor was issued a 69 calendar day increase to the contract duration as compensation just for unusually severe weather through October 2008 based on a 41 work day delay. The contract duration was extended an additional 5 calendar days by contract modification for seepage cutoff trenches. The current completion date is January 18, 2010. The remaining 61 work days plus adverse weather experienced in November and December of 2008 and the anticipated winter shutdown period will result in a contract extension approximately to the end of June 2010. This estimate does not include additional modifications or more unusually severe weather. Sheet piling essentially installed, working on Indianapolis Boulevard Pump Station Gatewell. Many DSC/Debris instances, LCRBDC has taken care of some interfering existing abandoned utilities, interfering utilities still need to be relocated east of complete with pipeline modifications in the Corridor.

- Pending mods- not all listed * Trail/Fence Changes,- proposal received * Various riprap modification proposals in review
 * Baring Ave Pump Sta overflow outlet DSC, RFP re- issued with design changes, IGE in process.
 * Floodwall alignment Changes, RFP Issued * RFP issued for 18" CMP DSC Wicker Park I-Wall. Proposal Received
 * Excess excav material, 6N * Overstrip/Imperv. fill in var. locns. - \$600,000 add to contract
 * Riprap issues with IDEM cleared. * Access Ramp 5N-E and drainage structure re-alignment modification in process.

**Construction Progress
Report
Thru End of April
2009**

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

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

ORIGINAL CONTRACT AWARD DATE/AMOUNT: 5-Oct-00 4,638,400.00
NTP DATE/CURRENT CONTRACT AMOUNT: Mods A00015 & P00021 7-Nov-00 4,177,420.85
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION: 8-Oct-02 700
REVISED CONTRACT COMPLETION DATE/REVISED DURATION: 21-Oct-04 1,444
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS: 21-Oct-04 0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE: T4D - Not Applicable

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No. 31 4,177,420.85
B. Estimated Earnings thru end of reporting period 0.00
C. Value of work Performed on Directed Mods (Earnings not paid for) 0.00
TOTAL ESTIMATED PROGRESS (A+B+C) 4,177,420.85

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod. A00015 & P00021 4,177,420.85
E. Current Value of Overruns/Underruns (+/-) 0.00
F. Directed, Pending Modifications 0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F) 4,177,420.85

FUNDS OBLIGATED FOR PAYMENT: thru Modification A00015 & P00021 4,177,420.85

ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F) 100.00%

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

TOTAL EARNINGS AT THE END OF FY08 4,239,286.58

Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00	Oct 0.00	0.00	Feb 0.00	0.00	Jun 0.00
0.00	Nov 0.00	0.00	Mar 0.00	0.00	Jul 0.00
0.00	Dec 0.00	0.00	Apr 0.00	0.00	Aug 0.00
0.00	Jan 0.00	0.00	May 0.00	0.00	Sep 0.00

G. Current Projection of Total Fiscal Year Earnings 0.00
H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY) 0.00
I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H) 0.00

ACCRUALS THIS MONTH

LINE ITEM	WORK ITEM	CURRENT ACCRUAL	THIS MONTH ACCRUAL	TOTAL ACCRUAL
FEDERAL 0001	00229B	0.00	0.00	0.00
NON-FED 0001A	00229C	0.00	0.00	0.00

PROJECT STATUS/MAJOR ISSUES:

- The Termination for Default Modification P00020 was issued by the CO on 22 FEB 2006.
- The T4D mod decreased the contract amount by \$711,445.19 (estimated work not complete) from \$4,974,280.67 to \$4,262,835.48. \$119,791.61 was deobligated, decreasing total funded from \$4,382,627.09 to \$4,262,835.48.
- Work will be completed under the Pump 1A Surety Takeover Agreement contract.
- Surety Takeover Agreement between USACE and bonding company signed 25 JAN 2008.
- P00021 - Final Transfer of Remaining Earnings and Retained Percentage mod completed 30 DEC 2009. \$85,414.63 refunded to Government.
- Contract Close-Out in Progress.

**Construction Progress
Report
Thru End of April
2009**

CONTRACT NO.:	W81G6680523765	CONTRACT TYPE:	Construction	TS-C-S
CONTRACTOR:	The Hartford			D. Anderson
DESCRIPTION:	Little Calumet River - Pump Station Phase 1A - Surety Takeover Agreement			G. Anderson Craib

ORIGINAL CONTRACT AWARD DATE/AMT. (SURETY TAKEOVER SIGNED):	25-Jan-08	725,845.54
NTP DATE./CURRENT CONTRACT AMOUNT: Mods	01	738,104.23
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	12-Jul-09	360
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	16-Aug-09	395
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	19-Aug-09	3
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	16-Aug-09	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	2	148,037.91
B. Estimated Earnings thru end of reporting period		150,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		298,037.91

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod.	01	738,104.23
E. Current Value of Overruns/Underruns (+/-)		0.00
F. Directed, Pending Modifications		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)		738,104.23

FUNDS OBLIGATED FOR PAYMENT: thru Modification	01	725,845.54
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ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)	40.38%
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SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	42.00%
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TOTAL EARNINGS AT THE END OF FY08	0.00
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Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00	Oct 725,845.54	67,926.98	Feb 657,918.56	125,000.00	Jun 127,807.63
0.00	Nov 725,845.54	80,110.93	Mar 577,807.63	80,845.54	Jul 46,962.09
0.00	Dec 725,845.54	150,000.00	Apr 427,807.63	47,073.02	Aug -110.93
0.00	Jan 725,845.54	175,000.00	May 252,807.63	0.00	Sep -110.93

G. Current Projection of Total Fiscal Year Earnings	725,956.47
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H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)	725,845.54
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I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)	110.93
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ACCRUALS THIS MONTH

LINE ITEM	WORK ITEM	CURRENT ACCRUAL	THIS MONTH ACCRUAL	TOTAL ACCRUAL
FEDERAL	0001 00229B	0.00	139,500.00	139,500.00
NON-FED	0001A 00229C	0.00	10,500.00	10,500.00
		0.00	150,000.00	150,000.00

PROJECT STATUS/MAJOR ISSUES:

South Kennedy SW Pump No. 3 tested 11 NOV 2008. Test results acceptable.
 Removed South Kennedy SW Pump 2 - Currently being Rebuilt. Reinstallation scheduled early May.
 Fabrication of new Walnut Avenue Pump No. 4, 5 & 6 in Progress.
 Modification 01 completed 27 MAR 09 for additional rehabilitation of SWP#2 - \$12,258.69 and 35 day time extension.
 Pending changes:
 SS002 - Weather delays - 3 days through FEB 09

**Construction Progress
Report
Thru End of April
2009**

CONTRACT NO.:	W912P6-08-C-0016	CONTRACT TYPE:	Construction	TS-C-S
CONTRACTOR:	Theineman Construction			D. Anderson
DESCRIPTION:	PUMP STATION 2A Rehabilitation			G. Anderson
				R.Craib

ORIGINAL CONTRACT AWARD DATE/AMOUNT:	26-Jun-08	1,644,000.00
NTP DATE./CURRENT CONTRACT AMOUNT: Mods	15-Jul-08	1,664,744.42
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	20-Jun-09	340
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	2-Sep-09	74
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	2-Sep-09	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	31-Oct-09	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	4	116,723.91
B. Estimated Earnings thru end of reporting period		120,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		236,723.91

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod.	A00002	1,664,744.42
E. Current Value of Overruns/Underruns (+/-)		0.00
F. Directed, Pending Modifications		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)		1,664,744.42

FUNDS OBLIGATED FOR PAYMENT: thru Modification	A00002	1,664,744.42
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ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F) 7.01%

SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	9.00%
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TOTAL EARNINGS AT THE END OF FY08	12,208.00
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Earnings		Funds Available	Earnings		Funds Available	Earnings		Funds Available
0.00	Oct	1,631,792.00	0.00	Feb	1,527,276.09	100,000.00	Jun	982,415.70
0.00	Nov	1,631,792.00	74,860.39	Mar	1,452,415.70	250,000.00	Jul	732,415.70
73,272.00	Dec	1,558,520.00	120,000.00	Apr	1,332,415.70	200,000.00	Aug	532,415.70
31,243.91	Jan	1,527,276.09	250,000.00	May	1,082,415.70	350,000.00	Sep	182,415.70

G. Current Projection of Total Fiscal Year Earnings	1,652,536.42
H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)	1,629,000.00
I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)	23,536.42

ACCRUALS THIS MONTH			CURRENT	THIS MONTH	TOTAL
	LINE ITEM	WORK ITEM	ACCRUAL	ACCRUAL	ACCRUAL
FEDERAL	0001	1C94LF	\$ -	\$ 111,600.00	\$ 111,600.00
FEDERAL	0002	KF4KF0	\$ -	\$ 8,400.00	\$ 8,400.00

PROJECT STATUS/MAJOR ISSUES

The contractor continues to submit technical submittals and is setup for temporary pumping so that he can take out the first set of pumps by the end of Dec 08. The contractor was issued a letter of concern for lack of progress. A meeting was held on 18 Dec to discuss his plan to complete work by the current contract completion date. He submitted a new schedule shown that he can. The schedule is tight, but it's possible. He is aware and the government will continue to watch.

Forest Avenue - SWP #2 being rebuilt - Reinstallation Scheduled mid-May.
Tapper - SWP #2 being rebuilt - Reinstallation Scheduled early June.

**Construction Progress
Report
Thru End of April
2009**

CONTRACT NO.:	W912P6-08-C-0027	CONTRACT TYPE:	Construction	TS-C-S
CONTRACTOR:	Garner Services, LLC			D. Anderson
DESCRIPTION:	Little Calumet River, Pump Station 2B			G. Anderson
				R. Craib

ORIGINAL CONTRACT AWARD DATE/AMT.:	30-Sep-08	18,903,380.00
NTP DATE./CURRENT CONTRACT AMOUNT: Mods A00001 & P00003	20-Oct-08	18,891,580.00
ORIGINAL CONTRACT COMPLETION DATE/ORIGINAL DURATION:	13-Apr-10	540
REVISED CONTRACT COMPLETION DATE/REVISED DURATION:	13-Apr-10	540
PENDING SCHEDULED COMPLETION DATE/PENDING TIME EXTENSIONS:	13-Apr-10	0
AREA ENGINEER'S ESTIMATED SUBSTANTIAL COMPLETION DATE:	13-Apr-10	

ESTIMATED PROGRESS

A. Present Earnings as of Pay Est. No.	3	1,187,822.68
B. Estimated Earnings thru end of reporting period		150,000.00
C. Value of work Performed on Directed Mods (Earnings not paid for)		0.00
TOTAL ESTIMATED PROGRESS (A+B+C)		1,337,822.68

TOTAL ESTIMATED FINAL CONTRACT AMOUNT

D. Current Contract Amount thru Mod.	P00003	18,891,580.00
E. Current Value of Overruns/Underruns (+/-)		0.00
F. Directed, Pending Modifications		0.00
TOTAL ESTIMATED FINAL CONTRACT AMOUNT (D+E+F)		18,891,580.00

FUNDS OBLIGATED FOR PAYMENT: thru Modification	P00003	2,500,000.00
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ACTUAL PERCENT COMPLETE (A+B+C)/(D+E+F)	7.08%
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SCHEDULED PERCENT COMPLETE (per NAS or Progress Chart)	5.00%
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TOTAL EARNINGS AT THE END OF FY08	0.00
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Earnings	Funds Available	Earnings	Funds Available	Earnings	Funds Available
0.00	Oct 2,500,000.00	682,578.00	Feb 1,466,498.00	400,000.00	Jun 462,177.32
350,924.00	Nov 2,149,076.00	154,320.68	Mar 1,312,177.32	650,000.00	Jul -187,822.68
0.00	Dec 2,149,076.00	150,000.00	Apr 1,162,177.32	1,500,000.00	Aug -1,687,822.68
0.00	Jan 2,149,076.00	300,000.00	May 862,177.32	1,000,000.00	Sep -2,687,822.68

G. Current Projection of Total Fiscal Year Earnings	5,187,822.68
H. Initial Projection of Fiscal Year Earnings (From First Progress Report This FY)	5,125,000.00
I. Amount Ahead of Initial Earnings Projection (Negative Indicates Behind) (G-H)	62,822.68

ACCRUALS THIS MONTH	CURRENT	THIS MONTH	TOTAL
LINE ITEM	ACCRUAL	ACCRUAL	ACCRUAL
FEDERAL 0001	89,250.00	50,250.00	139,500.00
NON-FEDERAL 0002	6,720.00	3,780.00	10,500.00

Contract Awarded 30 September 2008

- NTP acknowledged on 20 October 2008.
- Contractor is currently submitting pre-construction submittals.
- Modification P00003 was issued. This modification adds \$1.5M to the obligated amount making it \$2.5M.
- Pending Issue - Contractor claims excessive influent into the Indianapolis Pump Station is delaying them from working in the wet well. USACE is evaluating claim.



Current Status of Little Calumet River Projects May 1, 2009

East of Kennedy Avenue - All projects that have been started are functional and essentially complete.

West of Kennedy Avenue –

- 1) Stage 5-2
 - a. In Munster –
 - i. All levees have been built.
 - ii. All concrete floodwall has been completed
 - iii. Sheet pile floodwall installed.
 - iv. Baring Avenue pump station outlet and sheet pile floodwall concrete cap and face remain to be completed.
 - b. In Wicker Park –
 - i. All concrete floodwall completed.
 - ii. Minor drainage work through floodwall to be completed.
 - iii. Levee partially completed. Construction operations resumed May 4, 2009.
 - c. In Highland -
 - i. Concrete floodwall completed from Kennedy to near Norfolk Southern Rail Road (NSRR) tracks.
 - ii. Utility companies have completed their underground work in the utility corridor. Concrete floodwall in utility corridor on both sides of NSRR tracks needs to be completed. Floodwall work is scheduled to start after Hammond northeast utility corridor floodwall has started.
 - d. In Hammond West of Indianapolis Boulevard -
 - i. Riprap placement is scheduled to start soon at Hart Ditch confluence area.
 - ii. Approximately 1,700 feet at the west end of this reach has levee built to the design elevations.
 - iii. Remaining levee is partially built. Exact date for restart depends on weather and crew availability.
 - e. In Hammond between Indianapolis Boulevard and Kennedy Avenue –
 - i. West 700 feet of levee completed.
 - ii. Remaining levee is partially built. Contractor will work west from NSRR when the Northwest Utility Corridor floodwall has been completed.
 - iii. Utility companies have completed their underground work in the utility corridor. Concrete floodwall in utility corridor has started west of the NSRR tracks. Floodwall work east of NSRR tracks is scheduled to start soon, weather permitting.
 - iv. Storm sewer outlet work at Kennedy Avenue needs to be completed.
 - v. Indianapolis Boulevard Pump Station outlet gatewell and floodwall structure partially completed.
 - f. The start of the closure structure in the Little Calumet River just east of the Baring Avenue Pump Station has been delayed due to fluctuating water levels in the channel and wet weather.
- 2) Stage 7 – Contract was awarded for \$13,814,973.70 on April 16, 2009 to Ceres Environmental Services, Incorporated. Notice to Proceed is expected to be issued soon.
- 3) Stage 8 – Bid solicitation documents were published on May 1, 2009. Current bid opening date is June 2, 2009.



Little Calumet River Basin Development Commission

6100 Southport Road
Portage, Indiana 46368

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

DANIEL DENULC, Chairman
Governor's Appointment

WILLIAM BAKER, Vice Chairman
Governor's Appointment

R. KENT GURLEY, Treasurer
Lake County Commissioners' Appointment

MARK GORDISH, Secretary
Mayor of Hammond's Appointment

WILLIAM BILLER
Governor's Appointment

ARLENE COLVIN
Mayor of Gary's Appointment

RON McAHRON
Dept. of Natural Resources' Appointment

JOHN MROCZKOWSKI
Governor's Appointment

RUDOLF SUTTON
Porter County Commissioners' Appointment

VACANCY
Governor's Appointment

VACANCY
Governor's Appointment

VACANCY
Executive Director

LOU CASALE
Attorney

To: Dan Dernulc, Bill Baker, Kent Gurley, and Ron McAhron
cc: Lou Casale

From: Sandy Mordus

Subject: Available Commission Funds

Date: May 6, 2009

This is a brief accounting of funds that we currently have in Commission's accounts:

Administrative Budget:

<u>Checking Account</u>	
(thru March 31)	\$ 93,045

Land Acquisition/Project Development Budget:

FEMA deposit	\$ 26,432
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<u>RDA \$1.7 million</u>	
(as of today)	\$ 158,454

<u>O&M Account</u>	
(as of today)	\$ 9,352

<u>Interest monies</u>	
(O&M interest thru March 31)	\$ 1,236

(Escrow interest thru March 31)	\$ 7,260
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<u>State draw monies</u>	
(as of today)	\$ 19,904



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

May 6, 2009

Programming and Project
Management Branch

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

Dear Mr. Dernulc:

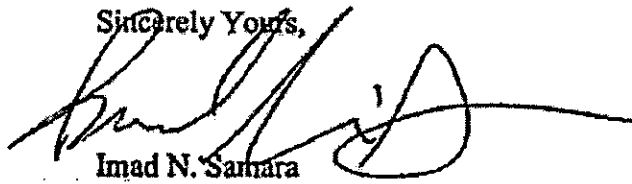
This letter is to inform you that the Little Calumet River Flood Control and Recreation Project received \$3,000,000 as part of the American Recovery and Reinvestment Act (ARRA or "STIMULUS") for Fiscal Year (FY) 2009. These funds are in addition to the \$24,000,000 that was part of the FY 09 Omnibus bill (USACE March 11, 2009 Letter).

At this time I am requesting that the Little Calumet River Basin Development Commission provide the additional local cash contribution (for the ARRA funds) of \$226,000 for the Little Calumet River Flood Protection and Recreation Project in accordance with Articles II and VI of the Local Cooperation Agreement (LCA) executed on August 16, 1990. Please deposit the funds into the established escrow account (Number 7500-0244-4747) as specified in Article VI.6.2 of the LCA.

The requested cash contribution represents the Commission's obligation of the 7 percent of the project costs estimated to be incurred through the end of the Federal Government Fiscal Year (FY) 2009 ending on September 30, 2009. FY 2009 began on October 1, 2008.

If you have any questions, please contact me at 312-846-5560.

Sincerely Yours,



Imad N. Samara
Project Manager



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

May 6, 2009

Programming and Project
Management Branch

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

Dear Mr. Dernulc:

This letter is to inform you that the Little Calumet River Flood Control and Recreation Project received \$3,000,000 as part of the American Recovery and Reinvestment Act (ARRA or "STIMULUS") for Fiscal Year (FY) 2009. These funds are in addition to the \$24,000,000 that was part of the FY 09 Omnibus bill (USACE March 11, 2009 Letter).

At this time I am requesting that the Little Calumet River Basin Development Commission provide the additional local cash contribution (for the ARRA funds) of \$226,000 for the Little Calumet River Flood Protection and Recreation Project in accordance with Articles II and VI of the Local Cooperation Agreement (LCA) executed on August 16, 1990. Please deposit the funds into the established escrow account (Number 7500-0244-4747) as specified in Article VI.6.2 of the LCA.

The requested cash contribution represents the Commission's obligation of the 7 percent of the project costs estimated to be incurred through the end of the Federal Government Fiscal Year (FY) 2009 ending on September 30, 2009. FY 2009 began on October 1, 2008.

If you have any questions, please contact me at 312-846-5560.

Sincerely Yours,

Imad N. Samara
Project Manager

check for
Lou -

8 0/10
93 0/10
93 0/10
Total
93 0/10 3,000,000
\$210,000
3225,806
- 3,000,000
225,806
feet -
state

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

NAME OF MEETING: LCRBDC DATE: MAY 6, '09

LOCATION: Munster Town Hall CHAIRMAN: Dan Derrule

PLEASE SIGN IN

	NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER
1	Bea Hanusin	8123 Howard Av
2	Craig Hanusin	" "
3	Mare Campagna	1817 Crestwood Ave
4	Stan Slazyk	8140 OAKWOOD
5	Beth Slazyk	8140 OAKWOOD
6	BILL PETRITES	HIGHLAND RESIDENT
7	Jayson Reeves	3137 W 21 Av Gary, In.
8	Pat Olson	8315 Baring
9	Bob Olson	Munster, IN
10	Imad Samara	
11		
12	Deo	
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14	Senator Frank Mrwan	
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**LITTLE CALUMET RIVER BASIN
DEVELOPMENT COMMISSION
ATTENDANCE ROSTER**

NAME OF MEETING: LCR BDC

DATE: MAY 6, '09

LOCATION: Munster Town Hall CHAIRMAN: Dan Desmule

PLEASE SIGN IN

	NAME (PLEASE PRINT)	ORGANIZATION, ADDRESS, PHONE NUMBER
1	JOHN BECKMAN	LAKE CO FISH & GAME PROTECTIVE ASSN.
2	SUITE G AMERIPLEX @ THE PORT	1575 ADLER CIRCLE 46368
3	Vanessa Villarreal	USACE 111 N. Canal (STE 600) Chgo, IL 60606
4	Sheldon Edd	USACE " "
5	Lynne Uelan	"
6	DAVID NEILLAN	TOWN OF MUNSTER
7	Carolyn Marsh	Sand Ridge Audubon Society
8	THE MOGLE	8705 BARING AVE MUNSTER
9	RONALD ALBIN	1213 RIVER DR MUNSTER
10	RUTH MORES	SOUTHMOOR RD - HAM'G.
11	Barbara Whitaker	1921 Alta Vista - Munster
12	TINA KUTASKE	Hammond
13	MIKE ZARANTONELLO	Southmoor
14	Marylou Paul Danilek	CASTLE DR.
15	BOB Paulson	Northcote Ave
16	Elizabeth Johnson	Congressman Visclosky
17	Bob Mangus	Munster Town Council
18	Bridget Bidefeld	Cretwood Ave Munster
19	Leon & Alice Rozlowski	8102 Oakwood Ave, Munster
20	Soft Burton	The Times
21	BILL HOWARD	MUNSTER WPNA
22	Erik Potter	Post-Tribune
23	Elizabeth Howard	Munster WPNA
24	DOUG ANDERSON	USACE
25	Kearna Bernie Mashum	8004 Monroe

CLAIMS PAYABLE FOR MAY 2009 REVISED

ACCT	VENDOR NAME	AMOUNT	EXPLANATION OF CLAIM
5811	CASALE ,WOODWARD & BULS LLP	283.33	MONTHLY RETAINER THROUGH APRIL 28, 2009
5812	NIRPC	9,216.33	SERVICES PERFORMED MARCH 2009
5821	SANDY MORDUS	39.60	MILEAGE 3/26/09-4/23/09
5824	VERIZON NORTH	157.47	BILLING PERIOD 4/16/09-4516/09(TOTAL BILL290.39 KRBC 132.92)
5824	AT & T	438.40	BILLING PERIOD 3/17/09-4/13/09(TOTAL BILL452.39,KRBC 13.99)
5824	AT & T TELECONFERENCE SERVICES	69.34	CONFERENCE CALL
5844	JAMES E POKRAJAC	5,910.00	ENGINEERING/LAND AGENT 3/16/09-3/31/09
5844	JAMES E POKRAJAC	245.96	MARCH MILEAGE
5844	JAMES E POKRAJAC	5,259.90	ENGINEERING/LAND AGENT 4/1/09-4/15/09
5844	JUDITH VAMOS	3,689.00	LAND ACQUISITION AGENT SERVICES 3/16/09-3/31/09
5844	JUDITH VAMOS	2,907.80	LAND ACQUISITION AGENT SERVICES 4/1/09-4/15/09
5844	G. LORRAINE KRAY	1,279.65	CREDITING TECH & LAND ACQUISITION ASST 3/17/09-3/31/09
5844	G. LORRAINE KRAY	1,279.65	CREDITING TECH & LAND ACQUISITION ASST 4/1/09-4/15/09
5847	DLZ	2,462.00	SURVEY WORK RE: SVII-I WALL STAKING
5861	CASALE WOODWARD BULS	13,455.28	LAND ACQUISITION/LEGAL SERVICES THROUGH 4/28/09(PARTIAL 5882)
5861	CSX TRANSPORTATION INC	1,500.00	PURCHASE PRICE OF DC-1344
5861	LAKE COUNTY RECORDER	258.00	RECORD EASEMENTS RE: DC-1305,1308,1309,1311,1345,1366,1367,1306 1396
5861	LAKE COUNTY RECORDER	229.00	RECORD EASEMENTS RE: DC-1300A,1344,1402-1407
5861	MERIDIAN TITLE CORPORATION	100.00	TITLE WORK RE: DC-1303
5861	LAKE COUNTY CLERK OF COURT	5,600.00	PURCHASE PRICE OF DC-1399
5861	CYRUS REALTORS	500.00	COURT ORDERED APPRAISAL RE: DC-1399
5861	TONY ZALESKI & ASSOCIATES	500.00	COURT ORDERED APPRAISAL RE: DC-1399
5861	CALUMET COMMERCIAL APPRAISALS	500.00	COURT ORDERED APPRAISAL RE: DC-1399
5861	CYRUS REALTORS	492.50	COURT ORDERED APPRAISAL RE: DC-1399A (PARTIAL BALANCE OUT OF 5882
5882	MERIDIAN TITLE CORPORATION	100.00	TITLE WORK RE: DC-1204 INV#818035-203179
5882	MERIDIAN TITLE CORPORATION	100.00	TITLE WORK RE: DC-1223 INV#808517-197148
5882	MERIDIAN TITLE CORPORATION	100.00	TITLE WORK RE: DC-1223 INV#815205-199300
5882	MERIDIAN TITLE CORPORATION	100.00	TITLE WORK RE: DC-1229 INV#815204-199281
5882	MERIDIAN TITLE CORPORATION	1,045.00	TITLE WORK RE: DC-1315 INV#813024-197014
5882	MERIDIAN TITLE CORPORATION	100.00	TITLE WORK RE: DC-1316 INV#817174-202149
5882	MERIDIAN TITLE CORPORATION	485.00	TITLE WORK RE: DC-1328 INV#817484-203172
5882	MERIDIAN TITLE CORPORATION	1,100.00	TITLE WORK RE: DC-1399A INV#814988-199924
5882	MERIDIAN TITLE CORPORATION	1,295.00	TITLE WORK RE: DC-1399B INV#815211-199966
5882	MERIDIAN TITLE CORPORATION	1,310.00	TITLE WORK RE: DC-1399C INV#815209-200899
5882	MERIDIAN TITLE CORPORATION	100.00	TITLE WORK RE: DC-1351 INV#815203-199138
5882	MERIDIAN TITLE CORPORATION	100.00	TITLE WORK RE: DC-1352 INV#815202-199302
5882	MERIDIAN TITLE CORPORATION	105.00	TITLE WORK RE: DC-1363 INV#822613-209373
5882	MERIDIAN TITLE CORPORATION	105.00	TITLE WORK RE: DC-1369 INV#822614-209362
5882	MERIDIAN TITLE CORPORATION	105.00	TITLE WORK RE: DC-1369 INV#823722-211200
5882	MERIDIAN TITLE CORPORATION	100.00	TITLE WORK RE: DC-1377 INV#808515-197649
5882	MERIDIAN TITLE CORPORATION	100.00	TITLE WORK RE: DC-1378 INV#808516-197639
5882	MERIDIAN TITLE CORPORATION	415.00	TITLE WORK RE: DC-1412 INV#808510-195782
5882	MERIDIAN TITLE CORPORATION	415.00	TITLE WORK RE: DC-1417 INV#808511-195783
5882	MERIDIAN TITLE CORPORATION	425.00	TITLE WORK RE: DC-1419 INV#818080-205523
5882	MERIDIAN TITLE CORPORATION	675.00	TITLE WORK RE: DC-1421A INV#819030-206954
5882	MERIDIAN TITLE CORPORATION	710.00	TITLE WORK RE: DC-1421B INV#818176-205776
5882	MERIDIAN TITLE CORPORATION	425.00	TITLE WORK RE: DC-1423 INV#820552-208216
5882	MERIDIAN TITLE CORPORATION	425.00	TITLE WORK RE: DC-1424 INV#820554-207924
5882	MERIDIAN TITLE CORPORATION	595.00	TITLE WORK RE: DC-1434 INV#822210-210023
5882	CASALE WOODWARD BULS	5,998.78	LAND ACQUISITION/LEGAL SERVICES THROUGH 4/28/09(PARTIAL PAYMENT 5861)
5882	LAKE COUNTY CLERK OF COURT	10,000.00	PURCHASE PRICE OF DC-1399A
5882	CYRUS REALTORS	7.50	COURT ORDERED APPRAISAL RE: DC-1399A (PARTIAL BALANCE OUT OF 5861)
5882	TONY ZALESKI & ASSOCIATES	500.00	COURT ORDERED APPRAISAL RE: DC-1399A
5882	BOCHNOWSKI APPRAISAL CO	500.00	COURT ORDERED APPRAISAL RE: DC-1399A
5882	LAKE COUNTY CLERK OF COURT	7,950.00	PURCHASE PRICE OF DC-1316
5882	CYRUS REALTORS	750.00	COURT ORDERED APPRAISAL RE: DC-1316
5882	TONY ZALESKI & ASSOCIATES	750.00	COURT ORDERED APPRAISAL RE: DC-1316
5882	BOCHNOWSKI APPRAISAL CO	750.00	COURT ORDERED APPRAISAL RE: DC-1316
5882	NORFOLK SOUTHERN CORPORATION	3,337.73	SV-2 PART OF CONOCO PIPELINE RELOCATION COORDINATION (FLAGGING SERVICES)2/23/09-2/26/09
5882	NORFOLK SOUTHERN CORPORATION	2,645.05	SV-2 PART OF CONOCO PIPELINE RELOCATION COORDINATION (FLAGGING SERVICES)3/2/09-3/4/09
5882	GARCIA CONSULTING ENGINEERS	295.00	PROFESSIONAL SERVICES ON DC-1023 SV-2 INV# 5193
5882	GARCIA CONSULTING ENGINEERS	210.00	UTILITY RELOCATION SERVICES SVII INV#5194
5882	GARCIA CONSULTING ENGINEERS	165.00	PROFESSIONAL SERVICES ON DC-1204 SVII INV# 5195
5882	GARCIA CONSULTING ENGINEERS	70.00	UTILITY RELOCATION SERVICES SVIII INV# 5196
5882	GARCIA CONSULTING ENGINEERS	600.00	UTILITY RELOCATION SERVICES SVIII INV#5197
5882	GARCIA CONSULTING ENGINEERS	100.00	PROFESSIONAL SERVICES ON DC-1411 SVIII INV# 5198
5882	GARCIA CONSULTING ENGINEERS	70.00	UTILITY RELOCATION SERVICES ON DC-1113 SV-2 INV# 5293
5882	GARCIA CONSULTING ENGINEERS	100.00	PROFESSIONAL SERVICES ON DC-1319 SVIII INV# 5294
5882	GARCIA CONSULTING ENGINEERS	125.00	PROFESSIONAL SERVICES ON DC-1329 SVIII INV# 5294
5882	GARCIA CONSULTING ENGINEERS	113.75	PROFESSIONAL SERVICES ON DC-1315 SVIII INV# 5295
5882	GARCIA CONSULTING ENGINEERS	162.50	PROFESSIONAL SERVICES ON DC-1344 SVIII INV# 5295
5882	GARCIA CONSULTING ENGINEERS	100.00	PROFESSIONAL SERVICES ON DC-1199 SV-2 INV# 5296
5882	GARCIA CONSULTING ENGINEERS	100.00	PROFESSIONAL SERVICES ON DC-1411 SVIII INV#5297
5882	SHORT ELLIOTT HENDRICKSON INC	2,225.90	PROFESSIONAL SERVICES RE: SVIII LEEVEE PROJECT

TOTAL

104,534.42

ADMINISTRATIVE

RDA \$1,701,742.

DRAW FROM STATE