



**SOUTHWESTERN ILLINOIS FLOOD PREVENTION DISTRICT COUNCIL
BOARD OF DIRECTORS MEETING
December 16, 2015 7:30 am**

Metro-East Park and Recreation District Office
104 United Drive, Collinsville, Illinois 62234

1. Call to Order
Jim Pennekamp, President
2. Approval of Minutes of November 18, 2015
3. Public Comment on Pending Agenda Items
4. Program Status Report
Chuck Etwert, Chief Supervisor
5. Budget Update and Approval of Disbursements
Chuck Etwert, Chief Supervisor
6. Design and Construction Update
Jay Martin, Amec Foster Wheeler
7. Bond Issue Update
Khalen Dwyer, Columbia Capital Management
Chuck Etwert, Chief Supervisor
8. Financial Advisor Services
Chuck Etwert, Chief Supervisor
9. Change Orders – BP #3, BP #5, & BP #6
Amec Foster Wheeler Environment & Infrastructure
Chuck Etwert, Chief Supervisor

AGENDA

10. Update from Corps of Engineers
Michael Feldmann, U.S. Army Corps of Engineers
11. Public Comment

Executive Session (if necessary)
12. Other Business
13. Adjournment

Next Meeting: January 20, 2015

MINUTES

SOUTHWESTERN ILLINOIS FLOOD PREVENTION DISTRICT COUNCIL BOARD OF DIRECTORS MEETING November 18, 2015

The regular meeting of the Board of Directors was held at the Metro-East Park and Recreation District Office, 104 United Drive, Collinsville, Illinois at 7:30 a.m. on Wednesday November 18, 2015.

Members in Attendance

James Pennekamp, President (Chair, Madison County Flood Prevention District)
John Conrad, Secretary/Treasurer (Chair, Monroe County Flood Prevention District)
Debra Moore, (Chair, St. Clair County Flood Prevention District)
Alvin Parks, Jr., St. Clair County Flood Prevention District
Tom Long, Madison County Flood Prevention District
Ron Motil, Madison County Flood Prevention District
Bruce Brinkman, Monroe County Flood Prevention District
Ronald Polka, Monroe County Flood Prevention District

Members Absent

Paul Bergkoetter, Vice President (St. Clair County Flood Prevention District)

Others in Attendance

Alan Dunstan, Madison County Board Chair
Mark Kern, St. Clair County Board Chair
Chuck Etwert, SW Illinois FPD Council
Mike Feldmann, U.S. Army Corps of Engineers
Walter Greathouse, Metro-East Sanitary District
David Human, Husch Blackwell LLP
Charles Juneau, Juneau Associates Inc.
Ronald S. Kaempfe, IUE Local 520
Tracey Kelsey, U.S. Army Corps of Engineers
Ellen Krohne, Leadership Council SW Illinois
Daniel Latham, Bloomsdale Excavating
Jay Martin, Amec Foster Wheeler Environment & Infrastructure
Col. Anthony P. Mitchell, U.S. Army Corps of Engineers
David Oates, Oates Associates
Jon Omvig, Amec Foster Wheeler Environment & Infrastructure
Joe Parente, Madison County
Rene Poche, U.S. Army Corps of Engineers
Ken Slavens, Husch Blackwell LLP
Julie Ziino, U.S. Army Corps of Engineers

Call to order

President Jim Pennekamp noted the presence of a quorum and called the meeting to order at 7:30 am.

Approval of Minutes of October 21, 2015

A motion was made by Tom Long, seconded by Bruce Brinkman, to approve the minutes of the Board meeting held on October 21, 2015. Mr. Conrad called the roll and the following votes were made on the motion:

- Mr. Polka - Aye
- Mr. Brinkman – Aye
- Mr. Bergkoetter - absent
- Mr. Conrad - Aye
- Mr. Long – Aye
- Dr. Moore – Aye
- Mr. Motil – Aye
- Mr. Parks – absent
- Mr. Pennekamp – Aye

The motion was approved.

Approval of Minutes of November 3, 2015

A motion was made by Tom Long, seconded by Ron Motil, to approve the minutes of the Board meeting held on November 3, 2015. Mr. Conrad called the roll and the following votes were made on the motion:

- Mr. Polka - Aye
- Mr. Brinkman – Aye
- Mr. Bergkoetter - absent
- Mr. Conrad - Aye
- Mr. Long – Aye
- Dr. Moore – Aye
- Mr. Motil – Aye
- Mr. Parks – absent
- Mr. Pennekamp – Aye

The motion was approved.

Public Comment on Pending Agenda Items

Mr. Pennekamp asked if there were any comments from the public on any agenda item on today's agenda. There were none.

Program Status Report

Mr. Pennekamp asked Mr. Etwert to provide a status report for the project.

He indicated approximately 70% of the \$62.1 million of construction, involved in all nine current construction bid packages had been completed thru October. During the month of October \$2.4 million dollars' worth of construction was completed. The total amount of construction completed is now \$43.7 million. The \$62.1 million does not include the estimated \$9.0 million in change orders recently approved to replace High Density Polyethylene Pipe (HDPE) with Reinforced Concrete Pipe (RCP).

Amec Foster Wheeler will provide an update on the change orders authorized for BP #2B, BP #4 and BP #5 involving the replacement of the HDPE pipe with Reinforced Concrete Pipe (RCP) and the BP #3 Farm Drain Pipe System Change Order which was held at last month's meeting. At this time, there aren't any additional change orders requiring Board action.

With the RCP pipe replacing the HDPE pipe, and the 10.5 ft. East St. Louis sewer being addressed, it has been determined to be in the best interest of the Council to allow the Corps of Engineers to conduct a National Flood Insurance Program (NFIP) Levee System Evaluation Report (LSER) for the East St. Louis (MESD) Levee System as they are currently performing in the Upper Wood River Levee System. A copy of the FPD request letter was provided with the agenda package.

On November 17th, the Corps of Engineers held a pre-solicitation conference for the Wood River Shallow Cutoff Wall Phase 2 which is based on the utilization of a Best Value Tradeoff Approach instead of a Lowest-Price Technically Acceptable approach. He provided the Corps meeting handouts to the Board and indicated that the Corps would receive additional comments until the end of the month.

As far as the Councils' comments were concerned, the Corps did explain the pay quantity for the cutoff wall and how hazardous material would be handled. The FPDs' request for using the term "slightly less important" than "less important" for the Economy and Efficiency Factor was denied.

There is some concern regarding the revised evaluation ratings presented yesterday. It is felt that emphasis should be placed on the contractors' proposed plan and not on past performance. It also, appears that the FPDs' request, to include someone with applicable experience from headquarters or another district, will only be utilized if the St. Louis District feels it is necessary.

The FPD will most likely be submitting additional comments.

He indicated that he and Amec Foster Wheeler had met with the City of East St. Louis, MESD, and the Corps of Engineers regarding the East St. Louis 126-inch Sewer at the MESD Levee and it now appears that the sewer will need to be replaced instead of being removed. Council's attorney is working with the City's attorney developing an agreement for the repayment of the design costs approved by the Board last month.

The Implementation Guidance for Section 3012 of the Water resources Reform and Development Act of 2014 (WRRDA) – Management of Flood Risk Reduction Projects has been received. It appears that our June 2014 request to combine the separately authorized levee projects located in Madison, Monroe, and St. Clair Counties into one project authority, thus providing greater flexibility and efficiency in the use of federal funds, falls under the Implementation Guidance. The Corps has asked that we re-request, now that the Implementation Guidance has been issued.

The 2015 Bond Issue continues to proceed with Chapman and Cutler as Bond Counsel, Thompson and Coburn as Disclosure Counsel, and Gilmore & Bell being the Underwriters' Counsel. Rating calls have been held with Standard & Poor's and Moody's. Senior Lien Bond pricing is scheduled for December 3rd and Subordinate Lien Bond pricing for December 9th.

He indicated that there would be an executive session on litigation at the end of the meeting.

The Board was provided copies of Amec Foster Wheeler's Monthly Progress Report for November.

A motion was made by Dr. Moore, seconded by Mr. Conrad to accept the Program Status Report for October 2015. Mr. Conrad called the roll and the following votes were made on the motion:

Mr. Polka - Aye
Mr. Brinkman – Aye
Mr. Bergkoetter - absent
Mr. Conrad - Aye
Mr. Long – Aye
Dr. Moore – Aye
Mr. Motil – Aye
Mr. Parks – absent
Mr. Pennekamp – Aye

The motion was approved unanimously.

Budget Update and Approval of Disbursements

Mr. Pennekamp asked Mr. Etwert to provide a report.

Mr. Etwert noted that financial statement for October 2015 prepared by our fiscal agent, CliftonLarsonAllen was included in the materials sent for the meeting. The report included an accounting of revenues and expenditures for the month ending October 31, 2015, as compared to the fiscal year budget.

Accrued expenditures for the current fiscal year beginning on October 1, 2015 are \$6,539,007 while revenues amounted to \$1,014,106 resulting in a deficit of \$5,524,901. A total of approximately \$24,998,569 is held by the counties in their respective FPD sales tax funds and is available for the Council's use on the project.

Monthly sales tax receipts for August 2015 (the latest month reported by the Illinois Department of Revenue) were up 2.20% from the previous year. In general, receipts are up .73% from last year, which was our highest year.

The report included bank transactions for October 2015. Total disbursements for the month were \$3,485,690.80. The largest payments were to TREVIICOS South for BP #7B, Keller Construction for BP #3 and BP #5, Lane Construction for BP #6, Amec Foster Wheeler.

Also, for the Board's review and anyone else who was interested, Mr. Etwert provided copies of each requisition, which was represented on the October 2015 Bank Transaction Schedule prepared by CliftonLarsonAllen.

Mr. Etwert recommended that the Board accept the budget report and disbursements for October 2015.

Mr. Parks arrived during the presentation.

A motion was made by Mr. Polka seconded by Mr. Brinkman, to accept the budget report and approve the disbursements for October 2015. Mr. Conrad called the roll and the following votes were made on the motion:

Mr. Polka - Aye
Mr. Brinkman - Aye
Mr. Bergkoetter - absent
Mr. Conrad - Aye
Mr. Long - Aye
Dr. Moore - Aye
Mr. Motil - Aye
Mr. Parks - Aye
Mr. Pennekamp - Aye

The motion was approved unanimously.

Design and Construction Update

Mr. Pennekamp called on Jay Martin, Amec Foster Wheeler's project manager, to provide a report. Mr. Martin used a PowerPoint® presentation to illustrate his remarks. His presentation, including a few site photos, focused on the construction status of each bid package, FEMA certification update, and the Authorized Level (500-Year) design as follows:

Construction Status

Bid Package 2A – Fish Lake Pump Stations

- The construction portion of this project is complete and retainage has been released.
- Amec Foster Wheeler preparing documents for USACE

Bid Package 2B – WR/MESD/PDP Pump Stations

- The majority of planned construction portion of this project is complete
- Amec Foster Wheeler in discussions with Contractor on replacement pipe and erosion control items.
- Amec Foster Wheeler preparing close-out documents for USACE.

Bid Package 2C – Site 12 Pump Station Force Mains (MESD)

- New concrete structures complete. Force mains and earthwork to follow.
- Estimated completion date is 12/15/15

Bid Package 3 – Wood River Seepage Improvements

- Design revisions to Blanket Drain 4 are pending. Construction cost impacts will be submitted when available
- Russell Commons trash/debris removal is complete.
- Lower Wood River relief well drilling continues: 44 of 67 complete.
- 19 relief well designs are pending
- Random Fill 2 in progress

Bid Package 4 – MESD Seepage Improvements (Conoco Phillips)

- Pump Station installation complete
- Clay Cap approximately 80% complete. Clay cap installation on hold until pipeline issues resolved.
- Amec Foster Wheeler working with contractor on RCP.

Bid Package 5 – MESD Seepage Improvements

- No work onsite this month
- Amec Foster Wheeler working with contractor on RCP.
- Land acquisition – working on easement for protruding clay cap.

Bid Package 6 – Prairie du Pont / Fish Lake Seepage Improvements

- Relief well collector system complete
- Clay caps complete
- Seepage berms – 95% complete
- The Contractor anticipates a completion date of December 31, 2015 – weather dependent.

Bid Package 7B – Wood River Lower (Deep) Cutoff Wall

- Deep cut off wall test section complete
- Contractor working to clarify wall permeability test results
- Due to a delayed start, completion date will be revised.

Construction Photos

Bid Package 2C – MESD –Outfall Structure Reinforcing

Bid Package 3 – Wood River – Clearing Random Fill #1

Bid Package 3 – Wood River –Random Fill Placement

Bid Package 3 – Wood River – Weir #4

Bid Package 6 – Prairie Du Pont – Flush Clay Cap

Bid Package 7B – Lower Wood River – Guide Walls/Deep Cut-off wall Test Section

He next discussed the FEMA Certification packages.

FEMA Certification Update

Upper Wood River

- Construction is substantially complete
- USACE will certify to FEMA (due to Mel Price seepage area)
- Amec Foster Wheeler to submit documentation to USACE within 3 months.
 - Submit As-Built Drawings
 - Submit O&M Changes as a result of FPD Council Work
- USACE is 95% complete with their compilation of Non Amec Foster Wheeler Data
- Submit to FEMA early Q2 of 2016

Wood River East & West Forks

- Certification is pending INDR Approval of Interior Drainage Analysis
- Submit to FEMA Q4 2015

MESD

- Pending completion of Bid Packages 2B, 4, & 5

- Council requested USACE to submit package, Amec foster Wheeler to support
 - Submit As-Built Drawings
 - Submit O&M Changes as a result of FPD Council Work
- 10.5 ft. sewer – efforts being coordinated between Amec Foster Wheeler, City of East St. Louis and MESD
- Critical Path is Clay cap construction & 10.5’ sewer
- Construction Completion Q3 2016
- Submittal to FEMA Q4 2016

Prairie du Pont & Fish Lake

- Pending completion of Bid packages 2B & 6.
- Construction Completion Q4 2015 (weather dependent)
- Submit to FEMA by Q2 of 2016

Lastly, he discussed the status of the Authorized Level (500-Year) Design

Wood River

- Drilling started and progressing; two rigs. Coordination with the USACE continues – potential modifications to the approved plan.

MESD

- Drilling Plan to be submitted by Friday.

PdP/FL

- Currently being reviewed by the USACE against FEMA improvements.

Mr. Pennekamp asked for a motion to accept Mr. Martin’s progress report. A motion was made by Mr. Parks with a second by Mr. Long to accept the Amec Foster Wheeler progress report. Mr. Conrad called the roll and the following votes were made on the motion:

Mr. Polka - Aye
 Mr. Brinkman – Aye
 Mr. Bergkoetter - absent
 Mr. Conrad - Aye
 Mr. Long – Aye
 Dr. Moore – Aye
 Mr. Motil – Aye
 Mr. Parks – Aye
 Mr. Pennekamp – Aye

The motion was approved unanimously.

Fiscal Agent Services

Mr. Pennekamp asked Mr. Etwert to explain this item.

Mr. Etwert explained that CliftonLarsonAllen has served as the fiscal agent for the Council since being selected from competitive proposals and has done an excellent job, providing the following services:

- Maintain general ledger, fixed assets ledger, accounts receivable, general journal, and accounts payable.
- Review invoices for services provided to the Council prior to payment to determine compliance with the Council's contracts, agreements and policies.
- Prepare invoices and funding requests to bond Trustee, county treasurers, or other agencies or entities, as authorized by the Council, to pay expenses.
- Receive payments from the bond Trustee, counties or other agencies or entities on Council's behalf and prepare payments of invoices for execution by Council staff or Board members.
- Prepare regular statements of financial activity, including monthly statements showing accrued expenditures, budget comparisons, and disbursements, for Council Board meetings.
- Provide the Council and auditors with information and financial statements required for annual audits.
- Assist in developing annual Council budget.

In response to a request for a two year proposal and CliftonLarsonAllen has proposed a monthly fee of \$2,200 a month with a fee of \$2,000 for assistance with the audit for a total fee of \$28,400 for FY 2016 and a monthly fee of \$2,266 a month with a fee of \$2,000 for assistance with the audit for a total fee of \$29,200 for FY 2017. The cost for the FY2015 was \$27,200. The number of checks written and requests to the bond trustee continues to increase annually and is expected to continue with the Authorized Level effort.

Mr. Etwert stated CliftonLarsonAllen has the knowledge and experience of performing as our fiscal agent and working with our auditor, therefore, he requested that the Chief Supervisor be authorized to extend our engagement with CliftonLarsonAllen to act as the Council's fiscal agent for the next two years at a cost not to exceed \$28,400 for FY 2016 and \$29,200 for FY 2017.

Mr. Pennekamp asked for a motion to accept Mr. Etwert's recommendation. A motion was made by Mr. Motil with a second by Mr. Brinkman to extend the engagement of CliftonLarsonAllen for the next two years at a cost not to exceed \$28,400 for FY 2016 and \$29,200 for FY 2017. Mr. Conrad called the roll and the following votes were made on the motion.

Mr. Polka - Aye
Mr. Brinkman - Aye

Mr. Bergkoetter - absent
Mr. Conrad - Aye
Mr. Long – Aye
Dr. Moore – Aye
Mr. Motil – Aye
Mr. Parks – Aye
Mr. Pennekamp – Aye

The motion was approved unanimously.

Change Order BP #3 and Other Change Order Updates

Mr. Etwert indicated that Mr. Omgig was going to provide the Board an update on recently approved change orders and the Farm Drain Pipe System change order which was held at the last meeting.

Mr. Omgig used a PowerPoint® presentation to illustrate his remarks.

Bid Package 3 – Lower Wood River Farm Drain Change Order Update

He explained that the Farm Drain Pipe System situation had been modified by utilizing less landside fill. This created a very minor increase in the floodplain (less than an inch) inside the levee with a net credit to be negotiated with the contractor due to less fill being required and the utilization of an eight inch pipe instead of a forty-two inch pipe.

Bid Packages 2B, 4, 5 – MESD, PDP Pipe Replacement Update

- Official PCN for 2B, 4, &5 submitted on 11/17/15
- Several cost saving measures have been discussed and approved by USACE over the past several weeks (not big dollars, but big time savers)
- Plans and Specs formally submitted to contractors: 11/13/15
- Anticipated signed contract Mods: 11/25/15
- Anticipated mobilization: 12/14/15
- Anticipated construction complete: 3/25/16 (extremely weather dependent)

Bid Package 3 – Upper Wood River Russell Commons Landfill Waste Update

- Board Authorized \$780,000

- Anticipated Costs:

Suitable Material:	\$41,500.00
Sampling & Analysis:	\$52,710.00
Hauling 279 Loads @ \$283.58	\$79,118.82
<u>Landfill</u>	<u>\$101,791.82</u>
Total	\$275,120.64

- Approximately \$504,000 of the change will go unused.

Bid Packages 3, 5, & 6 – WR, MESD, PDP/FL Relief Well Obstruction Change Order Update

- Anticipated Costs:

	Board Authorization	Actual Cost	Delta (left over/unused)
BP 03	\$500,000	\$477,573 (as of 11/14)	\$22,427
BP 05	\$275,000	\$190,213	\$84,787
BP 06	\$500,000	\$203,341	\$296,659
Total	\$1,275,000	\$871,127	\$403,873

- **Remaining work, BP 03:**

19 Wells remaining, cost could be \$250,000

- Net unused is anticipated to be approximately \$153,000

Mr. Etwert explained that since the Boards’ previous authorizations for the obstruction construction change orders were on a bid package basis, that he would have to come back to the Board for an additional authorization for BP 03, when the final amount needed for BP 03 was determined.

Mr. Pennekamp asked for a motion to accept the update on the change orders discussed. A motion was made by Mr. Parks with a second by Mr. Motil to accept the update on the change orders discussed. Mr. Conrad called the roll and the following votes were made on the motion:

Mr. Polka - Aye
 Mr. Brinkman – Aye
 Mr. Bergkoetter - absent

Mr. Conrad - Aye
Mr. Long – Aye
Dr. Moore – Aye
Mr. Motil – Aye
Mr. Parks – Aye
Mr. Pennekamp – Aye

The motion was approved unanimously.

Corps of Engineers Update

Mr. Pennekamp asked Ms. Kelsey to provide the report from the Corps.

Ms. Kelsey used a PowerPoint® presentation to provide an update on the project status of the Metro East Projects as follows:

She first discussed the Wood River Cutoff Wall Phase 2 Pre-Solicitation Conference indicating that the comment period has been extended to November 30, 2015, and the Corps is waiting for the FPDs' decision to provide cost share funding as the contract advertisement date is dependent on receipt of sponsor funds. A commitment by the FPD to go forward would assist the Corps in budgeting and with future funding requests. The Corps still has about three weeks of work to complete on plans and specifications for the project. Taking the holidays into account, the Corps is looking at a late January or February advertisement, if the FPD agrees to provide cost share funding.

The possibility of using Work In-Kind credit, accrued on a project still being constructed, as the FPDs' cost share was discussed next. Ms. Kelsey indicated it was a possibility, however, the Implementation Guidance would have to be issued and Integral Determination Report (IDR) would have to be approved before any Work In-Kind credit could be utilized. The utilization of Work In-Kind credits would delay the schedule and possibly push the project past the Corps' critical time period of knowing if the FPD is going to proceed.

Chairman Dunstan expressed his concern regarding the utilization of a Project Labor Agreement (PLA) on this project bid with the Best Value Tradeoff approach with no guarantee of a PLA being utilized.

Mr. Feldmann then indicated that Work In-Kind credit would be banked by the end of the fiscal year, but the path thru construction now would require a cash contribution from the sponsor. He expressed his concern regarding the overall funding process and the need for a decision as soon as possible.

Ms. Kelsey indicated that the value of the Work In-Kind completed will help support the Corps FY 2018 request for funds.

Next she discussed the Wood River Upper LSER, which is still on schedule. A draft copy has been submitted to FEMA for early comments, to date no response has been received. She mentioned that the Corps is in receipt of the FPD's request to perform the same for the MESD Systems and the Corps should have information back to the FPD by December 13th.

Next she explained the process of the Corps performing the National Flood Insurance Program Levee System Evaluation Report, instead of Amec Foster Wheeler performing the certification process.

The Council's ultimate goal of achieving the 500-Year level of protection was again expressed, with the interim goal of achieving FEMA accreditation occurring first.

The FPDs' request for Work In-Kind Approval status was discussed next, she indicated that comments on the Wood River and East St. Louis Integral Determination Reports (IDRs) have been received from MVD. Revisions in response to the comments have been made and the reports resubmitted for continued review up the chain. The Corps continues to wait for the implementation guidance to be issued.

It was requested that Ms. Kelsey check to see if it was possible to a portion of the work completed on BP #7B, which is still under construction, as Work In-Kind credit towards the Wood River Cutoff Wall Phase 2 Project. She indicated that approval of the IDRs would be required to occur first and the work completed would have to be a defined portion of the project.

FY2016 activities including the collaborative effort with Amec Foster Wheeler on the Work In-Kind activities, prioritizing work efforts and future work plan/budget requests were discussed next. The Corps intends to finish the designs of the East St. Louis and Wood River deep cutoff walls that were initiated over a year ago and which the FPD has previously contributed the non-federal design share.

All available Corps funding in Wood River and East St. Louis is scheduled to be spent by September of 2016. Future Corps efforts will be dependent on the President's FY 2017 budget.

The advanced funding capability, which currently only exists in the East St. Louis Project Partnership Agreement (PPA) was discussed next.

A decision on the shallow cutoff wall and completion of designs would assist the Corps in obtaining future funding.

Lastly, she discussed WRRDA 2014 Implementation Guidance for Section 3012 Consolidation of Projects and Section 1020 Spillover Credit which had been recently issued. There was a brief discussion regarding follow-up request letters, what was best for the FPD, and that guidance on Section 1018 Work In-Kind was needed to implement Section 1020.

A Mr. Pennekamp asked for a motion to accept the Corps report. A motion was made by Mr. Parks with a second by Dr. Moore to receive the Corps report. Mr. Conrad called the roll and the following votes were made on the motion:

Mr. Polka - Aye
Mr. Brinkman – Aye
Mr. Bergkoetter - absent
Mr. Conrad - Aye
Mr. Long – Aye
Dr. Moore - Aye
Mr. Motil – Aye
Mr. Parks – Aye
Mr. Pennekamp – Aye

The motion was approved unanimously.

Public Comment

Mr. Pennekamp asked if there is any public comment. There was none.

Mr. Pennekamp asked to adjourn the public session and convene an executive session regarding litigation matters.

Mr. Motil made a motion at 8:24 am to convene a closed session under Open Meetings Act 5 ILCS 120/2 (c) (11) for the purpose of discussing the litigation. The motion was seconded by Mr. Long. Mr. Etwert indicated that all Board members and County Chairs should be present, along with David Human, Ken Slavens, Jon Omvig, Jay Martin, and Joe Parente. Mr. Conrad called the roll and the following votes were made on the motion:

Mr. Polka - Aye
Mr. Brinkman – Aye
Mr. Bergkoetter - absent
Mr. Conrad - Aye
Mr. Long – Aye
Dr. Moore - Aye
Mr. Motil – Aye
Mr. Parks – Aye
Mr. Pennekamp – Aye

The motion was approved unanimously and the Board went into executive session.

Mr. Long made a motion to adjourn the executive session at 8:46 am. Dr. Moore seconded the motion. Mr. Conrad called the roll and the following votes were made on the motion:

Mr. Polka - Aye
Mr. Brinkman – Aye
Mr. Bergkoetter - absent
Mr. Conrad - Aye
Mr. Long – Aye
Dr. Moore – Aye
Mr. Motil – Aye
Mr. Parks – Aye
Mr. Pennekamp – Aye

Mr. Long made a motion to go back into public session at 8:47 am. Mr. Motil seconded the motion. Mr. Conrad called the roll and the following votes were made on the motion:

Mr. Polka - Aye
Mr. Brinkman – Aye
Mr. Bergkoetter - absent
Mr. Conrad - Aye
Mr. Long – Aye
Dr. Moore – Aye
Mr. Motil – Aye
Mr. Parks – Aye
Mr. Pennekamp – Aye

Mr. Pennekamp called the meeting to order.

It was noted that the Board discussed litigation in executive session and was informed by counsel of the status of the litigation.

Other Business

There was a brief discussion regarding non-federal share funding and the five percent cash requirement.

Adjournment

A motion was made by Mr. Parks, seconded by Mr. Pennekamp to adjourn the meeting. The motion was approved unanimously by voice vote, all voting aye.

Respectfully submitted,

John Conrad,
Secretary/Treasurer, Board of Directors

Wood River Cutoff Wall Phase 2 Pre-Solicitation Conference

W912P9-15-R-0730

St. Louis District, U.S. Army Corps of Engineers

November 17, 2015



US Army Corps of Engineers
BUILDING STRONG®



Agenda

- Opening Remarks
- Project Overview
- Specifications and Plans Review
- Technical Questions and Answers
- Source Selection Overview
 - ▶ Economy and Efficiency
- Questions

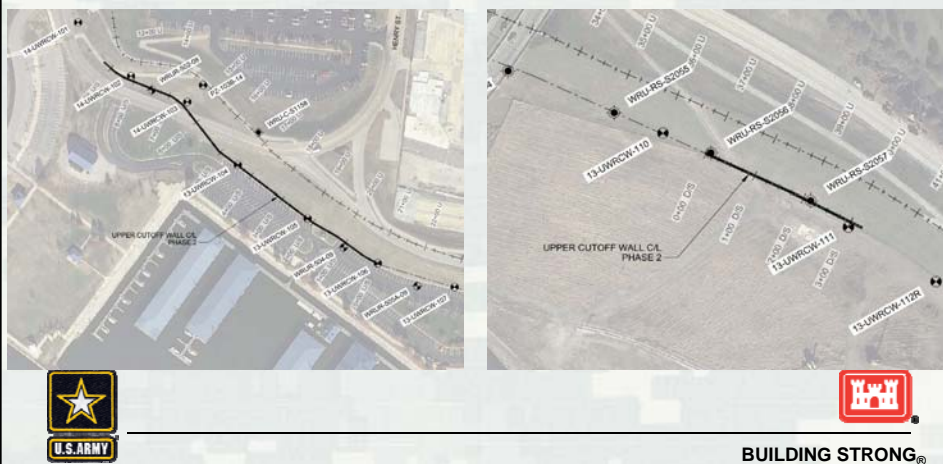


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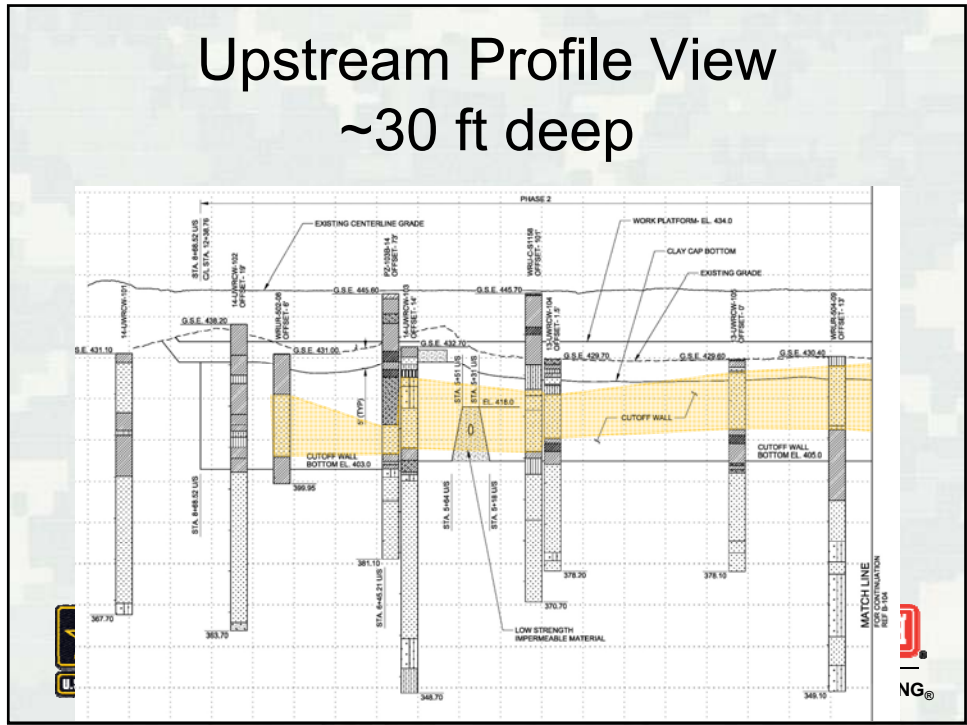
Location Overview



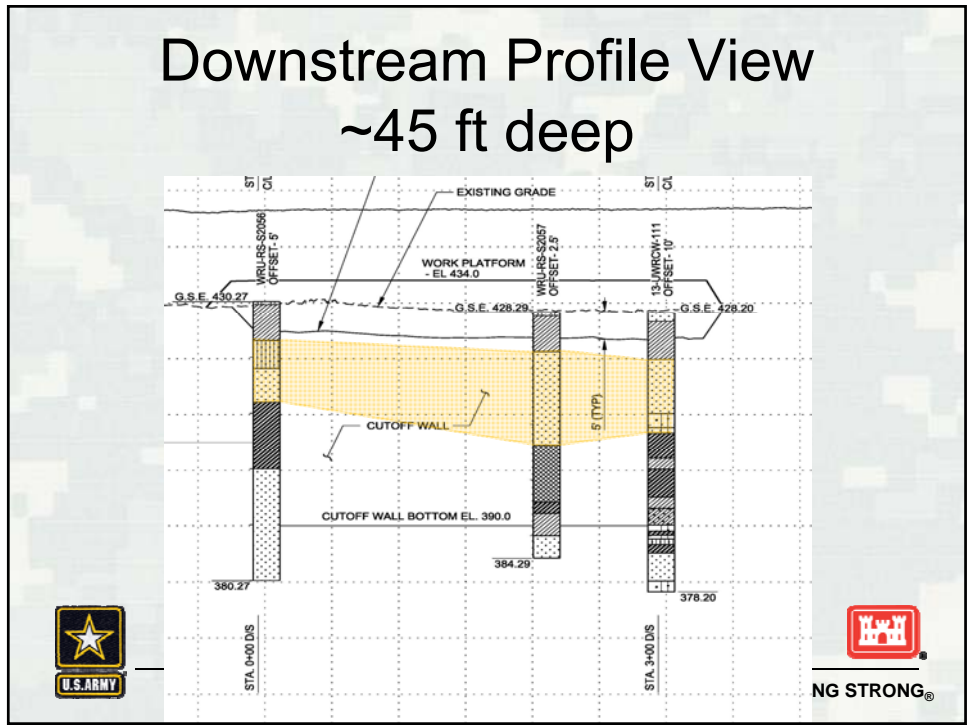
Plan View ~1200 ft long wall



Upstream Profile View ~30 ft deep



Downstream Profile View ~45 ft deep



Source Selection Overview

FACTORS AND RELATIVE ORDER OF IMPORTANCE		
FACTOR NUMBER	FACTOR	RELATIVE ORDER OF IMPORTANCE
1	Technical / Management Subfactor (a) – Technical Capabilities Subfactor (b) – Key Personnel	Equal to Factor 2
2	Past Performance	Equal to Factor 1
3	Economy and Efficiency	Less important than Factors 1 or 2
4	Small Business Participation Plan	Less important than Factors 1, 2 or 3
5	Price	Factors 1, 2, 3 and 4 combined are more important than factor 5



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Economy and Efficiency

- Factor overview
- Response to Industry Comments on Draft Solicitation, Factor 3



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Revised Evaluation Ratings

Rating	Description
Substantial Confidence	Based on the Offeror's performance record, the Government has a high expectation that the Offeror will successfully perform the required effort.
Satisfactory Confidence	Based on the Offeror's performance record, the Government has a reasonable expectation that the Offeror will successfully perform the required effort.
Limited Confidence	Based on the Offeror's performance record, the Government has a low expectation that the Offeror will successfully perform the required effort.
No Confidence	Based on the Offeror's performance record, the Government has no expectation that the Offeror will be able to successfully perform the required effort.



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QUESTIONS



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Technical

1. The bid quantity for the Slurry Trench Cutoff Wall is 28,400 SF. However, using the work platform and bottom elevations of the slurry wall shown on the plans, it appears over 38,000 sf of Slurry Trench Cutoff Wall Excavation and Backfill is required. Is the pay quantity calculated between the Clay Cap Bottom Elevation and Cutoff Wall Bottom Elevation? Is the remaining required excavation considered incidental? Please clarify the pay-lines for the Slurry Trench Cutoff Wall.

RESPONSE: The pay quantity for the cutoff wall is calculated between the clay cap bottom elevation and cutoff wall bottom elevation. Payment is for the square footage of wall in place at completion. The remaining is considered incidental.

2. Paragraph 3.6.5 of Specification Section 31 73 01 states that the mixing and backfilling operation shall be no closer than 25-feet away from the nearest face of the slurry trench. This would preclude “traditional” trench-side backfill mixing and placement methods. Please confirm that the intent of this specification is to prohibit trench-side-mixing of backfill on the work platform surface.

RESPONSE: The mixing cannot be closer than 25-feet away from the nearest face of the slurry trench. Mixing on the work platform surface is allowed as long as it occurs minimum 25-feet away from the trench. The backfilling operation can place the mixed material from the end of the trench but not the sides.

3. During review of the preliminary Plans and Specifications it was shared that clarification of the plans and specifications is warranted with respect to determination of quantity for payment of the cutoff wall. Specifically, state whether the cutoff wall quantity for payment is based on square footage of wall placed during construction or the square footage of wall in place at completion.

RESPONSE: The pay quantity for the cutoff wall is calculated between the clay cap bottom elevation and cutoff wall bottom elevation. Payment is for the square footage of wall in place at completion. The remaining is considered incidental.

4. During review of the preliminary Plans and Specifications it was shared that near Station 39+00 there is landfill with pockets of liquid. That condition and how it is to be handled is not made clear by these Plans and Specifications. Revise accordingly.

RESPONSE: Language has been included in the specifications to address this issue.

1.1.3 Unforeseen Hazardous, Radioactive, Or Toxic Waste (HTRW).

Historically, HTRW (crude petroleum product) has been identified during pilot geotechnical borings. This design has taken this into account and made efforts to avoid known areas. However, if HTRW material is discovered that may be hazardous to human health upon disturbance during construction operations is encountered, stop that portion of work and notify the Contracting Officer immediately. Within 14 calendar days the Government will determine if the material is hazardous. If material is not hazardous or poses no danger, the Government will direct the Contractor to proceed without change. If material is hazardous and handling of the material is necessary to accomplish the work, the Government will consider issuing a modification pursuant to FAR 52.243-4, “Changes” and FAR 52.236-2, “Differing Site Conditions”.

Re: Economy and Efficiency

1. Part I, paragraph 1 General Information (page 10 of 78): Suggest revising the “Factors and Relative Order of Importance” table to make Factor Number 3—Economy and Efficiency “Slightly less important than Factor 1 or 2”.

Response: The term “slightly less important” is not defined by the FAR, the AFARS, the DoD Source Selection Procedures guide, or the Army Source Selection Supplement (AS3). The factors relative order of importance as currently identified in the draft solicitation complies with the FAR requirements and will remain unchanged.

The terms “less important than, more important than, and/or equal to”, identified in the FAR and AS3 provide a defined expression on how one evaluation factor relates to each of the other evaluation factors in terms of importance. Utilizing terms that do not clearly distinguish the order of importance could potentially increase the risk of protest.

IAW AFARS 5115, the AS3 recites best practices that promote source selection flexibility and consistency within a given framework in Army source selections. Army personnel shall use the AS3 resource when conducting competitive source selections.

2. Part I, TAB 3: Factor 3 — Economy and Efficiency (page 18 of 78): Suggest adding the phrase below revising the last sentence of the first paragraph to read as follows:

“Proposals shall demonstrate the extent to which they: (i) advance the Federal Government’s interest in achieving economy and efficiency, producing labor management stability, and ensuring compliance with laws and regulations governing safety and health, equal employment opportunity, labor and employment standards, (ii) promote the government’s long term interest in facilitating the training of a stable, skilled workforce to meet the government’s future construction needs, and (iii) manage performance, schedule, quality risk and cost. Proposals must be consistent with law.”

Response: The recommended language is already included in the solicitation on page 19 of 78. Refer to TAB 3, item (5), starting on page 18 where it reads, “Proposals should address the following in detail”

3. Part I, TAB 3: Factor 3 — Economy and Efficiency paragraph (3) (page 19 of 78): Suggest adding the revising as follows:

(3) How the Offeror will reduce schedule risk including risks associated with strikes, lockouts, and similar job disruptions.

Response: Page 19 factor (3) will be changed to read “How the Offeror will reduce schedule risk. Risk could address but not be limited to risks associated with strikes, lockouts and similar job disruptions.”

The Government seeks to ensure that the language for paragraph (3) is not prescriptive whereby Offerors can articulate to the Government how they will reduce all potential schedule risks. In this paragraph the Government is looking at all risks associated with the schedule.

4. Part I, TAB 3: Factor 3 — Economy and Efficiency paragraph (4) (page 19 of 78): Suggest adding the sentence below at the end of this paragraph:
“A draft PLA shall not count against the offeror’s page limitation for TAB 3 (Factor 3) in Section 00100 paragraph 13(2).”

Response: The Government agrees that the draft PLA shall not count in the page limitation. In addition to clarifying the page limitation on page 19, it will also be included in Part I, paragraph 13, the table identified in item (2) on page 15 of 78.

5. Part II, Paragraph 3 Evaluation Factors and Subfactors (page 24 of 78): Suggest revising the “Factors and Relative Order of Importance” table to make Factor Number 3— Economy and Efficiency “Slightly less important than Factor 1 or 2”.

Response: Slightly less important is not defined by the FAR or the DoD Source Selection guide. The factors relative order of importance complies with the FAR requirements and will not be changed.

6. Part II, Factor 3: Economy and Efficiency (page 27 of 78): Suggest adding the phrase below revising the third sentence to read as follows:

“Proposals will be evaluated to determine the extent to which they: (i) advance the Federal Government’s interest in achieving economy and efficiency, produce labor-management stability, and ensure compliance with laws and regulations governing safety and health, equal employment opportunity, labor and employment standards, (ii) promote the government’s long term interest in facilitating the training of a stable, skilled workforce to meet the government’s future construction needs, and (iii) manage performance, schedule, quality risk and cost.”

Response: The recommended language is already in the solicitation on page 19 of 78. Page 27 will be updated with language to include evaluation of the factors addressed on page 18 and 19.

7. Part II, Factor 3: Economy and Efficiency (page 27 of 78): Suggest adding the phrase below revising the sixth sentence to read as follows:

“Proposals will also be evaluated on the extent to which the offeror reduces risks associated with labor unrest including strikes, lockouts, and similar job disruptions; and improves the availability, skills, training and continuity of the workforce.”

Response: Page 27 will be updated to reflect the changes to Page 19 factor (3).

SUBPART 22.5 USE OF PROJECT LABOR AGREEMENTS ON FEDERAL CONSTRUCTION PROJECTS

22.503-100 Policy.

In the publication of the FAR Rule, Case 2009-005 – 75 FR 19168, the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council concluded that the structure and organization of a contracting agency's review team, the agency or external resources consulted, and the documentation supporting any decisions relating to the use of a Project Labor Agreement (PLA), should be left to the discretion of each agency.

(a) *PLA Application.* Analysis for application of PLAs apply to construction solicitations (including task order request for proposals (RFPs)), with performance in the United States, with an anticipated contract value of \$25M or greater, and issued after 15 October 2010. Further, with respect to solicitations to establish new MATOCs and Single Award Task Order Contracts (SATOC) issued after 15 October 2010, the following language shall be included at an appropriate location in the solicitation: "Pursuant to FAR 22.503, a PLA may be considered for certain projects under Task Orders meeting the criteria set forth in Executive Order 13502. Each Task Order may be evaluated on a project by project basis for possible application of a PLA." (*Active solicitations* as of 15 October 2010 shall be amended to include this language. With respect to solicitations of task orders under previously awarded MATOCs and SATOCs, if the PDT determines that the project is appropriate for a PLA, the underlying MATOC or SATOC shall be modified to include the language above).

(b) *PLA Defined.* A PLA is a pre-hire collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment for a specific construction project. PLAs are permissible pre-hire agreements under sections 8(e) and (f) of the National Labor Relations Act, which authorizes the use of these agreements between labor organizations and employers engaged primarily in the building and construction industry. Since USACE is not an employer engaged primarily in the building and construction industry, USACE will neither negotiate nor become signatory to a PLA. (Refer to [UAI Appendix 22-1](#) for PLA Frequently Asked Questions (FAQs)).

(c) *PLAs and Acquisition Planning.* IAW FAR 7.103(x), during acquisition planning consider the use of a PLA for construction acquisitions on a project-by-project basis. The PDT should consider the factors identified at FAR 22.503(b) and (c). Additional factors USACE PDTs may deem appropriate for consideration include:

- (1) The unique and compelling schedule requirements of a particular project. In this regard, projects that are tied to court-imposed deadlines or mission-critical schedules may also provide a basis for a PLA requirement.
- (2) Skilled labor shortages might be anticipated for projects located in a remote location where a contractor may encounter difficulties in recruiting and retaining a skilled workforce for an extended period.
- (3) Skilled labor shortages may also result where there may be competition within the contractor community for skilled labor arising from concurrent large-scale construction contracts in the project vicinity.

(d) *PCO Responsibilities to Determine Use of PLA:* Market research shall be conducted IAW the instructions provided within the PLA Determination Tool ([UAI Appendix 22-2](#)). For each construction

project with an anticipated value of \$25M or more, the PDT may wish to solicit the perspectives of Division and HQ USACE Directorates (i.e. CECW-CE, CESB, CECC-C, etc.) with particular expertise in affected program areas. As an essential component of their market research, PDTs should examine the project location's labor market by soliciting the views of various construction community stakeholders as they specifically address the factors set forth at FAR 22.503(b) and (c), as well as the additional factors noted above. The PCO shall prepare a PLA Decision Memorandum for all construction projects with an anticipated contract value of \$25M and above. The memorandum will address whether or not the particular project satisfies the criteria set forth in FAR 22.503(b) and (c) and shall follow the "Review Checklist" template provided at [UAI Appendix 22-2](#). The PCO's decision memoranda shall be included in each applicable contract file, accompanied by the market research report, and other research information applicable to the decision whether or not an action is appropriate for a PLA. The market research shall contain the seven (7) USACE standard questions noted at [UAI Appendix 22-2](#), and may contain one or more of the other suggested market research questions. The market research report and completion of the decision memorandum (required for every evaluation whether or not a PLA is to be requested for proposal) should be undertaken **prior** to the issuance of the solicitation.

(e) *Determination to Include PLA within Solicitation:* When it is determined that a PLA may be accompanying offerors' proposals, the PCO shall ensure:

(1) Insertion of the following language into synopsis: "Offerors will be invited to submit a proposal subject to Project Labor Agreement (PLA) requirements (a PLA proposal), a proposal not subject to PLA requirements, or both. If a PLA proposal is accepted by USACE, the awardee shall be required to execute a PLA with one or more appropriate labor organizations for the term of the resulting Contract."

(2) Insertion at an appropriate location in the solicitation (or in the Task Order RFP): "Offerors may submit a price proposal subject to the Project Labor Agreement (PLA) requirements set forth in *[insert section]* of this solicitation (a PLA proposal), a price proposal not subject to the PLA requirements set forth in *[insert section]* of this solicitation, or both. Any price proposal submitted shall clearly identify whether it is subject to such PLA requirements."

(3) Insertion at an appropriate location in the solicitation (or in the Task Order RFP): "Note: FAR Provision 52.222-33, Alternate II only applies to proposals submitted subject to the PLA requirements of this solicitation." *[Insert FAR Provision 52.222-33, Alternate II]*

(4) Insertion at an appropriate location in the solicitation (or in the Task Order RFP): "Note: FAR clause 52.222-34, Alternate I and the included supplementary requirements are binding on the Contractor if the proposal selected for award was subject to PLA Requirements. If the proposal selected for award was not subject to PLA requirements, this section is not binding on the Contractor." *[Insert FAR clause 52.222-34, Alternate I]* Supplementary Requirements to 52.222-34(c) Alternate I IAW FAR 22.504(c): "1. Within ___ calendar days following award, or such other time as agreed to by the Contracting Officer, the Contractor shall furnish the Contracting Officer with an executed PLA meeting the minimum requirements, and containing the mandatory terms, of this section. The Contractor shall not be entitled to issuance of Notice to Proceed (NTP) until it has *furnished such evidence of an executed PLA*. Note: The number of days for submission of the executed PLA cannot be more than the number of days to NTP."

(f) *Evaluation of Proposed Use of PLA:* The proposed use of a PLA must be evaluated during the source selection process. The SSP shall address how an offeror's proposed use of a PLA will be evaluated during the source selection. (When determination is made that PLA will be pursued on the project, IFB or LPTA procedures shall not be used, as such approach would not enable the SSA to weigh an offeror's proposed use of a PLA in the source selection process). The weight of importance given to the use of a PLA will vary depending on the project and the perceived benefit of the use of a PLA to the Government. The PCO will have discretion in determining how best to consider the proposed use of a PLA during source selection. Offerors proposing the use of a PLA may be evaluated more favorably. However, since proposing a PLA is optional, offerors who do not propose the use of a PLA still meet the minimum requirement. Possible areas of evaluation include requiring the submission of a PLA Implementation Plan Narrative and/or previous experience with projects that include PLAs as part of the offeror's technical proposal which will be rated during source selection.

(g) *Review of the PLA:* When the Contractor submits the fully executed PLA after contract award the PCO, Office of Counsel, CIR Officer, and any other parties deemed necessary by the PDT will review the PLA for compliance with the contract requirements. Identified areas of non-compliance will be addressed with the Contractor and corrected. NTP shall not be issued until a PLA that is fully compliant with the contract requirements is received by the PCO.

(h) *Mandatory PLA Terms:* The PLA must establish wage rates applicable for the duration of the PLA, regardless of whether corresponding collective bargaining agreements expire. The PLA shall also include the following terms (or substantially identical language as approved by the PCO):

(a) "During the term of this PLA, there shall be no strikes, pickets, work stoppages, slowdowns or other disruptive activity for any reason by Labor Organizations or their members, and there shall be no lock out by the Contractor or its subcontractors. The Labor Organizations agree that they shall not incite or encourage participation in any such disruptive activity and shall undertake all reasonable means to prevent or terminate it."

(b) "This PLA supersedes any other collective bargaining agreement that may conflict or differ from the terms of this PLA. In the event of a conflict between the terms of this PLA and any collective bargaining agreement, this PLA shall govern. If any collective bargaining agreement contains provisions that are not covered by this PLA, such collective bargaining agreement provisions shall bind the parties to the collective bargaining agreement with respect to employees covered thereby."

(c) "Deductions for Labor Organization dues, if any, for employees who are not members of Labor Organizations shall not be more than an amount necessary to cover the Labor Organization's costs of collective bargaining, contract administration, and grievance adjustment. Contributions to employee benefit funds of a Labor Organization from employees who are not members of that Labor Organization may be required only if, and to the extent that, the benefits immediately accrue to the direct benefit of such employees and do not require membership in the Labor Organization."

(d) "Nothing in this PLA shall be deemed to limit a Contractors or its subcontractors' right to reject proposed employees, provided that such right is exercised in good faith, or to use their own employees."

(i) *PLA Quarterly Reporting Requirement*: USACE must report action relating to the PLA Executive Order 13502, quarterly. The report is pulled by the HQ USACE DOC through the Army Business Intelligence System (ACBIS). The data is given to the HQ USACE CECC-C [CIR Officer](#), who may coordinate with Districts/Centers contracting officers to verify the information concerning if a PLA was used on the contracts listed and a brief explanation of the consideration in deciding whether a PLA was appropriate for the project. HQ USACE CECC-CCIR Officer shall submit the USACE report to OMB. The report contains construction requirements valued at \$25M and above and includes: Contract Number; Dollar Value of the Total Contract Award; Product and Service Code Describing the Project; Whether a PLA was Required in the Solicitation; Brief explanation of the Considerations in Deciding Whether a PLA was Appropriate for the Project; and, the Organizational Level at Which the Decision was Made.

SUBPART 22.13 — EQUAL OPPORTUNITY FOR VETERANS

22.1302-100 Scope of Subpart.

For contracts that require the inclusion of FAR Clause 52.222-35, “Equal Opportunity for Veterans,” the requiring activity shall incorporate the following text in the general requirements section of the specification/performance work statement(PWS)/statement of work (SOW)/ statement of objectives (SOO) (i.e. construction specifications, insert at “01 00 00).”

Veterans Employment Emphasis for U.S. Army Corps of Engineers Contracts

In addition to complying with the requirements outlined in FAR Part 22.13, FAR Provision 52.222-38, FAR Clause 52.222-35, FAR Clause 52.222-37, DFARS 222.13 and Department of Labor regulations, U.S. Army Corps of Engineers (USACE) contractors and subcontractors at all tiers are encouraged to promote the training and employment of U.S. veterans while performing under a USACE contract. While no set-aside, evaluation preference, or incentive applies to the solicitation or performance under the resultant contract, USACE contractors are encouraged to seek out highly qualified veterans to perform services under this contract. The following resources are available to assist USACE contractors in their outreach efforts:

Federal Veteran employment information at <http://www.fedshirevets.gov/index.aspx>
Department of Labor Veterans Employment Assistance <http://www.dol.gov/vets/>
Department of Veterans Affairs–VOW to Hire Heros Act <http://benefits.va.gov/vow/>
Army Wounded Warrior Program – <http://wtc.army.mil/modules/employers/index.html>
U.S. Chamber of Commerce Foundation–Hiring Our Heros <http://www.hiringourheroes.org/>
Guide to Hiring Veterans – Reference Material
http://www.whitehouse.gov/sites/default/files/docs/white_house_business_council_-_guide_to_hiring_veterans_0.pdf

(End of special contract requirement)

Enclosure 4

Frequently Asked Questions:

1. Are there particular types of contracts, e.g., fixed price, cost reimbursement, incentive fee, etc., for which PLAs should never be used?

No. PLAs have been successfully used on all types of contracts in the public and private sector.

2. Should field operating activity personnel be discussing this with potential offerors?

Yes, FAR 22.504(c) encourages seeking the views of both prospective bidders and union representatives in an effort to identify and facilitate agreement on appropriate terms and conditions for a particular PLA. USACE Contractor Industrial Relations Specialists (CIRS) are generally in the best position to do identify the appropriate points of contact among the respective labor organizations in the initial considerations regarding the use of a PLA. Also, see enclosure 6.

3. What about Using a Master PLA, as part of the solicitation?

We understand that other Federal agencies routinely use master PLAs and have found them very helpful in achieving economy and efficiency. However, at this point, we don't believe any USACE activities have sufficient experience to develop a master PLA to be added to their solicitations as a requirement for all offerors.

4. Are PLAs legal?

Federal Acquisition Circular 2005-14 specifically authorizes using PLAs on Federal construction contracts. In addition, PLAs may lawfully be used on construction projects consistent with Sections 8(e) and (f) of the National Labor Relations Act. Agencies should ensure that their actions are tailored to reflect their proprietary interests and do not prescribe how government contractors and subcontractors handle their labor relations beyond performance of the specific government construction project involved. See Building and Trades Council v. Associated Builders, 113 S.Ct. 1190 (1993) (“Boston Harbor”); Chamber of Commerce of U.S. v. Reich, 74 F.3d 1322 (D.C. Cir. 1996), *rehearing denied*, 83 F.3d 439 (1996); *rehearing en banc denied*, 83 F.3d 442 (1996) (“Reich”); Building and Construction Trades Dept., AFL-CIO, et al. v. Allbaugh, et al., 295 F.3d 28, 30 (D.C. Cir. 2002).

5. Should USACE be signing the PLA or participate in part of the negotiations?

No. Federal agencies may be the owner of the facilities, but (with the possible exception of federal corporations such as the Tennessee Valley Authority) they are not the employer of the contractor work forces employed to construct the facilities. As owners and proprietors, federal agencies may be party to bid specifications or solicitations that anticipate or require use of PLAs. However, because a federal agency is not generally the employer of the workers involved, it

should not directly participate in collective bargaining determining terms and conditions of employment, or become party to labor agreements such as PLAs.

6. Besides the items in FAR 22.204(b), what could USACE additionally require be put into a PLA?

Although the contractors, as employers, negotiate the terms and conditions of a PLA, USACE may require that a contractor negotiate a PLA containing any additional requirement consistent with USACE's interests as the proprietor of the project, that otherwise contributes to the efficiency and economy in attaining USACE's mission, or that reflects legitimate socio-economic factors.

7. What projects are included in this change?

The President's Executive Order provides that it shall be the policy of the Federal Government to encourage the use of PLAs in connection with large-scale construction projects (defined in the EO as projects where the total cost to the Federal Government of the project is at least \$25 million) as appropriate to promote economy and efficiency in Federal procurement.

8. Are contracts for construction projects that involve less than \$25 million also covered?

Executive Order 13502 encourages agencies to use PLAs on projects below \$25M in value. Thus, USACE has the discretion to require use of PLAs on projects where the total anticipated contract value is expected to be less than \$25 million, if use of a PLA will promote efficiency and economy.

9. Does USACE have to make separate determinations for each of a series of similar or related projects?

A separate determination must be made for each solicitation for a construction project with an anticipated contract value of \$25 million or more as required by EO 13502 and OMB Memorandum M-09-22.

10. Do PLAs discriminate against non-union contractors or employees who are not members of one of the unions?

No. PLAs in connection with public-sector construction contracts are structured to allow all contractors – union and non-union – to participate. Union hiring halls through which applicants must ordinarily pass to obtain work on a particular project must be operated in a manner that does not discriminate on the basis of union membership.

11. Will a contractor be able to use its existing work force on the project?

Yes, PLAs may contain provisions permitting contractors to bring their existing workers to a particular construction project with them.

12. Won't requiring use of a PLA reduce the number of bids or competition for a project?

No, requiring use of a PLA does not necessarily reduce the number of bids or competition for a contract. See Associated Builders and Contractors, Inc. v. Southern Nevada Water Authority, 159 Nev. 151, 159 n. 1, 979 P.2d 224 (S.Ct. Nev. 1999). In addition, in some instances, using PLAs could increase the pool of potential bidders by encouraging offerors who might otherwise believe their bid or proposal would not be competitive in terms of price (e.g. union shop contractors might be encouraged to bid).

13. Are PLAs legal in Right-to-Work states?

Yes. PLAs are legal in states with Right-to-Work laws prohibiting agreements requiring employees to become full union members so long as the union security provisions are written to be consistent with the particular requirements imposed by the statutes in question. Certain Federal construction projects, however, will take place on property where USACE or another agency has exclusive federal jurisdiction and State Right-to-Work legislation would not be applicable in those circumstances anyway. Lord v. Local Union No. 2088, International Brotherhood of Electrical Workers, 646 F.2d 1057 (5th Cir. 1981), rehearing denied 654 F.2d 723 (1981), cert. denied 458 U.S. 1106 (1982).

14. If a contractor is not actually submitting an executed copy of their PLA as part of their proposal, how will the Corps evaluate proposal?

The proposed use of a PLA must be evaluated during the source selection process. Therefore how the proposed use of a PLA will be evaluated along with any proposal submission requirements must be addressed in the source selection plan and the solicitation. The weight of importance given to the use of a PLA will vary depending on the project and the perceived benefit of the use of a PLA to the Government. Contracting Officers will have discretion in determining how best to consider the proposed use of a PLA during source selection. Offerors proposing the use of a PLA may be evaluated more favorably. However, since proposing a PLA is optional, offerors who do not propose the use of a PLA still meet the minimum requirement. Possible areas of evaluation include, requiring the submission of a PLA Implementation Plan Narrative and/or previous experience with projects that include PLAs as part of the offeror's technical proposal which will be rated during source selection.

15. What role should USACE play in managing a PLA during contract performance? What additional actions will need to be taken as part of administration of a contract involving a PLA that would not otherwise be taken?

Careful contract administration is very important to be sure that the PLA is properly and lawfully implemented and to be sure that the PLA succeeds in providing the economies and efficiencies in procurement anticipated when the determination to require use of a PLA was made. For cost-reimbursement contracts, Contracting Officers should approve the terms of the PLA for purposes of establishing that costs included under the PLA will be allowable under the USACE contract.

16. What basic steps should be taken to ensure use of a PLA will advance USACE's interest in achieving economy and efficiency?

PDTs should review the project at issue and particularly the schedule and anticipated need for the end product of the construction in order to determine the sensitivity of the project to any delays in project completion and the value in preventing disruptions of work and resolving disputes that may arise on site. For example, retrofitting of occupied structures or construction of new buildings or replacement structures may be very time sensitive, especially if weather in the area could further restrict construction.

To determine the efficiencies and economies that a PLA might bring to a particular project, the PDT should assess the complexity of the project involved, and particularly the number of workers, labor organizations, and employers expected to participate and the value in those circumstances of coordinating wages, hours, work rules, position classifications, dispute resolution, and other terms of employment at the project. If the budget is very tight, the certainty of labor costs provided by a PLA may be particularly important. Similarly, if studies indicate there may be a concern about possible shortage of labor with the needed skills and capabilities in the area where the project is being conducted, there could be a significant advantage to obtaining access to union hiring halls. PDTs may also take into consideration that apprenticeship programs available under a PLA may contribute to economy and efficiency of the project in a manner that assures the largest pool of labor involved and is cost-effective in the long run, as well as the impact of such programs on immediate project costs. In particular, apprenticeship and hiring hall programs may make an expanded pool of qualified workers available more expeditiously and allow the project to get under way faster. Projects at sites involving remediation of significant environmental hazards or involving particularly dangerous work give rise to particularly acute safety and health concerns and the advantage of PLAs in facilitating coordination of work on site may be important in those circumstances. Such considerations may also constitute socio-economic factors appropriate for consideration by USACE. It may also be helpful to issue a Sources Sought Synopsis in order to better determine the likely impact of use of a PLA on a particular project.

17. FAR 22.503(c)(6) talks about other factors. What types of other factors should be considered during acquisition planning to determine whether or not to use a PLA? Why would USACE want to promote PLAs?

There are several factors that USACE should consider during acquisition planning in order to determine whether use of a PLA will advance USACE's interest in achieving economy and efficiency. The Department of Energy and the Tennessee Valley Authority have found that projects covered by PLAs tend to come in on time or early, and on budget or under budget, and that any delays in completion of such projects or any increases in costs that do arise are not due to labor issues.

PLAs may significantly contribute to the economy and efficiency of a project by providing a mechanism for coordinating wages, hours, work rules, and other terms of employment across a project. Agencies should consider the complexity of the particular projects involved, particularly

with respect to the number of workers and labor organizations and contractors expected to participate, and the value in those circumstances of coordinating wages, hours, work rules, and other terms of employment at the project in contributing to efficiency and economy. Improving coordination of work may also be especially important in projects involving particularly acute safety and health concerns.

Further, lack of coordination among various employers, or uncertainties about the terms and conditions of employment of various groups of workers, may create friction and labor disputes. On larger, more complex projects that will be of longer duration, such problems tend to be more pronounced. The use of PLAs may prevent such problems from developing by providing structure and stability to large-scale construction projects, thereby promoting the efficient and expeditious completion of Federal construction contracts. PLAs also generally include broad provisions for grievance and arbitration of any disputes that may arise on site so as to promote the efficient and expeditious completion of Federal construction projects.

Moreover, PLAs commonly provide strong prohibitions of work stoppages, slowdowns, or strikes for the duration of a project and may specifically obligate senior union management to use their best efforts to prevent any threats of disruptions of work that might possibly arise. Agencies should therefore consider the sensitivity of the particular projects to delays and the value in the circumstances of preventing disruptions of work and of providing processes for resolving any disputes that do arise on site.

PLAs also commonly include provisions giving employers access to hiring halls maintained by the participating unions. DOE experience has been that projects covered by PLAs have access to a well trained supply of labor available expeditiously, even in remote areas where skilled labor would have otherwise been extremely difficult to find in a timely fashion. Thus, if there is concern about possible shortage of labor with the needed skills and capabilities in the area where the project is being conducted, access to union hiring halls could be important means of obtaining the necessary work force in the most efficient, expeditious, and economical fashion. Apprenticeship and training programs available through a PLA also help meet labor requirements – and do so in a manner that is cost-effective for the duration of the immediate project, that also assures the largest pool of labor involved, and that is cost-effective in the long run. These factors may also constitute socio-economic factors appropriate for consideration by an agency.



Progress Report November 18, 2015

Southwestern Illinois Levee Systems

By Jay Martin



Construction Status



- ▶ **Bid Package 2A – Fish Lake Pump Stations**
 - ▶ The construction portion of this project is complete and the retainage has been released.
 - ▶ Amec Foster Wheeler preparing documents for USACE.

- ▶ **Bid Package 2B – WR/MESD/PdP Pump Stations**
 - ▶ The majority of planned construction portion of this project is complete.
 - ▶ Amec Foster Wheeler in discussions with Contractor on replacement pipe and erosion control items.
 - ▶ Amec Foster Wheeler preparing close-out documents for USACE.

- ▶ **Bid Package 2C – Site 12 Pump Station Force Mains (MESD)**
 - ▶ New concrete structures complete. Force mains and earthwork to follow.
 - ▶ Estimated completion date is 12/15/15.



Construction Status

► Bid Package 3 – Wood River Seepage Improvements

- Design revisions to Blanket Drain 4 are pending. Construction cost impacts will be submitted when available
- Russell Commons trash/debris removal is complete.
- Lower Wood River relief well drilling continues: 44 of 67 complete.
- 19 relief well designs are pending.
- Random Fill 2 in progress.

► Bid Package 4 – MESD Seepage Improvements (Conoco Phillips)

- Pump Station installation complete.
- Clay Cap approximately 80% complete. Clay cap installation on hold until pipeline issues resolved.
- Amec Foster Wheeler working with contractor on RCP.



Construction Status

► Bid Package 5 – MESD Seepage Improvements

- No work onsite this month.
- Amec Foster Wheeler working with contractor on the RCP.
- Land acquisition – working on easement for protruding clay cap.

► Bid Package 6 – Prairie du Pont / Fish Lake Seepage Improvements

- Relief well collector system complete
- Clay caps complete
- Seepage berms ~ 95% complete
- The Contractor anticipates a completion date of December 31, 2015 – weather dependent.

► Bid Package 7B – Wood River Lower (Deep) Cut-off Wall

- Deep cut off wall test section complete.
- Contractor working to clarify wall permeability test results
- Due to a delayed start, completion date will be revised.

Bid Package 2C – MESD



Outfall Structure
Reinforcing

10/30/2015 09:59

Bid Package 3 – Wood River



Clearing Random
Fill #1

Bid Package 3 – Wood River



Random Fill Placement



7

Bid Package 3 – Wood River



Weir # 4



8

Bid Package 6 – Prairie Du Pont



Bid Package 7B – Lower Wood River





FEMA Certification Update

► Upper Wood River

- ▶ Construction is substantially complete.
- ▶ USACE will certify to FEMA (due to Mel Price seepage area).
- ▶ Amec Foster Wheeler to submit documentation to USACE within 3 months.
 - ▶ Submit As-Built Drawings
 - ▶ Submit O&M Changes as a result of FPD Council Work
- ▶ USACE is 95% complete with their compilation of Non Amec Foster Wheeler Data.
- ▶ Submit to FEMA early Q2 of 2016

► Wood River East & West Forks

- ▶ Certification is pending IDNR Approval of Interior Drainage Analysis
- ▶ Submit to FEMA Q4 2015

11



FEMA Certification Update

► MESD

- ▶ Pending completion of Bid Packages 2B, 4, & 5.
- ▶ Council requested USACE to submit package, Amec Foster Wheeler to support
 - ▶ Submit As-Built Drawings
 - ▶ Submit O&M Changes as a result of FPD Council Work
- ▶ 10.5 ft. sewer – efforts being coordinated between Amec Foster Wheeler, City of East St Louis and MESD.
- ▶ Critical Path is Clay cap construction & 10.5' Sewer
- ▶ Construction Completion Q3 2016
- ▶ Submittal to FEMA Q4 2016

► Prairie du Pont & Fish Lake

- ▶ Pending completion of Bid Packages 2B & 6.
- ▶ Construction Completion Q4 2015 (weather dependent)
- ▶ Submit to FEMA by Q2 of 2016.

12

Authorized Level (500-Year) Design

Wood River

- Drilling started and progressing; two rigs. Coordination with the USACE continues – potential modifications to the approved plan.

MESD

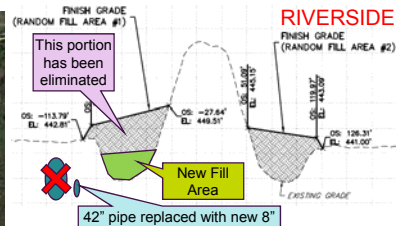
- Drilling Plan to be submitted by Friday.

PdP/FL

- Currently being reviewed by the USACE against FEMA improvements.

Questions?

Bid Package 3 – Lower Wood River Farm Drain Change Order Update



- ▶ Reduced landside fill area
- ▶ Added very minor (<1") additional floodplain inside the levee
- ▶ Estimated change order is a net credit TBD / negotiated.

15

Bid Packages 2B, 4, 5 – MESD, PdP Pipe Replacement Update



- ▶ Official PCN for 2B, 4, & 5 submitted on 11/17/15
- ▶ Several cost saving measures have been discussed and approved by USACE over the past several weeks (not big dollars, but big time savers)
- ▶ Plans and Specs formally submitted to contractors: 11/13/15
- ▶ Anticipated signed contract Mods: 11/25/15
- ▶ Anticipated mobilization: 12/14/15
- ▶ Anticipated construction complete: 3/25/16 (*extremely weather dependent*)

16

Bid Packages 3 – Upper Wood River Russel Commons Landfill Waste Update



▶ Board Authorized \$780,000

▶ Anticipated Costs:

Suitable material:	\$41,500.00
Sampling & Analysis	\$52,710.00
Hauling 279 Loads @\$283.58	\$79,118.82
<u>Landfill</u>	<u>\$101,791.82</u>
Total	\$275,120.64

▶ Approximately \$504,000 of the change order will go unused.

17

Bid Packages 3, 5, &6 – WR, MESD, PdP/FL Relief Well Obstruction Change Order Update



▶ Anticipated Costs:

	Board Authorization	Actual Cost	Delta (left over/unused)
BP 03	\$500,000	\$477,573 (as of 11/14)	\$22,427
BP 05	\$275,000	\$190,213	\$84,787
BP 06	\$500,000	\$203,341	\$296,659
Total	\$1,275,000	\$871,127	\$403,873

▶ **Remaining work, BP 03:**

▶ 19 Wells remaining, cost could be \$250,000

▶ Net unused is anticipated to be approximately \$153,000

18

Metro East Projects, IL

USACE UPDATE

- Wood River Cutoff Wall Phase 2 Pre-Solicitation Conference
 - Comment period extended to November 30, 2015
 - FPD decision to provide cost share
 - Contract advertisement date dependent on receipt of sponsor funds
- WR Upper LSER
- ESTL National Flood Insurance Program Levee System Evaluation Report Request
- Status of Work in Kind Approval
- FY16 Activities
 - Collaborative Effort on WIK Credit Activities
 - Prioritizing Work Efforts
 - Future work plan/budget requests
- WRRDA 2014 Implementation Guidance
 - Section 3012 – Consolidation of Projects
 - Section 1020 – Spillover Credit



BUILDING STRONG®



Memo to: Board of Directors
From: Chuck Etwert
Subject: Program Status Report for December 2015
Date: December 14, 2015

Approximately 71% of the \$62.1 million of construction, involved in all nine current construction bid packages, has been completed thru November. The amount of work completed during the month was just under \$400,000., due to an unusual high river condition at this time of year and the process of obtaining approvals by the Corps of Engineers on the replacement of the High Density Polyethylene Pipe (HDPE) with Reinforced Concrete Pipe (RCP) on the various bid packages. The total amount of construction completed is now \$44.1 million.

As I have previously informed you, the sale of the Council's 2015 Series AB bonds has been very successful. Net proceeds for the project will total \$25.7 million (senior bonds) and \$51.8 million for the (subordinate bonds) for a total of \$77.5 million. In the approved FY 2016 budget we had estimated \$65 million, so this is great news. Columbia Capital will provide an update on the sale at the meeting.

I have attached the Council's additional comments submitted to the Corps of Engineers regarding the Wood River Cutoff Wall Phase 2 Solicitation and the Corps' response to our suggestions, which thanked us for our comments but didn't result in any changes.

As you are aware last week the Corps requested (copy attached) the Council to make a commitment to provide cost share funds for the Wood River Upper Shallow Cutoff Wall project no later than December 16, 2015. The project would be bid by the Corps utilizing the Best Value Tradeoff approach instead of the Lowest-Price Technically Acceptable approach.

The Best Value Tradeoff approach would utilize a weighting system and there would be no guarantee that the proposal selected would have a Project Labor Agreement (PLA). The only information available after the award of the contract would be the name of the selected offeror, the price, if a PLA was included and the number of proposals received.

I responded to the Corps' request with questions regarding the utilization of Work In-Kind credit accrued on a project being still being built, the project cost estimate, and the draft solicitation for the project. I have attached a copy of the Corps' response to the questions raised.

The answer received to the question of “utilizing Work In-Kind credit accrued on a project still being constructed” was that utilizing Work In-Kind credit for cost share can only be afforded after approval of the Integral Determination Report (IDR) and that IDR approval will not take place prior to December 16th.

If the FPD could utilize Work In-Kind credit for this project along with the 5% cash already contributed, the Corps could test this Best Value Tradeoff Approach process and see how it performs. It could be a win win situation, with the FPD not committing funds where a PLA isn't guaranteed and the Corps utilizing a new process. It's hard to justify committing a million dollars now, when it might be possible in a few months to use Work In-Kind credit to achieve the same end result. Unfortunately, no one knows how long it will take to obtain IDR approval, but it may be worth the wait.

The Corps stressed that the decision to provide a cash cost share contribution better positions the Corps for future federal appropriations, but a Work In-Kind credit alternative aligns with the “Workforce Policies” included in the Council's Resolution Expressing the Official Intent to Restore the Federally Authorized Level of Mississippi Flood River Protection in the Metro-East.

The Corps' cost estimate is an estimate, and once a cost share commitment is made, the FPD would be locked into a 35% share even if the selected offeror comes in much higher.

A final version of the solicitation itself, would only be available after receipt of FPD funds. Our solicitation comments regarding the rating factors haven't resulted in any changes to date.

On another topic, the Corps of Engineers has informed the Council that it will evaluate the East St. Louis Flood Protection Project system for the purposes of National Flood Insurance Program (NFIP) accreditation. The NFIP evaluation will be completed at full federal expense, pending availability of funds. I have asked the Corps when this determination of funding availability will be known. A copy of the Corps' letter is attached.

The Corps has also informed the Council that it is likely that there will be insufficient federal funds available to complete the preliminary design efforts necessary for all of the bid packages the FPD has identified for completion. We will continue to work with the Corps to determine project costs and express our position on where the limited funds that are available to the Corps should be spent. Of course, with the success of our 2015 bond issue, we have the funds available to start building projects once Amec Foster Wheeler completes the design. It appears that the Corps would like to use a portion of their funds to complete the design of the Wood River Deep and East St. Louis Cutoff Walls, which the Council provided the non-federal share to them back in September of 2014. At this time the Corps doesn't have funds to build either of these projects. A copy of the Corps' letter is attached.

I am pleased to report that FEMA has updated their website regarding the updating of their flood maps. The project status is still shown as “On-hold” but the Projected Effective Date is now 06/21/2017 instead of 06/16/2016. This new date coincides well with our latest schedule of having all construction completed by September 2016 and all certifications submitted by the end of the year.

I have also included in your Board packet, a copy of an article from The Bond Buyer regarding our subordinate bond issue and Amec Foster Wheeler's Monthly Progress Report for December.



**Southwestern
Illinois
Flood Prevention
District Council**

104 United Drive
Collinsville, IL 62234

618-343-9120
Fax 618-343-9132

www.floodpreventiondistrict.org

November 24, 2015

Board of Directors

Jim Pennekamp

President

Paul Bergkoetter

Vice President

John Conrad

Secretary-Treasurer

Angie L. Grimes
USACE – St. Louis District
1222 Spruce Street, Room 4.207
St. Louis, Missouri 63103-2833

Transmitted via email: angie.l.grimes@usace.army.mil

Bruce Brinkman

Thomas Long

Debra Moore

Ron Motil

Alvin L. Parks Jr.

Ronald Polka

**RE: Wood River Cutoff Wall Phase 2 (Solicitation No. W912P915R0730)
Feedback Following Nov. 12, 2015 Pre-Solicitation Conference**

Dear Ms. Grimes:

Charles M. Etwert
Chief Supervisor of
Construction and the Works

We welcome this opportunity to provide feedback following the subject conference and the release of responses to comments, including those we submitted on October 23, 2015. As the nonfederal interest with cost-share and ongoing project responsibilities, the Southwestern Illinois Flood Prevention District Council (FPD) remains committed to the success of the project. At this time we are most interested in there being a bidding environment that encourages use of Project Labor Agreements (PLAs) and that any offer with a PLA is evaluated fairly, and favorably.

We are in receipt of the U.S. Army Corps of Engineers (USACE / Corps) responses to earlier questions and concerns, and attended the pre-solicitation conference at which the Corps provided additional information. The discussion on Factor 3: Economy and Efficiency, which is intended to cover PLAs and their evaluation, indicated the Corps may be intending to move away from evaluating a proposed plan in favor of considering past performance. Rather than solely evaluating Factor 3 based on an offeror's performance record, we urge the Corps to retain the evaluation ratings included in the initial solicitation.

The USACE Acquisition Instruction (UAI), Subpart 22.503-100(f), allows for evaluation of submissions with PLAs to "include requiring the submission of a PLA Implementation Plan Narrative and/or previous experience with projects that include PLAs as part of the offeror's technical proposal which will be rated during

source selection.” The proposed plan for this project is at least as important, if not more so, than past performance. Our preference is for the evaluation to be based upon, as is allowed by the UAI, the offeror’s plan for this project. If, however, the evaluation criteria is modified to include past performance then we trust, as per the UAI, the offeror’s experience will be evaluated based on previous projects that included PLAs.

With respect to the weighting of Factor 3, we acknowledge the Corps’ understanding of the FAR requirements and consequent unwillingness to make Factor 3 “slightly” less important than Factors 1 or 2. Rather than the retaining the relative order of importance for the five Factors as the Corps intends, we ask that in recognition of the importance of Factor 3 (slightly less than 1 or 2) that instead Factors 1 , 2 and 3 be made equal. The UAI states, “The weight of importance given to the use of a PLA will vary depending on the project and the perceived benefit of the use of a PLA to the Government.” As the nonfederal interest and Corps partner on this project we reiterate that the use of a PLA will provide benefit to both the Government and the community. We ask the Corps to use their discretion in determining how best to consider the proposed use of a PLA during source selection and issue a solicitation that, per the UAI, is structured such that “Offerors proposing the use of a PLA may be evaluated more favorably.”

Thank you in advance for your consideration of this very important matter.

Sincerely,



Mr. Charles M. Etwert
Chief Supervisor of Construction and the Works
Southwestern Illinois Flood Prevention District Council

CC: Michael Feldman, USACE-STL
David Human, Husch Blackwell, LLP
Jon Omvig, AMEC Foster Wheeler



DEPARTMENT OF THE ARMY

ST. LOUIS DISTRICT, CORPS OF ENGINEERS
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833

3 Dec 2015

REPLY TO
ATTENTION OF: CEMVS-CT

Southwestern Illinois Flood Prevention District Council
ATTN: Mr. Charles M. Etwert, Chief Supervisor of Construction and the Works
104 United Drive
Collinsville, Illinois 62234

RE: Wood River Cutoff Wall Phase 2 (Solicitation No. W912P915R0730) Feedback Following Nov. 12, 2015 Pre-Solicitation Conference

Dear Mr. Etwert:

This is in response to your correspondence of 24 November 2015, subject as above. Your letter was addressed to Ms. Grimes of our staff, but I am responding to you as the Contracting Officer for this solicitation.

I appreciate your comments and the spirit of cooperation in which these comments were provided. We share the same overall goal, which is to restore the federally authorized level of flood risk management to the people of Southern Illinois. You and the Council are fully aware that this agency must be in full compliance with the various statutes and regulations that govern the procurement process. Although these statutes and regulations place certain constraints on our freedom of action, they have been developed over many years and exist for very good reasons. If we do not abide by these statutes and regulations, we are open to judicial challenges that may delay the project.

I will now address the various suggestions that you have provided with regard to the solicitation. In your first paragraph, you state that the Council is most interested in there being a bidding environment that encourages use of a Project Labor Agreement (PLA) and that any offer with a PLA is evaluated fairly and favorably. Both the Council and this agency have an interest in promoting the efficiency and economy of this particular construction effort, which is why we have included Factor 3, Economy and Efficiency, in the solicitation. This factor will allow bidders to demonstrate the extent to which they can: (i) advance the Federal Government's interest in achieving economy and efficiency, producing labor management stability, and ensuring compliance with laws and regulations governing safety and health, equal employment opportunity, labor and employment standards, (ii) promote the government's long term interest in facilitating the training of a stable, skilled workforce to meet the government's future construction needs, and (iii) manage performance schedule, quality risk and cost. However, the use of a PLA is simply one tool which a potential bidder may, or may not, elect to utilize to achieve these goals. Bidders will be invited to submit proposals with, or without, a PLA, and I assure you that all bids will be evaluated fairly.

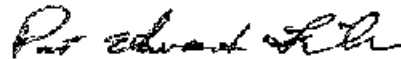
In your second paragraph, you state that Factor 3 is intended to cover PLA's and their evaluation. In fact, this is not the intent of that factor. The purpose of Factor 3 is that which is stated above. The Government still intends on evaluating the Offerors plan for factor 3. Instead of using the adjectival ratings in the first draft we would establish a level of confidence in the plan; similar to how Past Performance is rated. Examples of how Offerors have successfully used their plan will only increase the level of confidence in their ability to successfully perform the contract.

In your third paragraph, you quote from the USACE Acquisition Instruction (UAI). The UAI does allow for the evaluation of submissions with PLA's, to include requiring the submission of a PLA implementation Plan Narrative and/or previous experience with projects that include PLA's as part of the Offeror's technical proposal which will be rated during source selection. As you are aware, for this particular construction project the St. Louis District conducted two extensive market surveys. At the conclusion of these surveys, in an effort to move the Metro East Levee System Projects toward completion and reduce flooding risk to the local

community, the Army modified the contracting strategy from a Lowest-Price Technically Acceptable (LPTA) construct to a Best Value Tradeoff approach. An LPTA approach results in the selection of the lowest priced, technically acceptable proposal and does not permit trade-offs that consider the merits of higher priced proposals. A Best Value Tradeoff approach allows the Government to consider awarding to other than the lowest price Offeror or the highest technically rated Offeror. For Best Value Trade-off, non-cost factors, when combined, may be weighted as approximately equal to, significantly more important, or significantly less important, than cost factors. This allows the Government the flexibility to trade-off between non-cost factors and cost factors. The Best Value Trade-off approach allows Offerors to submit bids with, or without, a PLA, or to submit a bid with a PLA and another bid without a PLA. As stated above, the use of a PLA is simply one tool that a bidder may, or may not, propose to use to construct the project.

In your fourth paragraph, you indicate your understanding of the reasons why I cannot use the term “slightly less important” in weighing the various factors. You then request that equal weight be given to Factors 1, 2, and 3 in our evaluation of the bids. I am very well aware of the importance which the Council places on the use of a PLA, and I have given this matter a great deal of consideration. However, I am firm in my determination that Factor 3, Efficiency and Economy, is in fact less important than Factors 1, Technical/Management, and Factor 2, Past Performance. Our mutual goal is to have a safe and dependable flood risk management system with the authorized level of protection for the citizens and businesses situated behind the levee. On this particular construction segment, I sincerely believe while efficiency and economy are worthwhile goals on any project, they simply are not as important as having a contractor with the technical capability and experience to properly construct this critical segment of the project.

I thank you again for the comments of the Council. I know that our goals are the same, and I appreciate the fact that you and the Council members understand that my discretion as a Contracting Officer is limited by the statutes and regulations that insure a fair and impartial process for both the Government and all potential bidders.



Pat Edward Filer
Contracting Officer



REPLY TO

DEPARTMENT OF THE ARMY
ST. LOUIS DISTRICT CORPS OF ENGINEERS
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833

Programs and Project
Management Division

DEC 08 2015

Mr. Charles Etwert
Chief Supervisor of Construction and the Works
Southwestern Illinois Flood Prevention District Council
104 United Drive
Collinsville, Illinois 62234

RE: Wood River Upper Levee System Shallow Cutoff Wall Construction Contract

Dear Mr. Etwert:

I am writing to request that the Southwestern Illinois Flood Prevention District Council make the commitment to provide cost share funds, per the Project Partnership Agreement executed on January 3, 2014, for the pending Wood River Upper Shallow Cutoff Wall construction contract no later than December 16, 2015. Knowing the Council's decision by this date is critical to allow our project managers to adequately address budget and work plan funding requests.

Upon the Council's decision to provide cost share funds for the construction contract, we will need approximately 3 weeks to finalize the project plans and specification. Once complete, we will establish the schedule for contract advertisement and award. Cost share funds must be provided and received by the District prior to advertising the contract. Therefore, the timing of the contract award and initiation of construction will depend on receipt of the cost share funds. The actual amount of cost share funds required will be based on the awarded contract, but are estimated to be in the range of \$900,000 to \$1,100,000.

If you have additional questions or concerns please contact me at (314) 331-8477 or tracey.b.kelsey@usace.army.mil.

Sincerely,

A handwritten signature in cursive script that reads "Tracey Kelsey".

Tracey Kelsey, P.E., PMP
Program Manager

Programs and Project Management Division



DEPARTMENT OF THE ARMY
ST. LOUIS DISTRICT CORPS OF ENGINEERS
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833

REPLY TO

Programs and Project
Management Division

DEC 10 2015

Mr. Charles Etwert
Chief Supervisor of Construction and the Works
Southwestern Illinois Flood Prevention District Council
104 United Drive
Collinsville, Illinois 62234

RE: Wood River Upper Shallow Cutoff Wall Solicitation

Dear Mr. Etwert:

I am writing in response to your questions in an email dated December 9, 2015 regarding the Southwestern Illinois Flood Prevention District Council's (FPD) commitment to provide cost share funds to construct the Wood River Upper Shallow Cutoff Wall. I have requested the FPD make this commitment by December 16, 2015.

Per the email, you indicate your desire for an answer regarding the use of Work in Kind (WIK) credit as the FPD's cost share. Utilizing WIK credit for cost share can only be afforded after approval of the Integral Determination Report (IDR). I do not expect IDR approval to take place in the timeframe we have identified for your funding commitment.

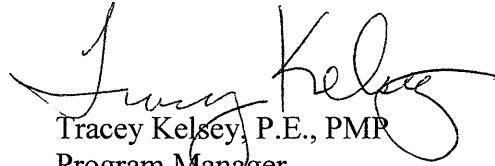
As you are aware, cost estimates for proposed work can vary depending on the status of the project. Initial estimates provided prior to completion of design can differ from final estimates as specific design/construction elements are developed. Ultimately, the cost share requirement will be based on the actual bid and associated construction oversight. A final independent government estimate will be developed at the time of project solicitation. I provided the range of cost share in an effort to inform the FPD of potential funding requirements and I will update that estimate once the final contract amount is determined.

In response to your questions regarding the best value trade off solicitation process, the draft solicitation will be revised to its final version just prior to the time of solicitation which will require receipt of cost share funds. The final version of the solicitation will be made available at the time of solicitation. However, as stated in the response, the rating system will incorporate a level of confidence in the plan. No additional comments were received during the extended comment period.

I would like to reiterate that having the Council's decision to provide a cash cost share contribution for the Wood River solicitation by December 16 better positions this project for

federal appropriations. If you have additional questions or concerns please contact me at (314) 331-8477 or tracey.b.kelsey@usace.army.mil.

Sincerely,

A handwritten signature in black ink that reads "Tracey Kelsey". The signature is fluid and cursive, with the first name "Tracey" and last name "Kelsey" clearly legible.

Tracey Kelsey, P.E., PMP

Program Manager

Programs and Project Management Division



DEPARTMENT OF THE ARMY
ST. LOUIS DISTRICT CORPS OF ENGINEERS
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833

REPLY TO

Programs and Project
Management Division

DEC 10 2015

Mr. Charles Etwert
Chief Supervisor of Construction and the Works
Southwestern Illinois Flood Prevention District Council
104 United Drive
Collinsville, Illinois 62234

RE: East St. Louis Flood Protection Project – Request for National Flood Insurance Program (NFIP) Levee System Evaluation Report (LSER)

Dear Mr. Etwert:

This letter is in response to your November 6, 2015 request that the U.S. Army Corps of Engineers (USACE) conduct a National Flood Insurance Program (NFIP) Levee System Evaluation Report (LSER) for the East St. Louis Flood Protection Project (ESTL). The purpose of this letter is to acknowledge receipt of your request and to inform you that USACE will evaluate the ESTL system for the purposes of NFIP accreditation through information resulting from a thorough Risk Assessment.

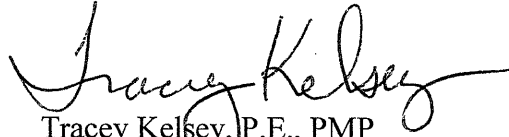
The ongoing USACE Risk Assessment will be used to evaluate if the levee system can be reasonably expected to exclude the 1% Annual Chance Exceedance (ACE) flood. Through a Memorandum of Understanding between USACE and the Federal Emergency Management Agency (FEMA) dated November 13, 2014 (Enclosure 1) and in accordance with the NFIP regulations in the CFR at Title 44, Chapter 1, paragraph 65.10(e), FEMA will accept a risk assessment from USACE, a federal agency with responsibility for levee design, as fulfilling the design criteria requirements in 44 CFR Section 65.10. A required component of a complete NFIP levee system evaluation submittal is an updated interior drainage analysis. We are coordinating with FEMA on this requirement to determine the level of effort required to update the analysis.

This NFIP evaluation will be completed at full federal expense (pending availability of funds) based upon your request and the November 25, 2013 Headquarters, USACE waiver approval. The project team will develop a cost estimate for completing the NFIP evaluation. Once the cost estimate is complete, we will determine the adequacy of the remaining Federal Chain of Rock funds. In addition, the project team will require any design calculations necessary to evaluate the construction, all final construction documentation, including As-Built Drawings and Operation and Maintenance Manuals and other documentation required to complete the evaluation.

USACE will submit the NFIP evaluation on behalf of the Council at the time current construction efforts are complete.

If you have additional questions or concerns please contact me, or your staff may contact Mr. Hal Graef, Project Manager at (314) 331-8790.

Sincerely,

A handwritten signature in black ink that reads "Tracey Kelsey". The signature is fluid and cursive, with the first name "Tracey" and last name "Kelsey" clearly legible.

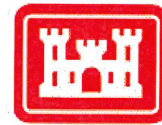
Tracey Kelsey, P.E., PMP
Program Manager
Programs and Project Management Division

Encls

c: Mr. Bob Shipley, Metro East Sanitary District



FEMA



**US Army Corps
of Engineers®**

MEMORANDUM OF UNDERSTANDING BETWEEN
THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)
AND
THE U.S. ARMY CORPS OF ENGINEERS (USACE)
FOR
ALIGNMENT OF LEVEE ACTIVITIES, INFORMATION, AND MESSAGING

This is a Memorandum of Understanding (MOU) between the Federal Emergency Management Agency (FEMA) and the U.S. Army Corps of Engineers (USACE). When referred to collectively, FEMA and USACE are referred to as the “Parties.”

1. **BACKGROUND:** Though FEMA and USACE have different roles and responsibilities related to levee systems, both agencies are concerned with life safety, reduction of property damage due to floods and communicating flood hazards and risks. Pursuant to Section 100226 of the Moving Ahead for Progress in the 21st Century Act (MAP-21), Public Law 112-141, Div. F, Title II (July 6, 2012), 42 U.S.C. § 4101 note, FEMA and USACE formed the Flood Protection Structure Accreditation Task Force (Task Force) to identify processes that will clarify areas of direct alignment and ensure levee information can be used interchangeably between both agencies. The final Task Force report outlining the recommended program and process improvements was provided to the required congressional committees on November 18, 2013.

2. **PURPOSE:** The purpose of this MOU is to formalize the commitment between FEMA and USACE to establish a coordinated approach for levee activities that is aligned with the policies and goals of both agencies to promote life safety, flood risk reduction, risk communication, and sound national investments. Specifically, this MOU will define the agreements between the Parties related to how the actions described in the Task Force report will be carried out.

3. **UNDERSTANDING OF THE PARTIES:** To the extent practicable, the Parties agree to:

3.1. Continue coordination as policies and activities evolve for both the FEMA National Flood Insurance Program (NFIP) and the USACE Levee Safety Program.

3.1.1. Both Parties agree to participate on policy development and update efforts related to levee systems, subject to request.

3.1.2. Both Parties agree to seek opportunities to promote flood risk reduction activities, such as flood warning and evacuation planning in each agency’s respective policies.

3.2. Improve transparency and efficiency in collecting, reporting, analyzing, and sharing levee information, among both Parties and with those living and working behind levee systems, including emergency management and public safety officials, and other affected stakeholders.

3.2.1. Both Parties agree to use the National Levee Database as the central repository of levee information for both agencies’ programs.

3.2.2. Both Parties agree to establish joint processes to outline the procedure and format in which levee information will be exchanged between the agencies.

3.2.3. USACE will ensure that each time it conducts a risk assessment for a levee system, it will also provide a determination on levee performance to FEMA for NFIP mapping purposes. FEMA will consider the risk assessment results and determine any additional coordination needed with the community and levee sponsor for NFIP mapping purposes/revisions, including NFIP map revisions to have the levee system shown as accredited or non-accredited. ("Community" is defined in the Code of Federal Regulations (CFR) at Title 44, Chapter 1, Section 59.1.)

3.2.4. When the community requests to have the flood hazards revised on a NFIP map, or when there is a FEMA initiated NFIP map revision, in accordance with the NFIP regulations in the CFR at Title 44, Chapter 1, Paragraph 65.10(e), FEMA will accept a risk assessment from USACE, a federal agency with responsibility for levee design, as fulfilling the design criteria requirements in 44 CFR Section 65.10. The Parties will work with communities and levee sponsors to collect any remaining levee information that may be needed beyond the risk assessment for NFIP mapping purposes.

3.2.5. Each time USACE conducts a levee inspection, USACE will identify when a levee system meets or does not meet a specified subset of requirements in 44 CFR Section 65.10. This identification will be made directly in every levee inspection report and be provided to FEMA. FEMA will consider these inspection results and determine any additional coordination needed with the community and levee sponsor for NFIP mapping purposes. When the community requests to have flood hazards revised on a NFIP map, or when there is a FEMA initiated NFIP map revision, FEMA will accept a USACE levee inspection report showing that all, or part, of the subset of requirements in 44 CFR Section 65.10 are met. For NFIP map revisions to show a levee system as accredited, the community has the responsibility to meet the remaining 44 CFR Section 65.10 requirements.

3.2.6. Each time USACE conducts a levee screening (a coarse risk assessment to quickly characterize risk associated with a levee system), it will identify when a levee system meets or does not meet a specified subset of requirements in 44 CFR Section 65.10. This identification will be made directly in every levee screening and be provided to FEMA. FEMA will consider the USACE levee screening results and determine any additional coordination needed with the community and the levee sponsor for NFIP mapping purposes. When the community requests to have flood hazards revised on a NFIP map, or when there is a FEMA initiated NFIP map revision, FEMA will accept a USACE levee screening showing that all, or part, of the subset of requirements in 44 CFR Section 65.10 are met. For NFIP map revisions to show a levee system as accredited, the community has the responsibility to meet the remaining 44 CFR Section 65.10 requirements.

3.3. Promote consistent information sharing and messaging.

3.3.1. Both Parties agree to continue actions to increase community and levee sponsor understanding of their roles and responsibilities regarding the requirements for operation and

maintenance of levee systems and for participation in the NFIP and/or in the USACE Levee Safety Program.

3.3.2. Both Parties agree to participate in the development of each respective agency's levee related external communication materials, when those materials relate to the NFIP and the USACE Levee Safety Program.

3.3.3. Both Parties agree to promote the accessibility of the best available levee information, including associated flood risks, to levee sponsors, state agencies, tribes, and communities.

3.3.4. Both Parties agree to establish internal processes for joint coordination prior to communication of levee information externally, to include answering public, news media, and congressional, intergovernmental, and other stakeholder inquiries.

4. GENERAL PROVISIONS:

4.1. POINTS OF CONTACT: The following points of contact will be used by the Parties related to the implementation of this MOU. Each Party may change its point of contact upon reasonable notice to the other Party.

4.1.1. For FEMA – Headquarters Levee Subject Matter Expert, Risk Analysis Division

4.1.2. For USACE – Headquarters Levee Safety Program Manager

4.2. FUNDS AND MANPOWER: This MOU does not document nor provide for the exchange of funds or manpower between the Parties nor does it make any commitment of funds or resources. Any exchange of funds or manpower between the Parties must be made by separate agreement and under specific statutory authority; this MOU does not provide such authority.

4.3. ENFORCEMENT: Nothing in this MOU may be construed to obligate the Parties to any current or future expenditure of resources. Each Party will handle its own activities and use its own resources, including the expenditure of its own funds, in pursuing the objectives enumerated in this MOU. Each Party will carry out its separate activities in a coordinated and mutually beneficial manner, as consistent with any applicable laws, regulations or policies. Nothing in this MOU is intended to alter, limit, or expand the Parties' statutory or regulatory authorities. Nothing in this MOU intended to create any substantive or procedural right or benefit enforceable at law by any Party against the United States, its agencies, its officers, or any person.

4.4. DISPUTES: Any disputes relating to this MOU will, subject to any applicable law, Executive Order, directive or instruction, be resolved by consultation between the Parties.

4.5 MODIFICATION OF MOU: This MOU may only be modified by the written agreement of the Parties, duly signed by their authorized representatives.

4.6. EXPIRATION DATE: This MOU expires in nine (9) years, unless renewed in writing by the parties for an additional nine (9) years.

4.7. TERMINATION: This MOU may be terminated in writing at will by either Party.

4.8. EFFECTIVE DATE: This MOU takes effect beginning on the day after the last Party signs.

APPROVED BY:



Roy E. Wright
Deputy Associate Administrator for Mitigation
Federal Insurance and Mitigation Administration
Federal Emergency Management Agency

NOV 13 2014

Date



James C. Dalton, P.E., SES
Chief, Engineering and Construction Division
Directorate of Civil Works
U.S. Army Corps of Engineers

NOV 13 2014

Date



REPLY TO

DEPARTMENT OF THE ARMY
ST. LOUIS DISTRICT CORPS OF ENGINEERS
1222 SPRUCE STREET
ST. LOUIS, MISSOURI 63103-2833

Programs and Project
Management Division

DEC 09 2015

Mr. Charles Etwert
Chief Supervisor of Construction and the Works
Southwestern Illinois Flood Prevention District Council
104 United Drive
Collinsville, Illinois 62234

RE: Metro East FY16 Projects

Dear Mr. Etwert:

I am writing to follow up the discussion that took place during our meeting on November 9, 2015. As we continue forward into the new fiscal year, it is critical that potential work be prioritized to maximize potential future funding for advancement of the projects.

The Southwestern Illinois Flood Prevention District Council has identified work in both the Wood River Levee System and the East St. Louis levee system for FY16. MVS is working to complete the designs for the Wood River Lower deep cutoff wall and the East St. Louis relief well solution (vice the deep cutoff wall) that were initiated in 2014. In addition, Bid packages 8, 9 and 10 are located in the Wood River system and bid packages 11, 12, 13, and 14 are located in the East St. Louis system. The design effort for these bid packages was collaboratively developed and is underway.

President's Budget provides \$50,000 each for Wood River and East St. Louis for FY16. Therefore, we will be utilizing carryover funds to accomplish the work noted above. In light of the very limited FY16 appropriations we are anticipating for this fiscal year, it is likely there will be insufficient federal funds available to complete the preliminary design efforts necessary for all of the bid packages you have identified for completion. We will continue to work closely with you and AMEC to prioritize the bid packages with you in order to maximize the impact of our efforts.

I appreciate the combined approach we have developed to facilitate the FPD moving forward with work in kind efforts on the Federal projects. This, along with completing the initial federal designs, shows progress and positions the projects for strong future budget requests.

If you have additional questions or concerns please contact me at (314) 331-8477 or tracey.b.kelsey@usace.army.mil.

Sincerely,

Tracey Kelsey, P.E., PMP
Program Manager
Programs and Project Management Division

Illinois District Offers Rare, Double-Tax Exempt Paper

CHICAGO – A Southwestern Illinois flood prevention [Related](#)

agency wrapped up borrowing this week to support its efforts to offer protection from a so-called 500-year-flood on the American Bottom levee system.

The Southwestern Illinois Flood Prevention District Council sold \$51 million of subordinate Local Government Program Revenue Bonds through the Southwestern Illinois Development Authority on Dec. 9. The levee system protects a region in southwestern Illinois known as the American Bottom, the flood plain of the Mississippi River that extends from Alton south to the Kaskaskia River.

The deal marked the first issue under a subordinate lien and carried an A3 from Moody's Investors Service and an A from Standard & Poor's. The district on Dec. 3 priced \$26 million of senior lien bonds that carry Aa3 and AA ratings, respectively.

RBC Capital Markets was lead manager on the junior lien bonds and PNC Capital Markets led the senior lien. Columbia Capital Management LLC advised the council.

The sale offered rare Illinois paper in which interest was exempt from both state and federal taxes. Most Illinois paper does not enjoy a state income tax exemption. The agency will have \$111 million of outstanding senior lien bonds and \$51 million of subordinate after the sale and has no additional borrowing plans.

The bonds are secured by a sales tax levied in a three county region of Madison, St. Claire, and Monroe Counties. In an investor presentation the finance team highlighted the credit's strengths that include no "exposure to the state of Illinois" and a lockbox on sales tax collections that flow from the state to the trustee without the need for appropriation, said RBC banker Kevin Hoecker.

They also highlighted that taxable debt issued in 2010 benefits from Federal Recovery Zone Economic Development and Build America Bond subsidies help repay the debt, enhancing coverage from the sales tax.

The council was established in 2009 to oversee the financing and construction of levee

improvements after federal authorities determined in 2007 that the current system was unlikely to meet the 100-year flood plain requirements.

"The potential impact for property owners in the American Bottom if the levees were not accredited was projected to total \$50 million in increased insurance premiums, in addition to very restrictive changes in local building regulations and decreased property values," Chuck Etwert, chief supervisor of construction at the council, said during the presentation. The council expects to meet those standards by next August.

The council is now going further as the new bond sale will "fund needed repairs to bring the levee system in southwestern Illinois to its original 500-year level protection," officials said. The council's share of the project is \$102 million with cash on hand and tax revenues supplementing the bond proceeds.

Moody's said its rating are supported by the large economic base from which the sales tax is generated; satisfactory debt service coverage; strong legal provisions that include direct transfer of sales taxes from the state of Illinois; and manageable debt with no future borrowing plans.

Projected collections of the dedicated 0.25% sales tax for a twelve-month period through August 2015 indicate that sales tax receipts will post a second consecutive year of modest growth. The tax is to be collected for 25 years or until all debt is repaid. Maximum annual debt service coverage is 1.4 times on the senior lien debt and .95 times on the junior, rising to 1.4 times, and 1 times when federal subsidies are added.

"We expect the council's local economy will remain stable due to its favorable location within the St. Louis metro area, with access to major transportation routes," Moody's said.



Southwestern Illinois Flood Prevention District Council
c/o Charles Ewert
104 United Drive
Collinsville, IL 62234

Monthly Project Progress Report December 2015

AMEC FOSTER WHEELER Project No. 563170001
Period Ending Date: December 7, 2015

Date of Issue: December 11, 2015

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1. OVERVIEW

1.1 Project Description

Levees along the east side of the Mississippi River within four levee districts have been found to be out of compliance with FEMA Requirement 44CFR 65.10 and therefore have been de-certified. The four districts are: Wood River Drainage and Levee District, Metro-East Sanitary District, Prairie du Pont Drainage and Levee District, and Fish Lake Drainage and Levee District. The counties involved have formed an overarching entity called the Southwestern Illinois Flood Prevention District Council (SIFPDC). Amec Foster Wheeler has been selected by the SIFPDC to design and manage the construction of levee system improvements necessary to demonstrate compliance with FEMA Requirement 44CFR 65.10.

Bid Package 2A is composed of the construction of one (1) pump station within the Fish Lake Levee District System.

Bid Package 2B is composed of the construction of five (5) pump stations within the Wood River, MESD, and Prairie du Pont Levee Districts.

Bid Package 2C is composed of the installation of two force mains and associated structures from Site 12 pump station to levee discharge.

Bid Package 3 is composed of the construction of seepage control improvements within the Wood River Drainage and Levee District Levee System.

Bid Package 4 is composed of the construction of seepage control improvements within the Metro East Sanitary District Levee System, from Station 1209+00 to 1242+00. This package also includes the construction of one (1) pump station.

Bid Package 5 is composed of the construction of seepage control improvements within the Metro East Sanitary District Levee System.

Bid Package 6 is composed of the construction of seepage control improvements within the Prairie du Pont Drainage and Levee District and Fish Lake Drainage and Levee District Levee Systems.

Bid Package 7A is composed of the construction of a shallow cut-off wall and flush clay cap near the upstream portion of the Upper Wood River Levee System, from station 20+00 to 38+00.

Bid Package 7B is composed of the construction of a deep cut-off wall and protruding clay cap in the Lower Wood River Levee System, from station 132+00 to 170+00.

1.2 Amec Foster Wheeler Scope

Based on baseline budgets and baseline schedules, monitor and manage the program performance.

- track program cost
- monitor program budget
- track program progress
- monitor program schedule
- complete earned value analysis, performance measurements and forecasting
- schedule and cost variance management and corrective action plans

1.3 Key Contacts / People

Program Manager	Jay Martin, PE, 615.333.0630 jay.w.martin@amecfw.com
Project Manager	Jon Omvig, AICP, 636.200.5118 jon.omvig@amecfw.com
Resident Engineer	Jim Solari, PE, 314.478-9287 james.solari@amecfw.com
Construction QA Manager	Kevin Williams, 618.401.7226 kevin.williams@amecfw.com
Project Coordinator	Kendra Mitchom, 618.346.9120 kendra.mitchom@amecfw.com

2. HEALTH, SAFETY, SECURITY, ENVIRONMENT (HSSE)

2.1 HSSE Reports

Health/Safety		
<p>The Contractors continues to conduct weekly toolbox safety talks.</p> <p>Amec Foster Wheeler continues to conduct monthly safety meeting with all Contractors.</p>		
Security		
<p>No issues during this reporting period.</p>		
Environment (SWPPP)		
<p>An Amec Foster Wheeler environmental representative is inspecting the SWPPP efforts on a weekly basis.</p>		
River Stage Restrictions		
<p>The USACE 408 permit dictates that excavations shall cease when the Mississippi River Stage is:</p>		
Bid Package	River Stage	River Elevation
2A	17.0	396.94
2B	27.06	407.00
2C	15.03	394.97 (Mel Price)
3	16.0	411.48 (Mel Price)
4	25.0	404.94
5	25.0	404.94
6	25.0	404.94
7A	21.52	417.0 (Mel Price)
7B	21.52	417.0 (Mel Price)
<p>The 408 permit Mississippi River restrictions have ceased and critically delayed excavation, well drilling, etcetera from May 27, 2015 to the first week of August.</p>		

3. PROJECT STATUS UPDATE

3.1 Bid Package 2A

3.1.1 Calendar

Bid Date:	June 11, 2013
Contract executed	October 11, 2013
Schedule received	October 29, 2013
Anticipated start of field activities	January 22, 2014
Start of field activities	January 27, 2014
Anticipated completion date	<i>December 1, 2014</i>
Final Walk Through	Substantial completion August 12, 2014
Final Acceptance	<i>December 1, 2014</i>

3.1.2 Progress

- The construction portion of this project is complete and the retainage has been released.
- Amec Foster Wheeler is preparing closeout documents for USACE.

3.1.3 Property Acquisition

- The construction portion of the project is complete.

3.1.4 Levee Board Considerations- None

3.1.5 Submittals - Complete

3.1.6 Change Orders - See Change Order Log attached.

3.1.7 Field Activities and Look Ahead - None

3.1.8 QC/QA Activities - None

3.1.9 Considerations - None

3.1.10 Payment Progress – See Contractor Invoice Log attached.

3.2 Bid Package 2B

3.2.1 Calendar

Bid Date:	October 1, 2013
Contract executed	December 16, 2013
Schedule received	December 17, 2013
Anticipated start of field activities	February 17, 2014
Start of field activities	February 24, 2014
Anticipated completion date	<i>April 15, 2015 - Contract Completion Date.</i> Although the original contract scope of work is complete, there are pending change orders for the piping into the pump stations and the bank erosion at Site 10 and Site 16. The final completion date is pending the execution of these future change orders. The Contractor indicated that these changes could take 6 to 8 months depending on weather and the river.
Final Walk Through	Awaiting final change order execution.
Final Acceptance	Awaiting final change order execution.

3.2.2 Progress

- The planned construction portion of this project is complete.
- Although the original contract scope of work is complete, there are pending change orders for the piping into the pump stations and the bank erosion at Site 10 and Site 16. The final completion date is pending the execution of these future change orders. The Contractor indicated that these changes could take 6 to 8 months depending on weather and the river.

3.2.3 Property Acquisition – All property is acquired.

3.2.4 Levee Board Considerations – None

3.2.5 Submittals - Final project closeout submittals being reviewed by Amec

3.2.6 Change Orders – See Change Order Log attached.

3.2.7 Field Activities and Look Ahead – See above

3.2.8 QC/QA Activities – None at this time.

3.2.9 Considerations - None

3.2.10 Payment Progress - See Contract Invoice Log attached

3.3 Bid Package 2C

3.3.1 Calendar

Bid Date:	November 12, 2014
Contract executed	February 9, 2015
Schedule received	Posted in SharePoint
Anticipated start of field activities	October 15, 2015
Start of field activities	October 15, 2015
Anticipated completion date	<i>November 30, 2015 (Contract Completion Date)</i> The Contractor has not complete the contract on time, please review and advise if we should pursue liquidated damages. The contractor may order high pressure muni balls which may push the testing into January.
Final Walk Through	
Final Acceptance	

3.3.2 Progress

- The contract was executed on February 9, 2015.
- The Notice-to-Proceed was issued on March 5, 2015
- Site work demolition began October 15, 2015.
- As of December 11, 2015, all work is complete onsite with the exception of ductile iron force main testing.
- The Contractor has not complete the contract on time, please review and advise if we should pursue liquidated damages. The contractor may order high pressure muni balls which may push the testing into January.

3.3.3 Property Acquisition

- All property is acquired.

3.3.4 Levee Board Considerations

- None

3.3.5 Submittals – closeout submittals pending.

3.3.6 Change Orders – see attached log.

3.3.7 Field Activities and Look Ahead See above progress schedule.

3.3.8 QC/QA Activities – SCI on-site to test material as required.

3.3.9 Considerations – See above

3.3.10 Payment Progress – See attached log.

3.4 Bid Package 3

3.4.1 Calendar

Bid Date:	December 3, 2013
Contract executed	January 27, 2014
Schedule received	December 3, 2013
Anticipated start of field activities	As noted below.
Start of field activities	Varied
Anticipated completion date	<i>Upper Wood River is substantially complete. The final completion date for Lower Wood River is delayed due to design modifications, river, weather and land acquisition. Keller estimates the present known scope of work to be completed in June 2016 – weather and river dependent. In addition, there are some pending change orders that will extend this anticipated end date.</i>
Final Walk Through	
Final Acceptance	

3.4.2 Progress

Upper Wood River:

- Blanket Drain 2 – Substantially complete on September 18, 2015.
- Blanket Drain 3 construction and Weir 1 - Substantial Completion on May 13, 2015.
- Blanket Drain 1 - Substantially complete on October 15, 2015.
- Russell Commons trash/debris hauling is complete and substantially complete on October 15, 2015.

Lower Wood River:

- Random Fill Area 2 fill was started but was stopped this week, due to the inability to obtain the specified moisture content. The contractor will delay until next year as weather permits.
- Random Fill Area 1 is pending an Amec Foster Wheeler design revision.
- Blanket Drain 5 & 7 and weir 4 was Substantial Completion on July 31, 2015.
- Design revisions to Blanket Drain 4 are pending. Construction cost impacts will be submitted when available
- Lower Wood River relief well drilling on hold pending approval of relief well designs: 48 of 67 complete. 12 relief well designs are pending.
- Blanket Drain 6 complete except seeding.

3.4.3 Property Acquisition

- A partial NTP was issued March 13, 2014 and rejected by the Contractor. All land acquisition has been obtained except for the MOPAC / UP railroad parcels which encompass 6 sites. Due to recent land acquisition, an additional partial NTP was issued January 14, 2015.
- Due to the railroad land acquisition, a partial NTP was given on June 9, 2015 for the UP portion of the project.

- 3.4.4 Levee Board Considerations – none other than previously mentioned.
- 3.4.5 Submittals – as required.
- 3.4.6 Change Orders – See Change Order Log attached.
- 3.4.7 Field Activities and Look Ahead – as noted above.
- 3.4.8 QC/QA Activities – testing as required.
- 3.4.9 Considerations – none other than previously mentioned.
- 3.4.10 Payment Progress – See attached Contract invoice log

3.5 Bid Package 4

3.5.1 Calendar

Bid Date:	December 3, 2013
Contract executed	February 6, 2014
Schedule received	December 3, 2013
Anticipated start of field activities	February 24, 2014
Start of field activities	March 17, 2014
Anticipated completion date	<i>The project is on hold until: the NTP for the HDPE to concrete pipe is released for construction and The NTP for the "pipelines through the levee" scope of work and NTP are issued.</i>
Final Walk Through	
Final Acceptance	

3.5.2 Progress

- Clay cap earthwork was started on August 17, 2015 and is about 80% complete. Clay cap work was put on hold until the pipeline issues are resolved.
- Site 09 pump station is complete except fencing around the station.
- RW collector system – Amec Foster Wheeler working with contractors.
- Piezometer installation has begun.
- Amec Foster Wheeler working with contractor and USACE on the HDPE to concrete pipe replacement.

3.5.3 Property Acquisition – All property acquired.

3.5.4 Levee Board Considerations - None

3.5.5 Submittals – on-going

3.5.6 Change Orders – See Change Order Log attached.

3.5.7 Field Activities and Look Ahead – See above

3.5.8 QC/QA Activities – as noted above

3.5.9 Considerations - None

3.5.10 Payment Progress – See Contract Invoice Log attached.

3.6 Bid Package 5

3.6.1 Calendar

Bid Date:	December 3, 2013
Contract executed	January 27, 2014
Schedule received	December 3, 2013
Anticipated start of field activities	February 17, 2014
Start of field activities	February 17, 2014
Anticipated completion date	<i>September 30, 2015 (Contract Completion Date) but, the anticipated completion date due to the proposed changes is October 1, 2016.</i> <i>Completion date dependent on the protruding clay cap value engineering direction and weather. The schedule to be revised accordingly.</i> <i>On hold until the NTP on the HDPE to concrete pipe is resolved (RW collector system)</i>
Final Walk Through	
Final Acceptance	

3.6.2 Progress

- The project is on hold except for the sluice gate rehabilitation and 408 pump station work.
- The 208,000 cubic yards of clay placement is on-hold as Amec Foster Wheeler evaluates a potential protruding clay cap value engineering proposal.
- The HDPE to concrete collector system changes are in progress.
- The Sluice Gate rehabilitation at MoPac and 408 Pump Station is on-going.

3.6.3 Property Acquisition

- All property is acquired.

3.6.4 Levee Board Considerations

- None.

3.6.5 Submittals

- Submittal process underway.

3.6.6 Change Orders

- See Change Order Log attached.

3.6.7 Field Activities and Look Ahead

- See above table

3.6.8 QC/QA Activities

- Project on-hold

3.6.9 Considerations

- None other than previously mentioned.

3.6.10 Payment Progress

- See Contract Invoice Log attached.

3.7 Bid Package 6

3.7.1 Calendar

Bid Date:	June 11, 2013
Contract executed	October 3, 2013
Schedule received	October 31, 2013
Anticipated start of field activities	November 11, 2013
Start of field activities	November 19, 2013
Anticipated completion date	<i>September 30, 2015 (Contract Completion Date)</i> <i>Due to weather, the Contractor anticipates the completion date to extend into 2016. Completion date is weather dependent.</i>
Final Walk Through	
Final Acceptance	

3.7.2 Progress

- Seepage Berms are about 95% complete – work continues as weather allows.
- Clay Caps installation complete.
- Relief Wells and Piezometers - Relief well drilling complete (67).
- 15 of 16 PZs are complete.
- Relief well collector system is 99% complete.

3.7.3 Property Acquisition –m all property is acquired.

3.7.4 Levee Board Considerations - none

3.7.5 Submittals – on going

3.7.6 Change Orders - See Change Order Log attached.

3.7.7 Field Activities and Look Ahead – See above

3.7.8 QC/QA Activities - As required

3.7.9 Considerations - None

3.7.10 Payment Progress – See Contract Invoice Log attached.

3.8 Bid Package 7A

3.8.1 Calendar

Bid Date:	August 13, 2014
Contract executed	September 17, 2014
Schedule received	October 1, 2014
Anticipated start of field activities	October 6, 2014
Start of field activities	October 6, 2014
Anticipated completion date	<i>June 26, 2015 (contract completion date). The project is complete.</i>
Final Walk Through	
Final Acceptance	

3.8.2 Progress

- This project is complete.
- Amec Foster Wheeler preparing closeout documentation.

3.8.3 Property Acquisition

- Not applicable.

3.8.4 Levee Board Considerations

- None.

3.8.5 Submittals

- On-going.

3.8.6 Change Orders

- See change order log attached.

3.8.7 Field Activities and Look Ahead

- Notice of Award issued September 9, 2014
- Contract Executed September 17, 2014
- Notice to Proceed issued September 22, 2014
- Work began onsite on October 6, 2014 – Site clearing, removal of asphalt pavement, etc.
- Complete work platform and lower portion of clay cap below finished grade.
- SAR Team site visit for initial wall construction, addressed comments in their report.
- Initial quality Control testing results exceeding minimum permeability requirements by two orders of magnitude.
- Geo-Solutions finished the Slurry Wall construction.
- This project is complete.

3.8.8 QC/QA Activities

- None.

3.8.9 Considerations

- None.

3.8.10 Payment Progress

- See Contract Invoice Log attached.

3.9 Bid Package 7B

3.9.1 Calendar

Bid Date:	August 13, 2014
Contract executed	September 12, 2014
Schedule received	June 19, 2015
Anticipated start of field activities	August 2015
Start of field activities	
Anticipated completion date	<i>Substantial Completion of January 21, 2016 with a final completion of May 1, 2016. Due to a delayed start, the substantial completion date will be revised.</i>
Final Walk Through	
Final Acceptance	

3.9.2 Progress

- TREVIICOS received Notice-to-Proceed June 9, 2015
- Pre-Construction Meeting held June 15, 2015
- Treviicos mobilizing July 2015 and continuing into August.
- Work Progress:
 - Treviicos and subcontractors have cleared and grubbed
 - Treviicos installed silt fence
 - Treviicos installing access roads.
 - Treviicos completing the plant setup.
 - Work Platform installation in progress.
 - Piezometer and inclinometer installation in progress.
 - Test panels (3 primaries and two secondary) are complete.
 - Production began December 2, 2015 and is slower than expected due to deeper clay layer.

3.9.3 Property Acquisition – not applicable

3.9.4 Levee Board Considerations - None

3.9.5 Submittals – On-going.

3.9.6 Change Orders

- See change order log attached.

3.9.7 Field Activities and Look Ahead

- See list above.

3.9.8 QC/QA Activities

- Geotechnology performing QA testing.

3.9.9 Considerations

- None.

3.9.10 Payment Progress

- See Contract Invoice Log attached.

CONTRACT INVOICE LOG

Contractor: Korte & Luitjohan Contractors, Inc
 12052 Highland Road
 Highland, IL 62249

Project: SWILCD
Construction Package: BP2A

Original Contract Amount: \$747,500.00
Change Order #1: \$2,245.00 Limatorque Actuator
Change Order #2: \$7,730.00 Additional Road Aggregate
Change Order #3: \$434.00 Monroe County Building Permit
Change Order #4: \$0.00 Contract Time Extension
Change Order #5: \$0.00 Contract Time Extension 2
Change Order #6: \$0.00 Contract Time Extension 3
Change Order #7: \$5,189.21 Additional Rock and Testing
Change Order #8: \$34,501.32 Stumpf Property Pipe Extension
Total Change Order Amount: \$50,099.53
Total Revised Contract Amount: \$797,599.53

Payment Request No.	Pay Request Date	Pay Request Recommended Approval Date	Total Completed to Date (\$)	Amount Retained (10% to 50%) then (5% to 95%)	Total Earned Less Retained	Current Payment Invoice	Date Paid by FPD	Estimate to Complete Including Retainage (\$)
<u>1</u>	11/15/2013	11/27/2013	\$11,000.00	\$1,100.00	\$9,900.00	\$9,900.00	11/1/2013	\$737,600.00
<u>2</u>	2/5/2014	2/10/2014	\$76,000.00	\$7,600.00	\$68,400.00	\$58,500.00	2/18/2014	\$679,100.00
<u>3</u>	3/6/2014	3/13/2014	\$228,500.00	\$22,850.00	\$205,650.00	\$137,250.00	3/25/2014	\$541,850.00
<u>4</u>	3/31/2014	4/15/2014	\$372,400.00	\$37,240.00	\$335,160.00	\$129,510.00	4/22/2014	\$420,504.00
<u>5</u>	4/30/2014	5/13/2014	\$432,500.00	\$43,250.00	\$389,250.00	\$54,090.00	5/22/2014	\$366,414.00
<u>6</u>	5/31/2014	6/10/2014	\$635,890.00	\$50,742.00	\$585,148.00	\$195,898.00	6/19/2014	\$170,516.00
<u>7</u>	6/30/2014	7/14/2014	\$684,000.00	\$53,147.00	\$630,853.00	\$45,705.00	7/17/2014	\$124,811.00
<u>8</u>	7/31/2014	8/12/2014	\$753,929.00	\$37,895.45	\$716,033.55	\$85,180.55	8/19/2014	\$39,630.45
<u>9</u>	8/31/2014	9/9/2014	\$759,118.21	\$37,895.45	\$721,222.76	\$5,189.21	9/15/2014	\$41,875.45
<u>10</u>	11/30/2014	12/12/2014	\$797,599.53	\$38,094.45	\$759,505.08	\$38,282.32	12/18/2014	\$38,094.45
<u>11</u>	12/31/2014	1/15/2015	\$797,599.53	\$1,800.00	\$795,799.53	\$36,294.45	1/26/2015	\$1,800.00
<u>12</u>	3/31/2015	4/10/2015	\$797,599.53	\$0.00	\$797,599.53	\$1,800.00	4/16/2015	\$0.00

CONTRACT INVOICE LOG

Contractor: Korte & Luitjohan Contractors, Inc
 12052 Highland Road
 Highland, IL 62249

Project: SWILCD
Construction Package: BP2B

Original Contract Amount: \$3,865,405.00
Change Order #1: \$434.00 Monroe County Building Permit
Change Order #2: \$7,965.00 Additional Road Aggregate
Change Order #3: \$0.00 Fence and Aggregate Changes
Change Order #4: \$8,570.00 Razor Wire on Fence per MESD Request
Change Order #5: \$0.00 Contract Time Extension
Change Order #6: \$50,600.00 Site 16 Duct Bank
Change Order #7: \$4,760.00 Site 12 Existing Force Mains
Change Order #8: \$74,200.00 Site 10 Electrical Changes
Change Order #9: \$0.00 Time Extension
Change Order #10: \$10,276.92 Site 12 Guard Rail
Total Change Order Amount: \$156,805.92
Total Revised Contract Amount: \$4,022,210.92

Payment Request No.	Pay Request Date	Pay Request Recommended Approval Date	Total Completed and Store to Date	Cumulative Retained (10% to 50%) then (5% to 95%)	Total Earned Less Retained	Current Payment Invoice	Date Paid by FPD	Estimate to Complete Including Retainage(\$)
1	2/5/2014	2/10/2014	\$51,750.00	\$5,175.00	\$46,575.00	\$46,575.00	2/18/2014	\$3,818,830.00
2	3/6/2014	3/13/2014	\$132,450.00	\$13,245.00	\$119,205.00	\$72,630.00	3/25/2014	\$3,746,634.00
3	3/31/2014	4/15/2014	\$504,300.00	\$50,430.00	\$453,870.00	\$334,665.00	4/22/2014	\$3,419,934.00
4	4/30/2014	5/13/2014	\$846,000.00	\$84,600.00	\$761,400.00	\$307,530.00	5/22/2014	\$3,112,404.00
5	5/31/2014	6/12/2014	\$1,295,000.00	\$129,500.00	\$1,165,500.00	\$404,100.00	6/19/2014	\$2,708,304.00
6	6/30/2014	7/14/2014	\$1,736,000.00	\$173,600.00	\$1,562,400.00	\$396,900.00	7/17/2014	\$2,311,404.00
7	7/31/2014	8/11/2014	\$2,180,100.00	\$205,850.00	\$1,974,250.00	\$411,850.00	8/19/2014	\$1,899,554.00
8	8/31/2014	9/8/2014	\$2,927,440.00	\$243,217.00	\$2,684,223.00	\$709,973.00	9/15/2014	\$1,198,151.00
9	9/30/2014	10/9/2014	\$3,144,000.00	\$255,524.00	\$2,888,476.00	\$204,253.00	10/16/2014	\$1,044,498.00
10	10/31/2014	11/7/2014	\$3,420,000.00	\$269,324.00	\$3,150,676.00	\$262,200.00	11/18/2014	\$787,058.00
11	11/30/2014	12/12/2014	\$3,648,600.00	\$282,764.00	\$3,365,836.00	\$215,160.00	12/18/2014	\$646,098.00
12	12/31/2014	1/12/2015	\$3,840,000.00	\$292,334.00	\$3,547,666.00	\$181,830.00	1/26/2015	\$464,268.00
13	1/31/2015	2/9/2015	\$3,897,320.00	\$295,200.00	\$3,602,120.00	\$54,454.00	2/18/2015	\$409,814.00
14	2/28/2015	3/10/2015	\$3,968,238.00	\$298,710.00	\$3,669,528.00	\$67,408.00	3/19/2015	\$342,406.00
15	3/31/2015	4/10/2015	\$4,011,934.00	\$200,596.00	\$3,811,338.00	\$141,810.00	4/16/2015	\$200,596.00
16	4/30/2015	5/12/2015	\$4,011,934.00	\$10,000.00	\$4,001,934.00	\$190,596.00	5/18/2015	\$20,276.92
17	7/31/2015	8/11/2015	\$4,022,210.92	\$10,000.00	\$4,012,210.92	\$10,276.92		\$10,000.00

TITLE: CONSTRUCTION CHANGE ORDER LOG

CLIENT: Southwestern Illinois Flood Prevention District Council
PROJECT Bid Package 2B

PROJECT NUMBER: SIFPDC-BP2B

Change Request Number	Description	Change Type (Field, Design, Spec, Other)	Cost to FPD	Cost to Others	As Bid Line Item #	Original Cost of Associated Line Item	% of Original Line Item	% of Original Contract	Date	Status	Comments
1	Building Permit	Field	\$434.00	\$0.00	2B.1	\$ 32,720.00	1.33%	0.01%	2/24/2014	Approved	Required by Monroe County
2	Additional Roadway Aggregate	Field	\$7,965.00	\$0.00	2B.3	\$ 171,825.00	4.64%	0.21%	3/18/2014	Approved	Required by Monroe County
3	Site 10, 12, 15 fence and aggregate changes	Field	\$0.00	\$0.00	NA	NA	0.00%	0.00%	8/12/2014	Approved	Field changes to enable constructability and provide maintenance ease
4	Razor Wire on Fence	Other	\$0.00	\$8,570.00	NA	NA	NA	0.22%	8/19/2014	Approved	Razor wire on fence at Site 10, 12, & 16 per MESD Levee District request; To be paid by MESD
5	Time Extension	Other	\$0.00	\$0.00	NA	NA	0.00%	0.00%	8/19/2014	Approved	Time extension for July 2014 weather/high river days that impeded construction
6*	Site 16 Duct Bank	Field	\$50,600.00	\$0.00	2B.55	\$ 23,990.00	210.92%	1.31%	9/29/2014	Approved	USACE required underground electrical service to pump station per Ameren; Ameren to credit FPD amount paid to Ameren for overhead lines; Board approval required
7	Site 15 Grating and Supports	Field	\$4,760.00	\$0.00		\$ 352,645.00	1.35%	0.12%	10/17/2014	Approved	Grating and support for Site 15 to enable functionality of the system
8*	Site 10 Electric Change	Field	\$74,200.00	\$0.00	2B.27	\$ 17,705.00	419.09%	1.92%	11/19/2014	Approved	Ameren requires upgrades to the existing pump station at Site 10. Board approval required
9	Time Extension	Other	\$0.00	\$0.00	NA	NA	0.00%	0.00%	12/2/2014	Approved	Request for Time Extension to move our completion date to 4/15/15 due to the contract documents for Bid Package 2B contractor is only allowed to work at Site 12 between October 15th to March 15th.
10	Site 12 Guard Rail	Field	\$10,276.92	\$0.00	NA	NA	NA	0.27%	4/17/2015	Approved	Install approximately 74 LF of FRP handrails per the attached drawings for OSHA compliance
Total of Project Change Orders										Total	\$ 156,805.92
Original Contract Amount			Revised Contract Amount			% Change from Original Amount					
\$3,865,405.00			4,022,210.92			4.06%					

Approved

*Board approval required

TITLE: CONSTRUCTION CHANGE ORDER LOG

CLIENT: Southwestern Illinois Flood Prevention District Council
PROJECT Bid Package 2C

PROJECT NUMBER: SIFPDC-BP2C

Change Request Number	Description	Change Type (Field, Design, Spec, Other)	Cost to FPD	Cost to Others	As Bid Line Item #	Original Cost of Associated Line Item	% of Original Line Item	% of Original Contract	Date	Status	Comments
1											
2											
3											
4											
5											
6											
7											
8											
9											
10											
Total of Project Change Orders			\$0.00	\$0.00						Total	\$ -
Original Contract Amount			281,632.00	% Change from Original Amount							
\$281,632.00			281,632.00	0.00%							

Approved

*Board approval required

TITLE: CONSTRUCTION CHANGE ORDER LOG

CLIENT: Southwestern Illinois Flood Prevention District Council
PROJECTBid Package 03

PROJECT NUMBER: SIFPDC-BP03

Change Request Number	Description	Change Type (Field, Design, Spec, Other)	Cost to FPD	Cost to Others	As Bid Line Item #	Original Cost of Associated Line Item	% of Original Line Item	% of Original Contract	Date	Status	Comments
1	IDOT Permit	Other	\$1,000.00	\$0.00	3.01	\$ 498,000.00	0.20%	0.01%	5/21/2014	Approved	IDOT Required Permit
2	Piezometer 39 Relocate	Field	\$16,600.00	\$0.00	3.30	\$ 307,224.00	5.40%	0.16%	9/18/2014	Approved	Post bid design change to enable more effective operability
3	Russell Commons Fence Remove and Replace	Field	\$11,361.00	\$0.00	NA	NA	NA	0.11%	10/2/2014	Approved	Remove and replace fence installed by property owner post bid
4	Additional Hydro Excavating	Field	\$2,245.60	\$0.00	3.39	\$1,884,009.24	0.12%	0.02%	10/8/2014	Approved	Due to the relocation of RW's 1077 to 1080; added costs for hydro excavation
5	Permits for relief well conversions due to change with IL Public Health Dept	Other	\$3,071.25	\$0.00	3.37	\$ 82,812.00	3.71%	0.03%	10/22/2014	Approved	Permits for relief well conversions due to change with IL Public Health Dept
6*	RR3 Material for Blanket Drains-pending verifying material	Field	\$278,694.99	\$0.00	3.08-3.14	\$2,034,478.00	13.70%	2.76%	11/19/2014	Approved	Blanket Drains material change from CA1 to RR3 to improve effectiveness; Change requires Board approval
7*	Indian Creek Rip Rap	Field	\$57,436.00	\$0.00	3.40	\$ 193,713.36	29.65%	0.57%	11/19/2014	Approved	Due to the extreme scour of the banks and creek bed since the time of the original design, in order for the per plan design to be constructed, it is going to require a substantial amount of additional rip rap RR4 to be placed. Board approval required
8	Credit-Remove Vacuum Testing of Manholes	Other	\$ (5,820.00)	\$0.00	3.29	\$ 37,896.00	-15.36%	-0.06%	2/2/2015	Approved	PCN approved to remove the requirements for ASTM C1244 Standard Test Method for Concrete Sewer
9*	Hawthorne Changes North & South including Ameren	Other	\$558,066.80	\$0.00	3.02 3.04 3.06 3.07 3.29 3.32 3.02 3.09 3.16 3.23 3.25 3.26 3.29 3.36 3.37	\$1,884,009.24	29.62%	5.54%	2/18/2015	Approved	Change Description submitted in change order memo for Board approval 2/18/15
10*	Blanket Drain 2 Revisions & RW 1077 to 1080 Changes	Other	\$477,917.72	\$0.00				4.74%	2/18/2015	Approved	Change Description submitted in change order memo for Board approval 2/18/15; change order pending credit before processing
11	Blanket Drain 1 Revisions	Other	\$ (59.97)	\$0.00	3.08	\$ 15,160.00	-0.40%	0.00%	2/26/2015	Approved	Revised limits of Blanket Drain 1 and change surface aggregate material
12*	Toe Wall and Handrails Wiers 2, 3, and 4	Field	\$ 60,362.00	\$0.00	3.48 3.49 3.50	\$ 381,000.00	15.84%	0.60%	4/15/2015	Approved	Toe wall for additional structural support due to the field conditions and soil types the weirs are being installed in. The toe walls were added to mitigate this potential failure. Handrails were added to the weirs as a result of OSHA regulations and for added maintenance personnel safety during inspections and flood events.
13*	Additional Pollution Coverage UPRR	Other	\$ 6,825.00	\$0.00	3.01	\$ 498,000.00	1.37%	0.07%	8/19/2015	Approved	Additional Pollution Coverage required by Union Pacific Railroad

TITLE: CONSTRUCTION CHANGE ORDER LOG

CLIENT: Southwestern Illinois Flood Prevention District Council
PROJECTBid Package 03

PROJECT NUMBER: SIFPDC-BP03

Change Request Number	Description	Change Type (Field, Design, Spec, Other)	Cost to FPD	Cost to Others	As Bid Line Item #	Original Cost of Associated Line Item	% of Original Line Item	% of Original Contract	Date	Status	Comments	
14*	Pilot Hole Drilling	Other	\$ 28,950.00	\$0.00	3.32	\$ 147,604.20	19.61%	0.29%	8/19/2015	Approved	Actual field conditions may vary and it is recommended by the project geotechnical lead to add to this number for potential field variations. Therefore the anticipated pilot hole increase is for an additional 300 feet. Board approval required	
15*	Hawthorne Pipe Changes	Field	\$ (9,729.58)	\$0.00	3.18 3.20 3.23 3.25 3.26	\$ 414,895.57	-2.35%	-0.10%	9/16/2015	Approved	Hawthorne Pipe Changes; Board approval required	
16*	Russell Commons Buried Waste Part A & B	Field	\$ 132,710.00	\$0.00	NA	NA	NA	1.32%	9/16/2015	Approved	Russell Commons Buried Waste backfill, testing, material handling; Board approval required	
17*	Relief Well Construction Obstruction	Other	\$257,694.47	\$0.00	3.38 3.39	\$3,507,071.90	7.35%	2.56%	10/9/2015	Approved	RW Construction Obstruction due to Cobble Layer; Board approval required; 3/18/15 Board approved budget	
18*	Tree Mitigation	Other	\$17,403.75	\$0.00	NA	NA	NA	0.17%	10/22/2015	Approved	Tree Replacement Plan for Trees Removed Within the IDOT ROW	
19*	Relief Well 1016, 1064, 1065 Modifications	Field	\$15,620.78	\$0.00	3.38 3.39	\$3,507,071.90	0.45%	0.15%	10/22/2015	Approved	Relief Well 1016, 1064, 1065 Modifications	
20*	Relief Well Construction Obstruction	Other	\$111,256.88	\$0.00	3.38 3.39	\$3,507,071.90	3.17%	1.10%	10/27/2015	Approved	RW Construction Obstruction due to Cobble Layer; Board approval required; 3/18/15 Board approved budget	
21*	Relief Well Construction Obstruction	Other	\$108,620.79	\$0.00	3.38 3.41	\$3,507,073.90	3.10%	1.08%	11/13/2015	Approved	RW Construction Obstruction due to Cobble Layer; Board approval required; 3/18/15 Board approved budget	
22*	Russell Commons Buried Waste Part A Deduct & Part C	Field	\$40,618.82	\$0.00	NA	NA	NA	0.40%	11/19/2015	Approved	Russell Commons Buried Waste removal (part of ROM estimate given at the 9/16/15 Board meeting)	
Total											\$	2,170,866.30

Original Contract Amount Revised Contract Amount
\$10,082,345.00 **12,253,211.30**

% Change from Original Amount
21.53%

*Board approval required

CONTRACT INVOICE LOG

Contractor: Haier Plumbing
 301 North Elkton Street, P. O. Box 400
 Okawville, IL 62271

Project: SWILCD
Construction Package: BP04

Original Contract Amount:	\$3,190,232.45	
Change Order #1:	\$8,196.30	Flyght Pump & Locking Sewer Lids per MESD
Change Order #2:	\$949.90	Fence Polycarbonate
Change Order #3:	\$10,488.00	Fence Grounding per Ameren
Change Order #4:	\$1,533.00	2 Additional Posts in Concrete per Phillips 66 Request
Change Order #5:	\$2,127.35	Time and material for new fence grounding
Change Order #6:	\$2,402.40	Per MESD Request
Change Order #7:	\$0.00	Contract Time Extension
Change Order #8:	\$1,656.00	2" Well Point SS Pipe
Change Order #9:	\$54,680.20	Site 9 Electrical Changes
Change Order #10:	\$35,602.21	Work Stoppage due to Soil Testing
Change Order #11:	\$80,046.18	Relief Well Construction Obstruction due to Cobble
Change Order #12:	\$0.00	Contract Time Extension to June 30, 2015
Change Order #13:	\$8,981.67	Relief Well 141XB Re-Design
Change Order #14:	\$948.75	Offset Oufall Line of RW 153X
Change Order #15:	\$79,051.00	Clay Cap Benching and Key Volume (3,437 CY)
Total Change Order Amount:	\$286,662.96	
Total Revised Contract Amount:	\$3,476,895.41	

Payment Request No.	Pay Request Date	Pay Request Recommended Approval Date	Total Completed to Date (\$)	Amount Retained (10% to 50%) then (5% to 95%)	Total Earned Less Retained (\$)	Amount Invoiced (\$)	Date Paid by FPD	Estimate to Complete Including Retainage (\$)
1	4/11/2014	4/15/2014	\$259,243.33	\$25,924.33	\$233,319.00	\$233,319.00	4/22/2014	\$2,965,109.75
2	6/11/2014	6/12/2014	\$269,731.33	\$26,973.13	\$242,758.20	\$9,439.20	6/19/2014	\$2,967,108.45
3	8/5/2014	8/11/2014	\$325,641.68	\$32,564.17	\$293,077.51	\$50,319.32	8/14/2014	\$2,920,449.49
4	10/1/2014	10/9/2014	\$970,413.05	\$97,041.31	\$873,371.75	\$580,294.24	10/13/2014	\$2,344,213.65
5	11/10/2014	11/11/2014	\$1,576,916.93	\$157,691.69	\$1,419,225.24	\$545,853.49	11/14/2014	\$1,798,360.16
6	12/9/2014	12/11/2014	\$1,805,617.83	\$180,561.78	\$1,625,056.05	\$205,830.81	12/18/2014	\$1,647,209.55
7	1/7/2015	1/13/2015	\$1,981,951.82	\$198,195.18	\$1,783,756.65	\$158,700.59	1/26/2015	\$1,488,508.95
8	1/31/2015	2/6/2015	\$2,353,390.85	\$235,339.09	\$2,118,051.77	\$334,295.13	2/13/2015	\$1,269,862.22
9	2/27/2015	3/9/2015	\$2,402,889.49	\$240,288.95	\$2,162,600.54	\$44,548.77	3/19/2015	\$1,225,313.45
10	3/31/2015	4/10/2015	\$2,512,569.69	\$251,256.97	\$2,261,312.72	\$98,712.18	4/16/2015	\$1,136,531.69
11	4/30/2015	5/12/2015	\$2,599,540.09	\$259,954.01	\$2,339,586.08	\$78,273.36	5/18/2015	\$1,058,258.33
12	6/30/2015	7/7/2015	\$2,608,521.08	\$260,852.12	\$2,347,668.96	\$8,082.50	7/9/2015	\$1,050,175.45
13	9/10/2015	9/14/2015	\$2,815,521.76	\$281,552.18	\$2,533,969.58	\$186,300.00	9/14/2015	\$942,925.83

TITLE: CONSTRUCTION CHANGE ORDER LOG

CLIENT: Southwestern Illinois Flood Prevention District Council
PROJECT: Bid Package 04

PROJECT NUMBER: SIFPDC-BP04

Change Request Number	Description	Change Type (Field, Design, Spec, Other)	Cost to FPD	Cost to Others	As Bid Line Item #	Original Cost of Associated Line Item	% of Original Line Item	% of Original Contract	Date	Status	Comments	
1	Flight Pump and Locking Sewer Lids	Other	\$0.00	\$8,196.30	4.27	\$ 222,500.00	3.68%	0.26%	3/11/2014	Approved	To be paid by MESD Levee District	
2	PVC Fence Panel Fillers	Field	\$949.90	\$0.00	4.22	\$ 140,360.00	0.68%	0.03%	4/4/2014	Approved	To accommodate field condition	
3	Furnish and Install Fence Grounding	Field	\$10,488.00	\$0.00	4.22	\$ 140,360.00	7.47%	0.33%	4/17/2014	Approved	Ameren required fence to be grounded; grounding to be every 200ft with 20ft ground rod	
4	2 Additional Posts in Concrete per Phillips 66 Request	Field	\$1,533.00	\$0.00	4.22	\$ 140,360.00	1.09%	0.05%	6/17/2014	Approved	2 Additional posts per P66 request	
5	Time and material for new fence grounding	Field	\$2,127.35	\$0.00	4.22	\$ 140,360.00	1.52%	0.07%	7/17/2014	Approved	Change order for additional grounding needed as requested by Phillips 66; Time and material	
6	Razor Wire on Fence	Other	\$0.00	\$2,402.40	NA	NA	NA	0.08%	8/20/2014	Approved	Razor wire on fence at pump station per MESD Levee District request; to be paid by MESD Levee District	
7	Time Extension Request for Fence Delay and High River	Other	\$0.00	\$0.00	NA	NA	NA	0.00%	8/27/2014	Approved	Contract time extension of 43 working days due to security fence approval delay and high river level days that impeded construction	
8	Well Point Stainless Steel Pipe diameter change 1-1/4" to 2"	Field	\$1,656.00	\$0.00	4.16	\$ 878,900.00	0.19%	0.05%	9/15/2014	Approved	Well point stainless steel pipe diameter change from 1-1/4" to 2" to improve operability/constructability.	
9*	Site 9 Electrical Changes	Other	\$54,680.20	\$0.00	4.28	\$ 222,500.00	24.58%	1.71%	11/19/2014	Approved	Ameren requires upgrades to the existing pump station at Site 9. Board approval required	
10	Work stoppage for impacted soil	Other	\$35,602.21	\$0.00	NA	NA	NA	1.12%	1/8/2015	Approved	Work stopped to perform testing due to encountering hydrocarbon odor	
11	RW Construction Obstruction	Field	\$80,046.18	\$0.00	4.16	\$ 878,900.00	9.11%	2.51%	1/15/2015	Approved	RW Construction Obstruction due to Cobble Layer during drilling	
12	Contract Time Extension	Other	\$0.00	\$0.00	NA	NA	NA	0.00%	2/10/2015	Approved	Contract time extension to June 30, 2015	
13	RW 141XB Re-design	Field	\$8,981.67	\$0.00	4.16	\$ 878,900.00	1.02%	0.28%	2/17/2015	Approved	60-slot RW re-design to 40-slot	
14	Off-setting Outfall Line of RW 153X	Field	\$948.75	\$0.00	4.16	\$ 878,900.00	0.11%	0.03%	3/6/2015	Approved	Off-setting Outfall Line of RW 153X	
15	Clay Cap Benching and Key Volume (3,437 CY)	Other	\$79,051.00	\$0.00	NA	NA	NA	2.48%	8/24/2015	Approved	Clay Cap Benching and Key Volume (3,437 CY) The Clay quantity for the benching was not included in the original BP04 bid tab	
Total of Project Change Orders										Total	\$ 286,662.96	
Original Contract Amount			\$3,190,232.45	Revised Contract Amount		3,476,895.41	% Change from Original Amount		8.99%			

*Board approval required

TITLE: CONSTRUCTION CHANGE ORDER LOG

CLIENT: Southwestern Illinois Flood Prevention District Council
PROJECT: Bid Package 05

PROJECT NUMBER: SIFPDC-BP05

Change Request Number	Description	Change Type (Field, Design, Spec, Other)	Cost to FPD	Cost to Others	As Bid Line Item #	Original Cost of Associated Line Item	% of Original Line Item	% of Original Contract	Date	Status	Comments
1*	Locking Sewer Lids	Other	\$0.00	\$19,698.78	5.18-5.22	\$ 113,685.00	17.33%	0.24%	3/18/2014	Approved	To be paid by MESD Levee District
2	Gravity Drain Cleaning	Field	\$2,815.00	\$0.00	5.29	\$ 67,225.00	4.19%	0.03%	4/16/2014	Approved	Anticipated \$2,815.00 change to accommodate field condition and constructability
3	Rip Rap Survey	Field	\$1,224.14	\$0.00	NA	NA	NA	0.01%	6/18/2014	Approved	Operator and equipment cost for assistance with survey done on rip rap discovered on railroad embankment
4	Manhole JN1601 Extension	Field	\$683.99	\$0.00	5.21	\$ 9,325.00	7.34%	0.01%	7/18/2014	Approved	4ft extension due to BP05 and BP2B grade conflict
5	Permits for relief well conversions due to change with IL Public Health Dept	Other	\$1,863.75	\$0.00	5.26	\$ 211,728.64	0.88%	0.02%	10/30/2014	Approved	Permits for relief well conversions due to change with IL Public Health Dept; Owner will be responsible for all permits and fees
6	Relief Wells Rehabs	Other	\$103,690.00	\$0.00	NA	NA	NA	1.26%	10/30/2014	Approved	Relief well rehabilitations in the plans but were omitted from the bid tab
7*	PZ Seal Modifications	Design	\$31,680.00	\$0.00	5.22	\$ 171,680.00	18.45%	0.38%	11/19/2014	Approved	The new detail extends the concrete seal 4' below ground surface which should provide more stability for the above-grade part of the piezometer.
8	Installation and testing of 10" Relief Wells instead of 8" Wells	Design	\$45,199.00	\$0.00	5.28	\$ 2,156,379.63	2.10%	0.55%	2/2/2015	Approved	Based on site-specific designs performed after pilot hole drilling, ten wells were final-designed with 10" diameter screens and risers to optimize well length and/or meet the USACE entrance velocity standard.
9*	RW Construction Obstruction	Field	\$107,201.00	\$0.00	5.27 5.28	\$ 3,204,234.48	3.35%	1.30%	1/15/2015	Approved	RW Construction Obstruction due to Cobble Layer during drilling; submitted January 21, 2015 for Board approval
10	Credit-Remove Vacuum Testing of Manholes	Other	\$ (5,095.00)	\$0.00	5.18-5.21	\$ 113,685.00	-4.48%	-0.06%	2/2/2015	Approved	PCN approved to remove the requirements for ASTM C1244 Standard Test Method for Concrete Sewer
11	Contract Time Extension	Other	\$0.00	\$0.00	NA	NA	NA	0.00%	2/10/2015	Approved	Contract Time Extension to September 30, 2015
12	Delete - PZ Seal Modifications	Other	\$ (31,680.00)	\$0.00	5.22	\$ 171,680.00	-18.45%	-0.38%	4/16/2015	Approved	Delete piezometer seal modifications
13	Remaining Relief Well Permits	Other	\$9,056.25	\$0.00	NA	NA	NA	0.11%	4/16/2015	Approved	Per spec sec 00 800 par 6.4-Owner will be responsible for all permits and fees
14	60 Slot Relief Well Redesign	Field	\$110,334.93	\$0.00	5.27 5.28	\$ 3,204,234.48	3.44%	1.34%	4/16/2015	Approved	60 Slot Relief Well Redesign

TITLE: CONSTRUCTION CHANGE ORDER LOG

CLIENT: Southwestern Illinois Flood Prevention District Council
PROJECT Bid Package 05

PROJECT NUMBER: SIFPDC-BP05

Change Request Number	Description	Change Type (Field, Design, Spec, Other)	Cost to FPD	Cost to Others	As Bid Line Item #	Original Cost of Associated Line Item	% of Original Line Item	% of Original Contract	Date	Status	Comments
15	RW Construction Obstruction	Field	\$83,011.64	\$0.00	5.27 5.28	\$ 3,204,234.48	2.59%	1.01%	5/15/2015	Within approved budget	RW Construction Obstruction due to Cobble Layer during drilling; submitted January 21, 2015 for Board appro
16	PZ 875L Alignment Test and Repair	Field	\$3,622.38	\$0.00	NA	NA	NA	0.04%	7/7/2015	Approved	Alignment test and repairs
17	HDPE to RCP Pipe Change	Other	\$90,000.00	\$0.00	NA	NA	NA	1.09%	10/16/2015	Approved	HDPE to RCP Pipe Change; Early draw to order materials

\$573,305.86

Total of Project Change Orders \$553,607.08 \$19,698.78

Original Contract Amount Revised Contract Amount % Change from Original Amount
\$8,256,481.84 8,829,787.70 6.94%

*Board approval required

CONTRACT INVOICE LOG

Contractor: The Lane Construction Corporation
90 Fieldstone Ct.
Cheshire, CT 06410-1212

Project: SWILCD 56317001.008.0017
Construction Package: BP06
Original Contract Amount: \$12,857,127.75
Change Order #1: \$0.00 Spiral Wound Slip Lining
Change Order #2: \$1,870.00 Bronze Survey Markers
Change Order #3: \$132,809.60 Red Flint Filter Pack Material
Change Order #4: \$12,040.40 Air Testing of HDPE Storm Sewer Pipe 12" 18" and 24"
Change Order #5: \$29,566.29 SaniTite pipe upgrade and air testing on 30"-42" pipe
Change Order #6: \$26,950.00 Vacuum testing manholes
Change Order #7: \$205,863.75 Additional Pilot Hole Drilling & Additional Pilot Hole Sampling
Change Order #8: \$4,210.00 Raise to Grade Piezometer
Change Order #9: \$9,504.00 Modify Piezometer
Change Order #10: \$18,339.63 12" Surface Aggregate
Change Order #11: \$1,282,932.15 Relief Well Quantity Changes
Change Order #12: \$37,935.66 Various Changes for Board Approval
Change Order #13: \$43,664.49 Various Changes for Board Approval
Change Order #14: \$177,854.69 Relief Well Construction Obstruction
Change Order #15: \$0.00 Contract Time Extension to September 30, 2015
Change Order #16: \$10,004.04 Concrete Headwall and Flap Gate at RW-200X; HDPE pipe 12 inch added to P-200X; HDPE pipe 12 inch added to 70-C; Manhole – 48 inch deleted JN-70 C; HDPE pipe 12 inch
Change Order #17: (\$10,106.25) Credit-Remove Vacuum Testing of Manholes
Change Order #18: \$63,230.97 60 Slot Relief Well Redesign
Change Order #19: \$20,923.32 Relief Well Construction Obstruction
Change Order #20: \$17,910.08 Abandon Existing PZ P37 12" Agg Surface Abandon Existing PZ 239L and install new PZ
Change Order #21: \$4,562.64 Relief Well Construction Obstruction
Change Order #22: \$83,071.89 RCP at Pulcher's Driveway and Increase in Relief Well Quantities
Change Order #23: \$38,213.76 Emergency T&M Work - Flood Event June 2015; Modifications to PDP/FL Piezometers 204L, 537L, and 679L
Change Order #24: \$14,496.25 Collection Pipe P 145X
Total Change Order Amount: **\$2,225,847.36**
Total Revised Contract Amount: **\$15,082,975.11**

Payment Request No.	Pay Request Date	Pay Request Recommended Approval Date	Total Completed to Date (\$)	Amount Retained (10% to 50%) then (5% to 95%)	Total Earned Less Retainage	Amount Invoiced (\$)	Date Paid by FPD	Estimate to Complete Including Retainage (\$)
1	12/1/2013	12/9/2013	\$85,500.00	\$8,550.00	\$76,950.00	\$76,950.00	12/20/2013	\$12,780,177.75
2	1/1/2014	2/10/2014	\$302,624.00	\$30,262.40	\$272,361.60	\$195,411.60	2/20/2014	\$12,584,766.15
3	2/3/2014	2/10/2014	\$1,082,723.00	\$108,272.30	\$974,450.70	\$702,089.10	2/20/2014	\$11,882,677.05
4	3/1/2014	3/14/2014	\$1,486,548.00	\$148,654.80	\$1,337,893.20	\$363,442.50	3/25/2014	\$11,519,234.55
5	4/1/2014	4/16/2014	\$2,819,792.90	\$281,979.29	\$2,537,813.61	\$1,199,920.41	4/22/2014	\$10,321,184.14
6	5/1/2014	5/13/2014	\$3,912,098.90	\$391,209.89	\$3,520,889.01	\$983,075.40	5/22/2014	\$9,338,108.74
7	6/1/2014	6/10/2014	\$4,741,611.90	\$474,161.19	\$4,267,450.71	\$746,561.70	6/19/2014	\$8,591,547.04
8	7/1/2014	7/14/2014	\$5,406,637.90	\$540,663.79	\$4,865,974.11	\$598,523.40	7/17/2014	\$8,125,833.24
9	8/1/2014	8/8/2014	\$5,785,001.65	\$578,500.17	\$5,206,501.49	\$340,527.38	8/19/2014	\$8,073,440.31
10	9/3/2014	9/5/2014	\$6,053,869.33	\$605,386.93	\$5,448,482.40	\$241,980.91	9/15/2014	\$7,849,799.02
11	10/1/2014	10/3/2014	\$6,752,179.87	\$675,217.99	\$6,076,961.88	\$628,479.49	10/16/2014	\$8,504,251.69

Payment Request No.	Pay Request Date	Pay Request Recommended Approval Date	Total Completed to Date (\$)	Amount Retained (10% to 50%) then (5% to 95%)	Total Earned Less Retainage	Amount Invoiced (\$)	Date Paid by FPD	Estimate to Complete Including Retainage (\$)
12	11/1/2014	11/10/2014	\$7,466,202.56	\$746,620.26	\$6,719,582.30	\$642,620.41	11/18/2014	\$7,899,566.94
13	12/1/2014	12/8/2014	\$8,071,969.19	\$807,196.92	\$7,264,772.27	\$545,189.97	12/18/2014	\$7,398,041.46
14	1/1/2015	1/13/2015	\$9,086,036.15	\$454,301.81	\$8,631,734.33	\$1,366,962.07	1/26/2015	\$6,031,079.39
15	2/1/2015	2/6/2015	\$10,631,046.43	\$531,552.32	\$10,099,494.11	\$1,467,759.77	2/18/2015	\$4,741,174.30
16	3/1/2015	3/9/2015	\$11,159,175.28	\$557,958.76	\$10,601,216.51	\$501,722.40	3/19/2015	\$4,249,455.94
17	4/1/2015	4/10/2015	\$12,128,575.99	\$606,428.80	\$11,522,147.19	\$920,930.68	4/16/2015	\$3,381,649.98
18	5/1/2015	5/8/2015	\$13,089,041.43	\$654,452.07	\$12,434,589.36	\$912,442.17	5/18/2015	\$2,490,131.13
19	6/1/2015	6/5/2015	\$13,723,208.55	\$686,160.43	\$13,037,048.13	\$602,458.77	6/16/2015	\$1,910,145.08
20	7/1/2015	7/6/2015	\$14,005,443.45	\$700,272.17	\$13,305,171.28	\$268,123.15	7/14/2015	\$1,725,093.82
21	8/1/2015	8/7/2015	\$14,045,434.28	\$702,271.71	\$13,343,162.57	\$37,991.28	8/20/2015	\$1,725,316.29
22	9/1/2015	9/11/2015	\$14,070,459.28	\$703,522.96	\$13,366,936.32	\$23,773.75	9/16/2015	\$1,716,038.79
23	10/1/2015	10/9/2015	\$14,194,301.91	\$654,204.74	\$13,540,097.17	\$173,158.86	10/21/2015	\$1,542,877.94
24	11/1/2015	11/13/2015	\$14,466,220.84	\$667,802.68	\$13,798,418.16	\$258,322.99	11/17/2015	\$1,284,556.95
25	12/1/2015	12/8/2015	\$14,586,512.09	\$673,817.24	\$13,912,694.85	\$114,276.68		\$1,170,280.26

TITLE: CONSTRUCTION CHANGE ORDER LOG

CLIENT: Southwestern Illinois Flood Prevention District Council
PROJECT: Bid Package 06

PROJECT NUMBER: SIFPDC-BP06

Change Request Number	Description	Change Type (Field, Design, Spec, Other)	Cost to FPD	Cost to Others	As Bid Line Item #	Original Cost of Associated Line Item	% of Original Line Item	% of Original Contract	Date	Status	Comments
1	Spiral Wound (Slip-Lining)	Spec	\$0.00	\$0.00	6.20	\$ 1,629,000.00	0.00%	0.00%	2/27/2014	Approved	Specification change to coordinate and be consistent with material and methods used by Corps of Engineers
2	Bronze Survey Markers	Spec	\$1,870.00	\$0.00	6.40	\$ 1,039,884.00	0.18%	0.01%	3/18/2014	Approved	Specification change to make consistent with other bid packages. Comments back from Corps of Engineers on other bid packages but was missed on this bid package.
3	Red Flint Filter Pack	Spec	\$132,809.60	\$0.00	6.39 6.40	\$ 1,806,432.00	7.35%	1.03%	6/20/2014	Approved	Specification change as required by the Corp of Engineers. The change order cost of \$132,809.60 is based on original bid quantities and may increase based on final relief well design. If final quantities result in increase of 10% above original line item, Board approval required
4	Air Testing of HDPE Storm Sewer Pipe 12" 18" and 24"	Spec	\$12,040.40	\$0.00	NA	NA	NA	0.09%	7/17/2014	Approved	Specification change to make consistent with other bid packages.
5*	SaniTite pipe upgrade and air testing on 30"-42" pipe	Spec	\$29,566.29	\$0.00	6.25 6.26 6.27	\$ 149,797.00	19.74%	0.23%	7/17/2014	Approved	Specification change to make consistent with other bid packages. Board approval required
6	Vacuum testing manholes	Spec	\$26,950.00	\$0.00	NA	NA	NA	0.21%	7/17/2014	Approved	Specification change to make consistent with other bid packages. Board approval required
7*	Additional Pilot Hole Drilling & Additional Pilot Hole Sampling	Design	\$205,863.75	\$0.00	6.38	\$ 251,775.00	81.76%	1.60%	7/17/2014	Approved	Design change to accommodate actually quantities. Bid quantities were very preliminary since no pilot holes were drilled at the time and Amec had not received the USACE design template for relief wells. Board approval required
8*	Raise to Grade Piezometer	Field	\$4,210.00	\$0.00	6.45	\$ 21,050.00	20.00%	0.03%	7/17/2014	Approved	PZ 689L to be raised to grade to accommodate field conditions. Board approval required
9	Modify Piezometer	Field	\$9,504.00	\$0.00	6.43	\$ 132,960.00	7.15%	0.07%	7/18/2014	Approved	Modify piezometers seal to provide additional concrete
10	Surface Aggregate	Design	\$18,339.63	\$0.00	NA	NA	NA	0.14%	8/25/2014	Approved	12 inch Aggregate Surface Course, Type A" item for driveways and field access roads. This was not included in the original proposal and was added per detail on sheet CC-C513 and various plan sheets showing the locations.
11*	Relief Well Quantity Change	Design	\$1,282,932.15	\$0.00	6.39 6.40	\$ 1,806,432.00	71.02%	9.98%	9/12/2014	Approved	Additional quantities required due to deeper pilot holes required to achieve necessary penetration. Board approval required.
12*	Additional 50VF of Pilot Hole Drilling; Decrease RW Add Riser 1 EA; Add RW Abandonment 1 EA; PZ 679R Convert to Below Grade Piezometer; T&M 2 Clay Cap Undercut	Field	\$37,935.66	\$0.00	6.09 6.38 6.42 6.46 6.32	\$ 575,290.00	6.59%	0.30%	10/10/2014	Approved	See change order summary presented to Board for review and approval in the October 15, 2014 Board Meeting
13*	Hydraulic structure painting of the 84" bulkhead; T&M 3 Clay Cap Undercut; Modify PZ Raise to Grade to PZ Raise to Grade Special	Field	\$43,664.49	\$0.00	NA	NA	NA	0.34%	11/19/2014	Approved	Board approval required
14*	RW Construction Obstruction	Field	\$177,854.69	\$0.00	6.39 6.40	\$ 1,806,432.00	9.85%	1.38%	1/21/2015	Approved	RW Construction Obstruction due to Cobble Layer during drilling. Board approval required.
15	Contract Time Extension	Other	\$0.00	\$0.00	NA	NA	NA	0.00%	2/10/2015	Approved	Contract Time Extension to September 30, 2015

TITLE: CONSTRUCTION CHANGE ORDER LOG

CLIENT: Southwestern Illinois Flood Prevention District Council
PROJECT: Bid Package 06

PROJECT NUMBER: SIFPDC-BP06

Change Request Number	Description	Change Type (Field, Design, Spec, Other)	Cost to FPD	Cost to Others	As Bid Line Item #	Original Cost of Associated Line Item	% of Original Line Item	% of Original Contract	Date	Status	Comments
16*	Concrete Headwall and Flap Gate at RW-200X; HDPE pipe 12 inch added to P-200X; HDPE pipe 12 inch added to 70-C; Manhole – 48 inch deleted JN-70 C; HDPE pipe 12 inch deleted P-S516 for 70C.	Field	\$10,004.04	\$0.00	6.39 6.40	\$ 1,806,432.00	0.55%	0.08%	2/12/2015	Approved	Change Description submitted in change order memo for Board approval 2/18/15
17	Credit-Remove Vacuum Testing of Manholes		\$ (10,106.25)	\$0.00	NA	NA	NA	-0.08%	3/4/2015	Approved	PCN approved to remove the requirements for ASTM C1244 Standard Test Method for Concrete Sewer
18*	60 Slot Relief Well Redesign	Field	\$63,230.97	\$0.00	6.40	\$ 1,039,884.00	6.08%	0.49%	3/18/2015	Approved	60-slot RW re-design to 40-slot; Board approval required
19	RW Construction Obstruction	Field	\$20,923.32	\$0.00	6.39 6.40	\$ 1,806,432.00	1.16%	0.16%	5/8/2015	Approved	RW Construction Obstruction due to Cobble Layer during drilling. To be processed under budget Board approved 1/21/15
20*	Abandon Existing PZ P37 12" Agg Surface Abandon Existing PZ 239L and install new PZ	Field	\$17,910.08	\$0.00	6.04 6.43 6.44	\$ 554,700.00	3.23%	0.14%	5/15/2015	Approved	Changes proposed to accommodate field conditions. Board approval required.
21	RW Construction Obstruction	Field	\$4,562.64	\$0.00	6.39 6.40	\$ 1,806,432.00	0.25%	0.04%	5/29/2015	Approved	RW Construction Obstruction due to Cobble Layer during drilling. To be processed under budget Board approved 1/21/15
22*	RCP at Pulcher's Driveway Increase in Relief Well Quantities	Field	\$83,071.89	\$0.00	6.39 6.40	\$ 1,806,432.00	4.60%	0.65%	6/17/2015	Approved	RCP at Pulcher's Driveway Increase in Relief Well Quantities Board approval required
23*	Emergency T&M Work - Flood Event June 2015; Modifications to PDP/FL Piezometers 204L, 537L, and 679L	Field	\$38,213.76	\$0.00	NA	NA	NA	0.30%	7/15/2015	Approved	Emergency T&M Work - Flood Event June 2015; Modifications to PDP/FL Piezometers 204L, 537L, and 679L
24*	Collection Pipe P 145X	Field	\$14,496.25	\$0.00	NA	NA	NA	0.11%	8/19/2015	Approved	Extra work to accommodate field conditions related to Collection Pipe P 145X; Board approval required

Total \$ **2,225,847.36**

Total of Project Change Orders \$2,225,847.36
Original Contract Amount \$12,857,127.75
Revised Contract Amount \$15,082,975.11
% Change from Original Amount 17.31%

*Board approval required

CONTRACT INVOICE LOG

Contractor: Kamadulski Excavating & Grading Co., Inc.
 4336 State Route 162
 Granite City, IL 62040

Project: SWILCD 56317001.010.001
Construction Package: BP7A
Original Contract Amount: \$3,076,208.70
Change Order #1: \$13,850.00 Boat Access Ramp
Change Order #2: \$108,897.50 Utility Conflicts
Change Order #3: \$98,660.80 Excavation Levee Slope and Crown Quantity Adjustment
Change Order #4: \$66,693.00 Slurry Wall Quantity Settlement
Change Order #5: \$0.00 Contract Time Extension to June 26, 2015
Change Order #6: \$7,500.00 Site demolition and restoration as required by City of Alton
Change Order #7: \$3,540.25 Clay Cap Volume Change
Total Change Order Amount: \$299,141.55
Total Revised Contract Amount: **\$3,375,350.25**

Payment Request No.	Pay Request Date	Pay Request Recommended Approval Date	Total Completed to Date (\$)	Amount Retained (10% to 50%) then (5% to 95%)	Total Earned Less Retainage	Amount Invoiced (\$)	Date Paid by FPD	Estimate to Complete Including Retainage (\$)
1	10/31/2014	11/3/2014	\$886,675.70	\$88,667.57	\$798,008.13	\$798,008.13	11/18/2014	\$2,292,050.57
2	11/30/2014	12/8/2014	\$1,824,863.95	\$182,486.40	\$1,642,377.55	\$844,369.42	12/18/2014	\$1,556,578.65
3	12/31/2015	1/9/2015	\$2,520,707.13	\$126,035.37	\$2,394,671.76	\$752,294.21	1/26/2015	\$902,945.24
4	2/28/2015	3/10/2015	\$2,587,400.13	\$129,370.02	\$2,458,030.11	\$63,358.35	3/19/2015	\$906,279.89
5	3/31/2015	4/10/2015	\$2,727,400.13	\$136,370.02	\$2,591,030.11	\$133,000.00	4/16/2015	\$773,279.89
6	5/4/2015	5/10/2015	\$3,278,416.10	\$163,920.82	\$3,114,495.28	\$523,465.17	5/18/2015	\$249,814.72
7	6/5/2015	6/12/2015	\$3,371,810.00	\$67,436.20	\$3,304,373.80	\$189,878.52	6/16/2015	\$67,436.20
7	7/8/2015	7/8/2015	\$3,375,350.25	\$0.00	\$3,375,350.25	\$70,976.45	7/14/2015	\$0.00



Memo to: Board of Directors
From: Chuck Etwert
Subject: Budget and Disbursement Report for November 2015
Date: December 14, 2015

Current Budget Highlights

Attached is the financial statement for November 2015 prepared by our fiscal agent, CliftonLarsonAllen. The report includes an accounting of revenues and expenditures for the month ending November 30, 2015, as compared to our fiscal year budget.

Accrued expenditures for the current fiscal year beginning on October 1, 2015 are \$9,477,152 while revenues amounted to \$1,971,877 resulting in a deficit of \$7,505,275. A total of approximately \$25,069,630 is held by the counties in their respective FPD sales tax funds and is available for the Council's use on the project.

Monthly sales tax receipts for September 2015 (the latest month reported by the Illinois Department of Revenue) were up 1.85% from the previous year. In general, receipts are up .86% from last year, which was our highest year.

Monthly Disbursements

Attached is the list of bank transactions for November 2015. Total disbursements for the month were \$3,320,180.83. The largest payments were to Keller Construction for BP #3 and BP #5, TREVIICOS South for BP #7B, Lane Construction for BP #6, Haier Plumbing for BP #2C, Roxana Landfill, Inc., Amec Foster Wheeler, and Husch Blackwell.

Recommendation:

Accept the budget report and disbursements for November 2015.



**SOUTHWESTERN ILLINOIS FLOOD PREVENTION
DISTRICT COUNCIL**

**GENERAL FUND
STATEMENT OF REVENUES AND EXPENDITURES – BUDGET AND ACTUAL**

TWO MONTHS ENDING NOVEMBER 30, 2015 AND 2014



CliftonLarsonAllen

CliftonLarsonAllen LLP
www.cliftonlarsonallen.com

Board Members
Southwestern Illinois Flood Prevention District Council
Collinsville, Illinois

Management is responsible for the accompanying General Fund Statement of Revenues and Expenditures of Southwestern Illinois Flood Prevention District Council (the "Council") for the two months ended November 30, 2015 and 2014, in accordance with accounting principles generally accepted in the United States of America. We have performed compilation engagements in accordance with Statements on Standards for Accounting and Review services promulgated by the Accounting and Review Services Committee of the American Institute of certified Public Accountants. We did not audit or review the financial statements nor were we required to perform any procedures to verify the accuracy or completeness of information provided by management. Accordingly, we do not express an opinion a conclusion, nor provide any form of assurances on these financial statements.

Management has omitted the management discussion and analysis. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context.

Management has not presented government-wide financial statements to display the financial position and changes in financial position of its governmental activity. Accounting principles generally accepted in the United States of America require the presentation of government-wide financial statements. The change in fund balance for the Council's governmental activity is not reasonably determinable.

Management has not presented a balance sheet for the general fund. Accounting principles generally accepted in the United States of America require the presentation of a balance sheet for each fund contained in the financial statements. The amounts that would be reported in a balance sheet of the general fund for the Council are not reasonably determinable.

Management has not presented a change in fund balance on the Statement of Revenues and Expenditures – Budget and Actual. Accounting principles generally accepted in the United States of America require the Statement of Revenues, Expenditures and Changes in Fund Balance include a presentation of changes in fund balance. The amounts that would be reported in government-wide financial statements for the Council's governmental activity is not reasonably determinable.

Management has also elected to omit substantially all of the disclosures required by generally accepted accounting principles. If the omitted disclosures were included with the financial statements, they might influence the user's conclusions about the Council's results of operations. Accordingly, these financial statements are not designed for those who are not informed about such matters.

The accompanying original and final budget amounts presented on the General Fund Statement of Revenues and Expenditures – Budget and Actual presented for the year ending September 30, 2016 and 2015, have not been compiled or examined by us, and, accordingly, we do not express an opinion or any other form of assurance on them.

We are not independent with respect to Southwestern Illinois Flood Prevention District Council.

A handwritten signature in black ink that reads "Clifton Larson Allen LLP". The signature is written in a cursive, flowing style.

CliftonLarsonAllen LLP

St. Louis, Missouri
December 7, 2015

SOUTHWESTERN ILLINOIS FLOOD PROTECTION DISTRICT COUNCIL
GENERAL FUND
STATEMENT OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL
TWO MONTHS ENDED NOVEMBER 30, 2015 (Actual)
FISCAL YEAR ENDING SEPTEMBER 30, 2016 (Budget)

	BUDGET		ACTUAL	VARIANCE WITH
	ORIGINAL	FINAL		FINAL BUDGET
				POSITIVE (NEGATIVE)
REVENUES				
Sales Tax Proceeds From Districts	\$ 11,500,000	\$ 11,500,000	\$ 1,889,079	\$ 9,610,921
Interest Income	75,000	75,000	82,798	(7,798)
Other Contributions	-	-	-	-
Total Revenues	<u>11,575,000</u>	<u>11,575,000</u>	<u>1,971,877</u>	<u>9,603,123</u>
EXPENDITURES				
Current				
Design and Construction				
Engineering Design & Construction Management	13,939,900	13,939,900	769,661	13,170,239
Construction	26,597,316	26,597,316	5,425,891	21,171,425
Construction and design by US ACE	2,739,245	2,739,245	-	2,739,245
Total Design and Construction	<u>43,276,461</u>	<u>43,276,461</u>	<u>6,195,552</u>	<u>37,080,909</u>
Professional Services				
Legal & Legislative Consulting	391,000	391,000	107,505	283,495
Diversity Program Manager	25,130	25,130	7,180	17,950
Financial Advisor	83,200	83,200	26,331	56,869
Bond Underwriter/Conduit Issuer	10,000	10,000	1,744	8,256
Total Professional Services	<u>509,330</u>	<u>509,330</u>	<u>142,760</u>	<u>366,570</u>
Refund of Surplus Funds to County FPD Accounts				
Madison County	1,911,400	1,911,400	420,964	1,490,436
Monroe County	202,080	202,080	44,106	157,974
St. Clair County	1,886,520	1,886,520	428,326	1,458,194
Total Refund of Surplus Funds to County	<u>4,000,000</u>	<u>4,000,000</u>	<u>893,396</u>	<u>3,106,604</u>
Debt Service				
Principal and Interest	7,103,089	7,103,089	2,209,045	4,894,044
Federal Interest Subsidy	(843,700)	(843,700)	-	(843,700)
Total Debt Service	<u>6,259,389</u>	<u>6,259,389</u>	<u>2,209,045</u>	<u>4,050,344</u>
Total Operating Expenses	<u>54,045,180</u>	<u>54,045,180</u>	<u>9,440,753</u>	<u>44,604,427</u>
General and Administrative Costs				
Salaries, Benefits	196,500	196,500	27,910	168,590
Bank Service Charges	1,500	1,500	250	1,250
Conference Registration	350	350	-	350
Equipment and Software	2,000	2,000	-	2,000
Fiscal Agency Services	29,000	29,000	4,300	24,700
Audit Services	15,000	15,000	608	14,392
Meeting Expenses	1,000	1,000	-	1,000
Postage/Delivery	400	400	5	395
Printing/Photocopies	2,500	2,500	950	1,550
Professional Services	10,000	10,000	-	10,000
Publications/Subscriptions	250	250	2	248
Supplies	3,000	3,000	288	2,712
Telecommunications/Internet	3,000	3,000	1,144	1,856
Travel	5,000	5,000	-	5,000
Insurance	1,000	1,000	942	58
Total General & Administrative Costs	<u>270,500</u>	<u>270,500</u>	<u>36,399</u>	<u>234,101</u>
Total Expenditures	<u>54,315,680</u>	<u>54,315,680</u>	<u>9,477,152</u>	<u>44,838,528</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	(42,740,680)	(42,740,680)	(7,505,275)	35,235,405
OTHER FINANCING SOURCES				
Proceeds From Borrowing	65,000,000	65,000,000	-	65,000,000
NET CHANGE IN FUND BALANCE	<u>\$ 22,259,320</u>	<u>\$ 22,259,320</u>	<u>\$ (7,505,275)</u>	<u>\$ 29,764,595</u>

**SOUTHWESTERN ILLINOIS FLOOD PROTECTION DISTRICT COUNCIL
GENERAL FUND
STATEMENT OF REVENUES AND EXPENDITURES - BUDGET AND ACTUAL
TWO MONTHS ENDED NOVEMBER 30, 2014 (Actual)
FISCAL YEAR ENDING SEPTEMBER 30, 2015 (Budget)**

	BUDGET		ACTUAL	VARIANCE WITH
	ORIGINAL	FINAL		FINAL BUDGET
				POSITIVE (NEGATIVE)
REVENUES				
Sales Tax Proceeds From Districts	\$ 11,195,000	\$ 11,195,000	\$ 1,864,475	\$ 9,330,525
Interest Income	60,000	60,000	72,321	(12,321)
Total Revenues	<u>11,255,000</u>	<u>11,255,000</u>	<u>1,936,796</u>	<u>9,318,204</u>
EXPENDITURES				
Current				
Design and Construction				
Engineering Design & Construction Management	8,131,050	8,131,050	574,972	7,556,078
Construction	45,791,362	45,791,362	4,965,086	40,826,276
Construction and design by US ACE	-	-	-	-
Total Design and Construction	<u>53,922,412</u>	<u>53,922,412</u>	<u>5,540,058</u>	<u>48,382,354</u>
Professional Services				
Legal & Legislative Consulting	216,000	216,000	29,855	186,145
Diversity Program Manager	64,140	64,140	17,710	46,430
Financial Advisor	120,000	120,000	1,200	118,800
Bond Underwriter/Conduit Issuer	-	-	6,704	(6,704)
Total Professional Services	<u>400,140</u>	<u>400,140</u>	<u>55,469</u>	<u>344,671</u>
Refund of Surplus Funds to County FPD Accounts				
Madison County	1,882,480	1,882,480	56,340	1,826,140
Monroe County	197,080	197,080	5,899	191,181
St. Clair County	1,920,440	1,920,440	57,476	1,862,964
Total Refund of Surplus Funds to County	<u>4,000,000</u>	<u>4,000,000</u>	<u>119,715</u>	<u>3,880,285</u>
Debt Service				
Principal and Interest	7,101,239	7,101,239	2,248,120	4,853,119
Federal Interest Subsidy	(844,610)	(844,610)	-	(844,610)
Total Debt Service	<u>6,256,629</u>	<u>6,256,629</u>	<u>2,248,120</u>	<u>4,008,509</u>
Total Operating Expenses	<u>64,579,181</u>	<u>64,579,181</u>	<u>7,963,362</u>	<u>56,615,819</u>
General and Administrative Costs				
Salaries, Benefits	206,000	206,000	33,540	172,460
Bank Service Charges	1,500	1,500	211	1,289
Conference Registration	500	500	-	500
Equipment and Software	2,000	2,000	-	2,000
Fiscal Agency Services	26,500	26,500	2,100	24,400
Audit Services	15,000	15,000	-	15,000
Meeting Expenses	1,000	1,000	-	1,000
Postage/Delivery	400	400	66	334
Printing/Photocopies	2,500	2,500	464	2,036
Professional Services	20,000	20,000	2,700	17,300
Publications/Subscriptions	250	250	2	248
Supplies	1,500	1,500	489	1,011
Telecommunications/Internet	2,500	2,500	964	1,536
Travel	7,500	7,500	-	7,500
Insurance	1,000	1,000	968	32
Total General & Administrative Costs	<u>288,150</u>	<u>288,150</u>	<u>41,504</u>	<u>246,646</u>
Total Expenditures	<u>64,867,331</u>	<u>64,867,331</u>	<u>8,004,866</u>	<u>56,862,465</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	(53,612,331)	(53,612,331)	(6,068,070)	47,544,261
OTHER FINANCING SOURCES				
Proceeds From Borrowing	-	-	-	-
NET CHANGE IN FUND BALANCE	<u>\$ (53,612,331)</u>	<u>\$ (53,612,331)</u>	<u>\$ (6,068,070)</u>	<u>\$ 47,544,261</u>

Flood Prevention District Sales Tax Trends 2009-2015

2009												County Share		
	Jan	Feb	March	April	May	June	July	August	Sept	October	November	December	Total	
Madison	\$321,968	\$336,765	\$397,425	\$387,385	\$414,350	\$421,402	\$399,616	\$401,188	\$400,090	\$404,847	\$405,930	\$492,814	\$4,783,780	46.319%
St. Clair	\$337,979	\$362,696	\$424,556	\$398,395	\$419,126	\$438,230	\$411,968	\$410,484	\$429,852	\$412,637	\$446,806	\$581,721	\$5,074,450	49.134%
Monroe	\$31,641	\$32,903	\$37,830	\$38,757	\$41,326	\$40,847	\$37,817	\$37,497	\$38,652	\$42,270	\$40,332	\$49,755	\$469,627	4.547%
Total Month	\$691,588	\$732,364	\$859,811	\$824,537	\$874,802	\$900,479	\$849,401	\$849,169	\$868,594	\$859,754	\$893,068	\$1,124,290	\$10,327,857	
Cumulative Total	\$691,588	\$1,423,952	\$2,283,763	\$3,108,300	\$3,983,102	\$4,883,581	\$5,732,982	\$6,582,151	\$7,450,745	\$8,310,499	\$9,203,567	\$10,327,857		
2010														
Madison	\$353,146	\$374,416	\$456,795	\$462,697	\$440,815	\$452,308	\$427,329	\$433,047	\$419,455	430,210	\$442,904	\$529,069	\$5,222,191	47.272%
St. Clair	\$367,458	\$399,480	\$464,089	\$439,748	\$439,139	\$458,299	\$421,447	\$423,718	\$424,971	\$429,581	\$457,927	587067	\$5,312,924	48.094%
Monroe	\$36,770	\$34,324	\$39,884	\$43,769	\$44,358	\$43,102	\$46,499	\$41,816	\$42,207	\$42,746	\$45,411	\$51,004	\$511,890	4.634%
Total Month	\$757,374	\$808,220	\$960,768	\$946,214	\$924,312	\$953,709	\$895,275	\$898,581	\$886,633	\$902,537	\$946,242	\$1,167,140	\$11,047,005	
Cumulative Total	\$757,374	\$1,565,594	\$2,526,362	\$3,472,576	\$4,396,888	\$5,350,597	\$6,245,872	\$7,144,453	\$8,031,086	\$8,933,623	\$9,879,865	\$11,047,005		
% change/month	9.51%	10.36%	11.74%	14.8%	5.7%	5.9%	5.4%	5.8%	2.1%	5.0%	6.0%	3.8%		
% change/total	9.51%	9.95%	10.62%	11.72%	10.39%	9.56%	8.95%	8.54%	7.79%	7.50%	7.35%	6.96%	6.96%	
2011														
Madison	\$380,021	\$383,976	\$460,129	\$454,562	\$466,904	\$477,396	\$436,637	\$473,303	\$448,256	\$444,204	\$455,842	\$538,000	\$5,419,230	48.108%
St. Clair	\$363,984	\$395,231	\$455,562	\$437,820	\$436,490	\$475,972	\$433,460	\$433,777	\$441,030	\$412,793	\$451,390	\$594,129	\$5,331,638	47.330%
Monroe	\$38,315	\$34,759	\$41,192	\$44,975	\$41,786	\$45,836	\$44,887	\$43,323	\$42,564	\$42,690	\$42,252	\$51,266	\$513,845	4.562%
Total Month	\$782,320	\$813,966	\$956,883	\$937,357	\$945,180	\$999,204	\$914,984	\$950,403	\$931,850	\$899,687	\$949,484	\$1,183,395	\$11,264,713	
Cumulative Total	\$782,320	\$1,596,286	\$2,553,169	\$3,490,526	\$4,435,706	\$5,434,910	\$6,349,894	\$7,300,297	\$8,232,147	\$9,131,834	\$10,081,318	\$11,264,713		
% change/month	3.29%	0.71%	-0.40%	-0.94%	2.26%	4.77%	2.20%	5.77%	5.10%	-0.32%	0.34%	1.39%		
% change/total	3.29%	1.96%	1.06%	0.52%	0.88%	1.58%	1.67%	2.18%	2.50%	2.22%	2.04%	1.97%	1.97%	
2012														
Madison	\$381,470	\$406,476	\$473,049	\$471,191	\$481,989	\$477,254	\$427,562	\$434,603	\$428,193	\$428,521	\$429,127	\$523,240	\$5,362,675	47.481%
St. Clair	\$361,727	\$415,491	\$468,490	\$432,173	\$468,782	\$473,567	\$425,923	\$441,838	\$438,184	\$424,289	\$454,916	\$589,183	\$5,394,563	47.763%
Monroe	\$37,471	\$38,904	\$46,086	\$46,051	\$46,231	\$45,671	\$43,063	\$45,307	\$45,641	\$46,230	\$45,429	\$51,062	\$537,146	4.756%
Total Month	\$780,668	\$860,871	\$987,625	\$949,415	\$997,002	\$996,492	\$896,548	\$921,748	\$912,018	\$899,040	\$929,472	\$1,163,485	\$11,294,384	
Cumulative Total	\$780,668	\$1,641,539	\$2,629,164	\$3,578,579	\$4,575,581	\$5,572,073	\$6,468,621	\$7,390,369	\$8,302,387	\$9,201,427	\$10,130,899	\$11,294,384		
% change/month	-0.21%	5.76%	3.21%	1.29%	5.48%	-0.27%	-2.01%	-3.02%	-2.13%	-0.07%	-2.11%	-1.68%		
% change/total	-0.21%	2.83%	2.98%	2.52%	3.15%	2.52%	1.87%	1.23%	0.85%	0.76%	0.49%	0.26%	0.26%	

Flood Prevention District Sales Tax Trends 2009-2015

2013

	Jan	Feb	March	April	May	June	July	August	Sept	October	November	December	Total
Madison	\$375,398	\$383,170	\$424,507	\$425,469	\$457,212	\$451,494	\$436,686	\$442,449	\$430,541	\$429,499	\$432,541	\$500,233	\$5,189,199
St. Clair	\$381,645	\$395,527	\$449,397	\$434,001	\$457,942	\$462,603	\$422,892	\$432,195	\$430,014	\$419,350	\$448,076	\$560,165	\$5,293,807
Monroe	\$37,888	\$39,679	\$45,689	\$45,913	\$48,212	\$47,694	\$42,672	\$45,143	\$44,733	\$44,723	\$47,111	\$53,853	\$543,310
Total Month	\$794,931	\$818,376	\$919,593	\$905,383	\$963,366	\$961,791	\$902,250	\$919,787	\$905,288	\$893,572	\$927,728	\$1,114,251	\$11,026,316
Cumulative Total	\$794,931	\$1,613,307	\$2,532,900	\$3,438,283	\$4,401,649	\$5,363,440	\$6,265,690	\$7,185,477	\$8,090,765	\$8,984,337	\$9,912,065	\$11,026,316	
% change/month	1.83%	-4.94%	-6.89%	-4.64%	-3.37%	-3.48%	0.64%	-0.21%	-0.74%	-0.61%	-0.19%	-4.23%	
% change/total	1.83%	-1.72%	-3.66%	-3.92%	-3.80%	-3.74%	-3.14%	-2.77%	-2.55%	-2.36%	-2.16%	-2.37%	-2.37%

2014

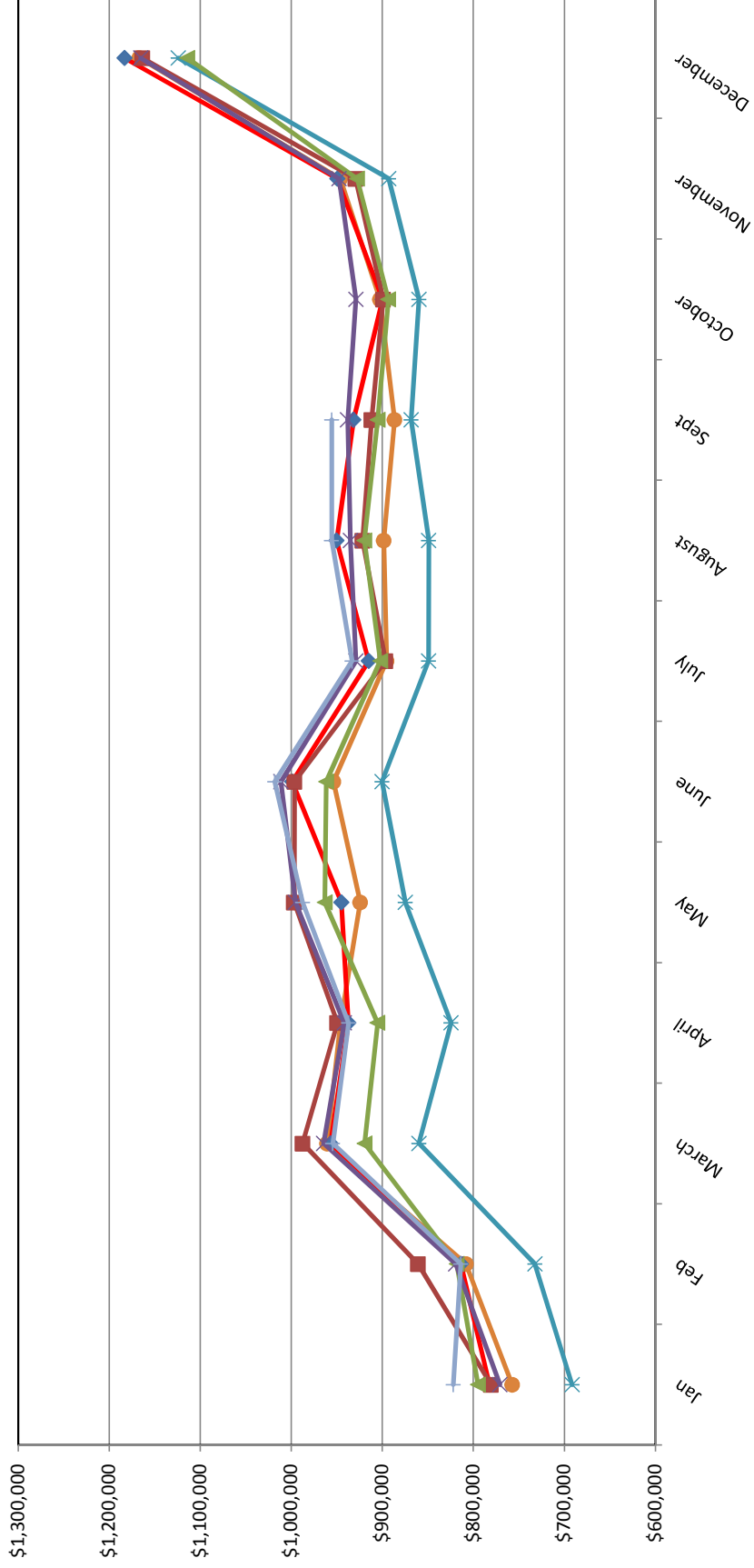
	Jan	Feb	March	April	May	June	July	August	Sept	October	November	December	Total
Madison	\$373,895	\$383,909	\$456,964	\$457,729	\$484,657	\$491,911	\$455,629	\$454,995	\$442,808	\$447,128	\$452,169	\$521,522	\$5,423,317
St. Clair	\$354,762	\$395,885	\$460,143	\$436,379	\$458,819	\$470,546	\$426,263	\$434,064	\$445,419	\$433,077	\$446,001	\$591,387	\$5,352,747
Monroe	\$42,321	\$39,665	\$47,587	\$47,796	\$52,206	\$49,022	\$47,357	\$46,167	\$50,056	\$48,920	\$49,552	\$52,714	\$573,362
Total Month	\$770,978	\$819,459	\$964,694	\$941,905	\$995,682	\$1,011,479	\$929,249	\$935,226	\$938,283	\$929,126	\$947,722	\$1,165,623	\$11,349,426
Cumulative Total	\$770,978	\$1,590,437	\$2,555,131	\$3,497,036	\$4,492,718	\$5,504,197	\$6,433,446	\$7,368,671	\$8,306,955	\$9,236,081	\$10,183,803	\$11,349,426	
% change/month	-3.01%	0.13%	4.90%	4.03%	3.35%	5.17%	2.99%	1.68%	3.64%	3.98%	2.16%	4.61%	
% change/total	-3.01%	-1.42%	0.88%	1.71%	2.07%	2.62%	2.68%	2.55%	2.67%	2.80%	2.74%	2.93%	2.93%

2015

	Jan	Feb	March	April	May	June	July	August	Sept	October	November	December	Total
Madison	\$399,500	\$390,593	\$446,269	\$464,703	\$481,304	\$486,423	\$453,262	\$461,408	\$460,379				\$4,043,841
St. Clair	\$379,901	\$383,206	\$462,400	\$425,254	\$455,740	\$483,020	\$432,378	\$448,558	\$448,981				\$3,919,437
Monroe	\$42,760	\$39,903	\$45,866	\$47,189	\$50,546	\$48,723	\$47,636	\$45,837	\$46,257				\$414,716
Total Month	\$822,161	\$813,702	\$954,534	\$937,146	\$987,590	\$1,018,166	\$933,276	\$955,803	\$955,617				\$8,377,994
Cumulative Total	\$822,161	\$1,635,863	\$2,590,397	\$3,527,543	\$4,515,133	\$5,533,299	\$6,466,575	\$7,422,377	\$8,377,994				
% change/month	6.64%	-0.70%	-1.05%	-0.51%	-0.81%	0.66%	0.43%	2.20%	1.85%				
% change/total	6.64%	2.86%	1.38%	0.87%	0.50%	0.53%	0.51%	0.73%	0.86%				

Flood Prevention District Sales Tax Trends 2009-2015

Actual Receipts 2009-2015



**SOUTHWESTERN ILLINOIS FLOOD PREVENTION DISTRICT COUNCIL
SUPPLEMENTARY SUPPORTING SCHEDULE
BANK TRANSACTIONS
November 30, 2015**

Beginning Bank Balance November 1,		\$	449,784.72
Receipts			
UMB	11/02/2015 Funds Transfer/Construction	462,208.74	
UMB	11/17/2015 Funds Transfer/Admin	39,160.64	
UMB	11/17/2015 Funds Transfer/Construction	2,701,259.70	
The Bank of Edwardsville	11/30/2015 November Interest	49.31	3,202,678.39
Disbursements			
Dorgan, McPike & Assoc, LTD	11/02/2015 Legal & Legislative	3,000.00	
Marks & Associates	11/02/2015 Professional Fees	7,180.00	
Smith Dawson & Andrews	11/02/2015 Professional Fees	5,000.00	
Sprague & Urban, Attorneys at Law	11/02/2015 Legal & Legislative	525.00	
The Bank-Service Fees	11/02/2015 Wire Fee	10.00	
Keller Construction Inc	11/03/2015 Construction	440,711.89	
The Bank-Service Fees	11/03/2015 Wire Fee	15.00	
Husch Blackwell	11/06/2015 Bond Issuance	44,860.50	
Husch Blackwell	11/06/2015 Legal Construction Fees	23,830.65	
Husch Blackwell	11/06/2015 Real Estate Acquisition	1,099.45	
Husch Blackwell	11/06/2015 Special Counsel Representation	9,987.30	
AT & T	11/07/2015 Telephone	96.98	
Microsoft Office	11/07/2015 Subscription	0.99	
Amec Foster Wheeler Environment & Infracore	11/10/2015 Design & Construction	395,938.82	
CliftonLarsonAllen LLP	11/10/2015 Fiscal Agent	2,100.00	
Columbia Capital	11/10/2015 Financial Advisor	600.00	
Columbia Capital	11/16/2015 Financial Advisor	9,768.75	
East-West Gateway Council of Governments	11/16/2015 Supervisory Mgt. Services	17,533.02	
UMB Bank, NA	11/16/2015 Bond Trustee Fee	1,743.70	
Haier Plumbing	11/16/2015 Construction	166,156.20	
Cost Less Copy Center	11/17/2015 Board Member Materials	194.00	
The Bank-Service Fees	11/17/2015 Wire Fee	15.00	
The Bank-Service Fees	11/17/2015 Wire Fee	15.00	
The Bank-Service Fees	11/17/2015 Wire Fee	15.00	
The Bank-Service Fees	11/17/2015 Wire Fee	15.00	
The Bank-Service Fees	11/17/2015 Wire Fee	10.00	
The Bank-Service Fees	11/17/2015 Wire Fee	10.00	
Keller Construction Inc	11/17/2015 Construction	1,207,625.65	
Keller Construction Inc	11/17/2015 Construction	22,434.04	
The Lane Construction Corporation	11/17/2015 Construction	258,322.99	
TREVIIICOS South	11/17/2015 Construction	558,367.30	
CDW Government	11/20/2015 Office Supplies	157.59	
ABNA	11/23/2015 Design & Construction	21,284.85	
Juneau Associates	11/23/2015 Design & Construction	2,489.19	
Roxana Landfill, Inc.	11/23/2015 Construction	101,791.82	
Juneau Associates	11/24/2015 Design & Construction	17,258.23	
The Bank-Service Fees	11/30/2015 Bank Service Charge	16.92	
		\$	3,320,180.83
		\$	332,282.28



Memo to: Board of Directors
From: Chuck Etwert
Subject: Bond Issue Update
Date: December 14, 2015

As mentioned in the Program Status Report, the sale of the Council's 2015 Series AB bonds has been very successful. Net proceeds for the project will total \$25.7 million (senior bonds) and \$51.8 million for the (subordinate bonds) for a total of \$77.5 million. In the approved FY 2016 budget we had estimated only \$65 million, so this is great news.

Jeff White will be in Denver on a bond pricing for another client, therefore, Khaleen Dwyer of Columbia Capital, who has been actively involved with us from the beginning, will provide us an update on what has occurred and what still remains regarding the issuance.

As I have previously indicated to you, there will be numerous documents that will need to be signed by the Council's officers and also the County Flood Prevention District officers either before or after the meeting.

Recommendation:

Accept the bond issue update report.





Memo to: Board of Directors
From: Chuck Etwert
Subject: Authorization to Enter Into Contract with Financial Advisor
Date: December 14, 2015

In February 2014, Columbia Capital Management, LLC was selected, by a qualification-based procurement, to provide financial consulting and debt issuance services to the Council for a period concluding on December 31, 2015.

At my request, Columbia Capital Management, LLC has submitted a proposal to continue as the Council's Financial Advisor for the next two years. The attachment provides details on individual tasks, person-hour estimates and staff costs.

The proposed extension uses the same format as with our current contract and consists of the scope of services identified on the attachment including, the closing and wrap-up of the Series 2015AB Bonds, maintenance and support of the Council's debt program, a 2017 update of the Council's financial plan, investment advisory services and post-issuance compliance services with a total cost not to exceed \$164,411.

Costs were estimated based on blended and fully loaded hourly rates and will be reimbursed based on monthly invoices for time and direct costs spent on the work. Further consulting as may be requested after the completion of contracted work products will be done at a rate of \$270/hr. in an amount not to exceed \$26,600. Direct costs will be reimbursed in accordance with Council policy in a total amount not to exceed \$3,050. The contract is for a two year period concluding on December 31, 2017.

Columbia Capital has provided an outstanding effort during the long (and at times difficult) process of getting the Series 2015AB Bonds to market and issued. Jeff White will be in Denver on a bond pricing for another client, but Khalen Dwyer, who has been actively involved with us from the beginning, will be in attendance to answer any questions that the Board may have.

Recommendation: Authorize the Chief Supervisor to enter into contract with Columbia Capital Management, LLC to provide financial consulting, investment advisory services and post-issuance compliance services for the next two years in accordance with the attached scope of

work for a total amount not to exceed \$164,411. Consulting services provided beyond the scope of work, if needed, will be reimbursed at a rate of \$270/hr. in a total amount not to exceed \$26,600. The contract will be for a time period to conclude on December 31, 2017. Any additional costs or work beyond the amounts described herein will require Board authorization.



231 South Bemiston
Suite 800
St. Louis, Missouri 63105

Jeff White, Principal
888.648.8500
jwhite@columbiacapital.com

November 23, 2015

Chuck Etwert
Chief Supervisor
Southwestern Illinois Flood Protection District Council

VIA ELECTRONIC MAIL

Dear Chuck:

The purpose of this letter is to request an extension of our financial advisory services engagement with the Council for a two-year period ending December 31, 2017. The extension will permit us to finalize our work on the upcoming Series 2015AB Bond issuance, as well as to continue to provide the Council with post-issuance compliance services and advisory services with respect to the investment of bond proceeds.

I have attached a proposed fee grid, using the same format as with our current contract, anticipating our level of effort over the next two years. Beyond the closing and wrap-up process on the Series 2015AB Bonds during January 2015, we would expect that the balance of our effort would be mostly that of maintenance and support of the Council's debt program. We have suggested an update of the Council's overall financial plan in 2017 using new information then available as to local match spending, USACE Federal match commitments and new project cost data that may emerge over the next 18-20 months.

We propose to continue with the same project team: I will serve as lead with active involvement by Khalen Dwyer, with respect to financial advisory and consulting work, and Adam Pope, with respect to investment advisory work. The full resources of the firm remain available to the Council as needed.

With respect to proposed fees, we will continue to honor the hourly rates included in our original RFP response to the Council. We have proposed continuing our work with respect to investment of the 2010 Bond proceeds as those projects wind down. We have also proposed providing investment advisory services with respect to the 2015AB Bond Proceeds. We have proposed slightly higher fees on the new bonds as we will be actively managing both project funds and debt service funds for these issues.

We very much appreciate the opportunity to continue our working relationship with the Council and hope that you will find this proposal to be acceptable. Thank you for your consideration.

Respectfully submitted,
COLUMBIA CAPITAL MANAGEMENT, LLC

A handwritten signature in black ink, appearing to read 'Jeff White', is written over the printed name and title.

Jeff White
Principal

Southwestern Illinois Flood Protection District Council

Fee Proposal (2016-2017 Contract Extension)

Identified Scope of Services				
	Personnel	Hours	Hourly Rate	Total Fee
Closing of Series 2015B Bonds and wrap-up on Series 2015AB Bonds	Principal	35	275.00	9,625.00
	Vice President	50	225.00	11,250.00
Update the financial plan for the Council (2017).	Principal	20	275.00	5,500.00
	Vice President	20	225.00	4,500.00
Identify policy issues and direction(s) related to effective administration of the capital program.	Principal	15	275.00	4,125.00
	Vice President	15	225.00	3,375.00
Advise the Council on areas of industry specific knowledge that affects the financing and marketing of the project's debt.	Principal	10	275.00	2,750.00
	Vice President	10	225.00	2,250.00
Assist and advise in the development of debt limits, debt service coverage ratios, debt capacity, call feature, structure, reserve funds or other debt policies as requested.	Principal	15	275.00	4,125.00
	Vice President	20	225.00	4,500.00
Work with the Council staff, attorneys and bond counsel to maintain an effective and legally compliant debt program.	Principal	15	275.00	4,125.00
	Vice President	20	225.00	4,500.00
Provide technical advice as requested by the Council, orally or in written form, concerning miscellaneous issues and questions.	Principal	25	275.00	6,875.00
	Vice President	25	225.00	5,625.00
Review of sales tax collections.	Principal	15	275.00	4,125.00
	Vice President	15	225.00	3,375.00
Total Hours				325.00
Average Hourly Fee				248.08
Proposed Blended Fee for 200 Hour Maximum				245.00
Fee for initial 200 hours at \$245.00				49,000.00
Remaining 125 hours at \$248.08				31,010.00
Total fee for Identified Scope of Services				80,010.00

Investment Advisory Services		Months		
Monthly Fee for Investment Advisory Services (2010 Bonds)	\$600 x 10 months	10	600.00	6,000.00
Set-Up Fee for Investment Advisory Services (2015AB Bonds)	One-time fee	1	6,500.00	6,500.00
Monthly Fee for Investment Advisory Services (2015AB Bonds)	\$900 x 24 months	24	900.00	21,600.00

Post-Issuance Compliance Services			
Initial munivault® setup fee for Series 2015AB Bonds	\$2,500 x 2 bond series		5,000.00
Annual fee for five series of bonds	\$650 x 5 series x 2 years		6,500.00

Reimbursable Expenses	
Travel (estimate)	2,000.00
Lodging (estimate)	800.00
Meals (estimate)	250.00
Total reimbursable expenses (estimate)	3,050.00

Fee and Cost Proposal Summary

Hourly / Upfront Fees	
Financial Advisory Scope of Services	80,010.00
Investment Advisory Services	6,500.00
Post-Issuance Compliance (munivault®)	5,000.00
Total	91,510.00
Not to Exceed	100,661.00

Annual Fees	
Investment Advisory	27,600.00
Post-Issuance Compliance (munivault®)	6,500.00
Total	34,100.00
Not to Exceed	34,100.00

Reimbursable Expenses (Estimate)	3,050.00
Reimbursable Expenses (Estimate)	3,050.00

Other Consulting Work

For work outside the scope of this proposal:	\$270 / hour
Not to Exceed	26,600.00



Memo to: Board of Directors

From: Chuck Ewert

Subject: Change Orders BP #3, #5, & #6

Date: December 14, 2015

Per the Board's Construction Change Order Policy, any change order which causes a line item to increase by more than ten percent must be approved by the Board. Board approval is also required on all change orders if the total of all change orders on a project exceed ten percent of a project's original cost, which applies to Bid Packages #3, #5, and #6.

We have one change order each on Bid Packages #3, #5 and #6 which Amec Foster Wheeler will be explaining at the meeting.

Bid Package #3 – Delete Duplicate PZ's Per PCN-044 (\$35,779.00 Credit)

Delete:

PZ01 (Above Grade), PZ02 (At Grade), PZ03 (Above Grade), PZ32 (Above Grade) and PZ29 (Above Grade)

3.30 Piezometer Above Grade – 4 each @ \$9,036.00 each - \$36,144.00

3.31 Piezometer At Grade – 1 each @ \$9,036.00 - \$9,036.00

Total Deductive Change Order = \$45,180.00

Add:

Add Bollards on additional PZ's.

PZ#	Location	#of Extra Bollards
PZ-06	RC Park	2
PZ-22	Olin	2
PZ-26	Koch	2
PZ-41	Enviro Way	2
PZ-50	Wagon Wheel	1
PZ-52	Wagon Wheel	1
PZ-56	Wagon Wheel	1

Add 11 each bollards at the above locations \$9,401.00

Total additive change order = \$9,401.00

Net Credit to Contract = \$35,779.00

Bid Package #5 – Pipe Material Change \$149,000.00

This change order is related to the pipe material change for the relief well collection system from high-density polyethylene (HDPE) pipe to reinforced concrete pipe (RCP). This additional cost is required to haul off and dispose of excess (old) granular bedding material that is placed around the existing HDPE pipe; after discussing this material with the Corps of Engineers, it was determined that the material could not be placed back in the trench as backfill as originally planned. Additionally, this cost covers the additional pipe testing in the field that is now required of the contractor during construction of the concrete pipe.

Bid Package #6 – Right of Way Monuments \$3,770.53

During on-going construction of seepage improvements, right of way (ROW) markers/ monuments were found at stations 388+00 and 533+00. State law requires any found monuments to be surveyed in-place by an Illinois Surveyor before the monument is moved, and replaced by the surveyor after construction is completed. Work associated with removal and resetting the ROW markers include locating, removing, and installing two new monuments when work is completed at stations 388+00 and 533+00 in clay cap and seepage berm areas.

Recommendation: Authorize the Chief Supervisor to approve requested change orders for BP #3 credit for deletion of duplicate piezometers (\$35,779.00) with Keller Construction; BP #5 change order for pipe material change for \$149,000 with Keller Construction; and BP #6 change order for Right of Way Monuments for \$3,770.53 with Lane Construction; for a total not to exceed **\$116,991.53**.