

JUSTIFICATION FOR NON-COMPETITIVE PROCUREMENT

DATE: 11 4 10
APPROVED: [Signature]
CONDITIONALLY APPROVED: [Signature]
RETURN TO DPT
DISAPPROVED

COMPLETE THIS SECTION IF NEW CONTRACT(S)

For contract(s) in this request, answer applicable questions in each of the 4 major subject areas below in accordance with the Instructions for Preparation of Non-Competitive Procurement Form on the reverse side.

Request that negotiations be conducted only with J.E. Manzi for services described herein.
(Name of Person or Firm)

This is a request for (One-Time Contract Per Requisition # 51578, copy attached) or X Term Agreement or Delegate Agency (Check one). If Delegate Agency, this request is for "blanket approval" of all contracts within the (Attach List) Pre-Assigned Specification No.
(Program Name) Pre-Assigned Contract No.

COMPLETE THIS SECTION IF AMENDMENT OR MODIFICATION TO CONTRACT

Describe in detail the change in terms of dollars, time period, scope of services, etc., is relationship to the original contract and the specific reasons for the change. Indicate both the original and the adjusted contract amount and/or expiration date with this change, as applicable. Attach copy of all supporting documents. Request approval for a contract amendment or modification to the following:

Contract #: 13431 Company, or Agency Name:
Specification #: 88573 Contract or Program Description:
Mod #: (Attach List, if multiple)

Frank Grimaldi Jr.
Originator Name

773-686-6478
Telephone

[Signature]
Signature

Aviation
Department

9-9-10
Date

Indicate SEE ATTACHED in each box below if additional space needed:

PROCUREMENT HISTORY

The Chicago Department of Aviation (CDA) is currently engaged in completion and close-out of various bid packages issued in conjunction with the CDA Façade and Circulation Enhancement (FACE) Project. For a variety of reasons, Bid Package 1, awarded to Walsh Construction Company (Walsh) pursuant to a competitive bidding process in 2003 is over budget and behind schedule and has encountered numerous complex close-out issues and associated claims and the project has been ordered into mediation per a judicial order. This request is for a continuation of a previous non-competitive procurement contract (PO 13431 11/3/06 – 12/31/10) from the same source with vital knowledge of the complex project issues gained over the previous five years.

ESTIMATED COST

The estimated cost of the requirement is \$480,000. The funding source is General Aviation Revenue Bonds, which are also funding the FACE project as a whole. The estimated cost for 2011 is \$480,000 for claims management, assistance in preparation for mediation and for project close-out, which the CDA anticipates will be completed in the 4th Quarter of 2011, with mediation possibly on-going into 2012. CDA will only pay for actual services rendered pursuant to the hourly rates proposed by J.E. Manzi.

SCHEDULE REQUIREMENTS

Given the delays and budget impacts stated above, it is imperative that the Manzi contract continue without gaps for successful project monitoring. The schedule for the services is dictated by the forecasted settlement of outstanding issues and claims and the assistance in preparation for mediation for which these services have been requested. As stated above, anticipated project completion is scheduled for 4th Quarter 2011 and project close-out, including the resolution of outstanding claims, is anticipated to possibly continue into 2012.

EXCLUSIVE OR UNIQUE CAPABILITY

Manzi is uniquely qualified for the performance of the requisite services due to his nearly 40 years of knowledge and experience as a professional engineer and his long history of assisting the City of Chicago with bringing difficult, complex and troubled construction projects to satisfactory completion. In addition, J. Manzi has been following through and assisting the City in resolving and finalizing the complex issues on the FACE project and assisting in providing irreplaceable knowledge regarding the on-going mediation.

OTHER

The CDA requires the personal performance of the services by Joseph E. Manzi. This severely limits the opportunity for MBE or WBE participation. Manzi will commit to seeking MBE and/or WBE participation in any subcontracting opportunities that may

arise, but such opportunities are not anticipated at this time. These services are a continuation of on-going services since 2006 during which Manzi has performed services and collected information vital to the completion of the project and settlement of claims. (Refer to attachment for further detailed justification)

APPROVED BY: Rosanna S. Arditia 9/16/10 Rich Bo 11 4 10
DEPARTMENT HEAD OR DESIGNEE DATE BOARD CHAIRPERSON DATE

Jamie Miller 11/3/10
CPO DATE



City of Chicago
Richard M. Daley, Mayor

Chicago Department of Aviation

Rosemarie S. Andolino
Commissioner

Chicago O'Hare International Airport
P.O. Box 66142
Chicago, Illinois 60666
(773) 686-2200
(773) 686-8333 (TTY)

O'Hare Modernization Program
P.O. Box 66142
10510 W. Zemke Road
Chicago, IL 60666
(773) 462-7300
(773) 462-8552 (Fax)

Chicago Midway International Airport
5700 South Cicero Avenue
Chicago, Illinois 60638
(773) 838-0600
(773) 838-0795 (TTY)

www.flychicago.com
www.OhareModernization.org



To: Jamie L. Rhee
Chief Procurement Officer
Non-Competitive Review Board

From: Rosemarie S. Andolino
Commissioner
Chicago Department of Aviation

RSA 9/16/10
(12)

Re: Request for New Term Agreement Non-Competitive
Procurement Contract for Professional Services between the City
and
J.E. Manzi & Associates
Existing P.O. Number: 13431
Original Completion Date: 12/31/09
Current Completion Date: 12/31/10

The Chicago Department of Aviation (CDA) requests approval for a Non-Competitive Procurement Contract with J.E. Manzi & Associates to continue and complete work that was begun in 2006 under the Non-Competitive Procurement Contract P.O. Number 13431.

The Non-Competitive Review Board approved the award of an agreement for professional services to J.E. Manzi & Associates ("Manzi") on a non-competitive basis in November, 2006. The purpose of the agreement was to engage Manzi as the Chicago Department of Aviation's ("CDA") project manager for the completion of the Façade and Circulation Enhancement ("FACE") Project.

At the time of Manzi's retention, the projected date of substantial completion of the FACE Project was June, 2009, and the cost for completion had not been determined, as the contractor on the project, Walsh Construction Company, maintained that it had substantial claims that it expected to be compensated for. Manzi is a licensed professional engineer, and has a substantial record of bringing troubled municipal projects to satisfactory conclusions. Over the past twenty years, he has been engaged by the City, the CTA and the Chicago Park District to bring such projects as the Harold Washington Library, Terminal 5, Millennium Park and the renovation of Soldier Field to closure. Because of his knowledge of public construction and experience with complex and problem projects, the CDA maintained that Manzi was uniquely qualified to bring the FACE project to completion, and the Non-Competitive Review Board agreed.



09 51578

CDA's then- Commissioner, Nuria Fernandez, directed Manzi to bring the FACE Project to substantial completion by October 31, 2008, and fix the final cost of the project. The project achieved substantial completion on September 30, 2008. Walsh filed a claim for approximately \$68,000,000. Manzi negotiated a settlement at approximately \$37,000,000, which CDA approved and which has since been memorialized by a change order that fixed the cost of project completion at roughly \$167,000,000.

The reason for the new contract and additional funding is that the J.E. Manzi & Associates contract is expiring in December of 2010 and his continuing services are essential due to the following project history and associated reasons:

In the course of inspecting Walsh's work as the project moved towards substantial completion, CDA's construction management team, under Manzi's supervision, discovered that Walsh and its subcontractors had furnished the City with defective welds and substandard steel. CDA, Walsh, Manzi and the project architect/engineer, Murphy/Jahn, undertook an extensive testing program to assess the status of the as-built structure. As problems were specified and remedies identified, Walsh, at its own cost, has been engaged in remedial work on the project. That remedial work is ongoing, and is now scheduled for completion in 2011. The canopy portion of the project will then be completely repainted during the 3rd Quarter of 2011 so that final completion of the project can be achieved by the 4th Quarter of, 2011.

The proposed contract is for one (1) year, plus 181 day time extension period, to cover both the completion of the remedial work and the mediation of the case. In the event this work is not completed by December 31, 2011 CDA will need to submit a request to the Non-Competitive Procurement Board to either utilize the 181 day extension or if additional time beyond that is required, initiate a new contract. The suit that the City has filed against both Walsh and Murphy/Jahn, Inc., the architect for the project, has been ordered into mediation by the judge that is presiding over the matter. Manzi's participation in the preparation for the mediation, as well as the mediation itself, is crucial if the City is to achieve a positive outcome. The additional funding is to compensate Manzi through final completion and close-out of the project, as well as the mediation process.

At this point in the project, Manzi's knowledge is nearly irreplaceable. If CDA were to retain another project manager, the cost would be at least twice what is being requested, as the replacement would need to learn the whole of the diagnostic and remedial work that has been undertaken in order to be able to determine that the project has been completed according to the City's requirements. In addition, as stated above, Manzi's participation is crucial if the City is to negotiate an acceptable outcome in its suit against Walsh and

Murphy/Jahn through mediation. For all of these reasons, CDA believes that the approval of the Non-Competitive Review Board is both justified and essential.

The fee for Manzi's services is proposed at a ceiling of \$480,000 for the one (1) year. The forecast fee is based on the average monthly (\$40,000) fee for services performed under Manzi's previous contract and extensions, from October 2006 through December 2010, for similar related work.

The CDA will monitor Manzi's costs for services rendered and approve payments, based on hours expended, only for the duration that Manzi's services continue, per the needs of the Department of Aviation and the Department of Law, for project close-out and assistance in mediation and litigation.

If you have any questions or need additional information regarding this new contract request, please contact David Bowman at 773-686-7089.


Thank you for your cooperation.

Procurement Type: Non-Competitive Procurement Contract


Duration: One (1) year plus 181 days.

Funded Cost: \$480,000

Funding: 1986-0-751-65-4971-9071-0140

User Contact: Dennis Jelen  Phone: 773-686-3060

User Assistant Commissioner: Frank Grimaldi, Jr.  Phone: 773-686-6478

User Managing Deputy: John Sisco  Phone: 773-452-7308

2116218

DPS PROJECT CHECKLIST

For DPS Use Only

IMPORTANT: ALL INFORMATION SHOULD BE COMPLETED, ATTACH ALL REQUIRED MATERIALS AND SUBMIT FOR ROUTING TO THE DEPARTMENT OF PROCUREMENT SERVICES, ROOM 403, CITY HALL, 121 N. LASALLE STREET, CHICAGO, ILLINOIS 60602, ATTENTION: CHIEF PROCUREMENT OFFICER.

Date Received
Date Returned
Date Accepted
CA/CN's Name

General Information:

Date: 9/17/10 Need by (estimated date):
 Requisition No.: 51578 Contact Person: DAVID BOWMAN Project Manager: DENNIS JELEN
 Specification No.: (if known) 88573 Telephone: (773) 686-7089 Telephone: (773) 686-6622
 PO No.: (if known) Fax:
 Modification No.: (if known) Email:
 Previous PO No.: (if known)
 Project Description: FACADE AND CIRCULATION ENHANCEMENT (FACE) CONSTRUCTION MANAGEMENT FOR CANOPY REMEDIATION

Funding:

City: Corporate Bond Enterprise Grant* Other:
 State: IDOT/Transit IDOT/Highway Grant* Other:
 Federal: FHWA FTA FAA Grant* Other:

LINE	FY	FUND	DEPT	ORGN	APPR	ACTV	PROJECT	RPTG	\$ DOLLAR AMOUNT
	<u>1986</u>	<u>751</u>	<u>85</u>	<u>4971</u>	<u>9071</u>	<u>0140</u>			<u>\$ 480,000</u>

*IF GRANT FUNDED, ATTACH COPY OF THE APPROVED GRANT AND APPLICATION AND ANY OTHER TERMS AND CONDITIONS OF FUNDING SOURCE THAT MAY APPLY. GRANT FUNDS MUST BE COMMITTED OR SPENT BY DEADLINE: (DATE) Term Estimated Value \$ 480,000

Scope Statement:

Attached is a Detailed Scope of Services and/or Specification. E-mail softcopy in Microsoft Word to DPS Unit Manager

IMPORTANT: THIS IS A CRITICAL PORTION OF YOUR SUBMITTAL. IN ORDER FOR DPS TO ACCEPT YOUR SUBMITTAL YOU MUST COMPLETE THE SPECIFIC SCOPE REQUIREMENTS AS SET FORTH IN THE SUPPLEMENTAL CHECKLIST FOR THAT UNIT.

Purchase Order Type (Check All That Apply):

New Request
 Blanket/Term/DUR/Agreement
 Master Agreement (Task Order)
 Standard/One-Time Purchase

Forms
 Requisition
 Special Approvals
 Non-Competitive Review Board (NCRB)

Modification/Amendment
 Time Extension**
 Vendor Limit Increase
 Scope Change/Price Increase/Additional Line Item(s)
 Other (specify):

Contract Term: ONE YEAR - 1/1/11 TO 12/31/11 PLUS 181 DAYS EXTENSION

** Requested Term (Number of Months):

Pre-Bid/Submittal Requirements:

Mandatory Pre Bid/Submittal Conference? Yes* No
 Requesting Site Visit? Yes No } N/A
 *If yes, explain reasons why mandatory attendance is necessary.

vised version to incorporate duration of 1 year + 181 days not 242

The following is a general description of what should be included in a Scope of Services or Specification:
A clear description of all anticipated services and products, including: time frame for completion, special qualifications of prospective vendors, special requirements or needs of the project, locations, anticipated participating user departments, citation of any applicable City ordinance or state/federal regulation or statute.

ARCHITECTURAL/ENGINEERING SUPPLEMENTAL CHECKLIST

Required Attachments: Scope of Services, including location, description of project, services required, deliverables, and other information as required

Risk Management

Current Insurance Requirements prepared/approved by Risk Management: Yes No
Will services be performed within 50 feet of CTA train or other railroad property? Yes No
Will services be performed on or near a waterway? Yes No

If applicable, Pre-Qualification Category No. _____ Category Description: _____
For Pre-Qualification Program, attach list of suggested firms to be solicited

Other Agency Concurrence Required: None State Federal Other _____

If Amendment request, please verify and provide the following:

Contractor's Name:
Contractor's Address:
Contractor's e-mail Address:
Contractor's Phone Number:
Contractor's Contact Person:

Attach Recommendation of MBE/WBE/DBE Analysis Form Yes No

AVIATION CONSTRUCTION SUPPLEMENTAL CHECKLIST

DOA sign-off for final design documents: Yes No

Required Attachments:
Copy of Draft Contract Documents and Detailed Specifications

Risk Management:

Current Insurance Requirements prepared/approved by Risk Management: Yes No
Will work be performed within 50 feet of CTA or ATS structure or property? Yes No
Will work be performed airside? Yes No

*NOTE: Any non-construction Aviation request, complete the applicable section.

Do bid documents contain Sensitive Security Information (SSI)? Yes* No Redacted
*If yes, attach Confidentiality Statement

Attach Recommendation of MBE/WBE/DBE Analysis Form Yes No

If Amendment request, please verify and provide the following:

Contractor's Name:
Contractor's Address:
Contractor's e-mail Address:
Contractor's Phone Number:
Contractor's Contact Person:

COMMODITIES SUPPLEMENTAL CHECKLIST

Required Attachments:

- Detailed Specifications (Scope of Services) including detailed description of the product, delivery location, user department contact, price escalation considerations
- Bidder's qualification, contract term and extension options
- Contractor's qualifications, citation of any applicable City/State/Federal statutes or regulations, citation of any applicable technical standards
- Price Lists/Catalogs, technical drawings and other exhibits and attachments as appropriate.

Attach Recommendation of MBE/WBE/DBE Analysis Form
Is this a Revenue Producing contract?

- Yes No
 Yes No

If Modification request, please verify and provide the following:

- Contractor's Name:
- Contractor's Address:
- Contractor's e-mail Address:
- Contractor's Phone Number:
- Contractor's Contact Person:

CONSTRUCTION SUPPLEMENTAL CHECKLIST

Required attachments:

Copy of Draft (80% Completion), Contract Documents and Detailed Specifications
Risk Management

- Current Insurance Requirements prepared/approved by Risk Management:
- Will services be performed within 50 feet of CTA train or other railroad property?
- Will services be performed on or near a waterway?

- Yes No
 Yes No
 Yes No

Attach Recommendation of MBE/WBE/DBE Analysis Form

- Yes No

If Modification request, please verify and provide the following:

- Contractor's Name:
- Contractor's Address:
- Contractor's e-mail Address:
- Contractor's Phone Number:
- Contractor's Contact Person:

PROFESSIONAL SERVICES SUPPLEMENTAL CHECKLIST

If New Request (Check applicable boxes):

- Is this a Request for Information (RFI)?
- Is this a Request for Qualifications (RFQ)?
- Is this a Request for Proposal (RFP)?

- Yes No
 Yes No
 Yes No
 Yes* No

If RFQ or RFP, did any outside Consultant provide advice or deliverables in developing the RFQ or RFP?

*If yes, Company Name: PO#

Attach a narrative explaining the consulting services and deliverables provided.

Is this a Non-Competitive Procurement?

- Yes* No

*If yes, attach completed Non-Competitive Justification form, vendor proposal and completed MBE/WBE compliance plan (Schedules C-1 and D-1) submitted to the Non-Competitive Review Board.

Is this a request for Individual Contract Services?

- Yes* No

*If yes and you seek a sole source contract to hire a person as a Consultant, attach completed Office of Compliance "Request for Individual Contract Services" approval form signed by Department Head, Office of Compliance & OBM.

Is this a Revenue Producing contract?

- Yes No

Does this request involve the purchase of Software?

- Yes* No

*If yes, is City required to sign a software license?

- Yes* No

*If yes, attach descriptions of software and software license agreement.

PROFESSIONAL SERVICES SUPPLEMENTAL CHECKLIST (continued)

Required Attachments (IF RFP/RFQ OR SOLE SOURCE):

Statement of Work (SOW), Deliverables or Scope of Services defined

Does SOW involve any work in the public way?

Yes* No

*If yes, attach list of locations.

Does SOW involve any public improvement to property that requires performance bond or prevailing wage?

Yes* No

*If yes, attach list of locations.

Is City Council approval required?

Yes No

Project or Program Background Information

Project Goals and Objectives

Qualifications or Licenses/Certifications required for any disciplines

Evaluation Criterion desired in RFP or RFQ

Evaluation Committee (EC) members recommended. Attach list of names, titles and departments

Technical and/or Functional Requirements, if applicable

Cost Proposal/Schedule of Compensation structure (If Sole Source, over Contract Term by Milestone Deliverables)

If an Information Technology (IT) project valued at \$100,000.00 or more, attach approval transmittal sheet from Information Technology Governance Board (ITGB)

Attach Recommendation of MBE/WBE/DBE Analysis Form

Yes No

If Amendment request, please verify and provide the following:

Contractor's Name:

Contractor's Address:

Contractor's e-mail Address:

Contractor's Phone Number:

Contractor's Contact Person:

VEHICLES/HEAVY EQUIPMENT SUPPLEMENTAL CHECKLIST

Required Attachments:

Detailed Specifications including detailed description of the vehicle(s) or equipment, mounted equipment, if any, and options/accessories

Special Provisions (Delivery, Warranty, Manuals, Training, Additional Unit Purchase Options, Bid Submittal Information, etc.)

Delivery Location(s)

Technical Literature

Drawings, if any

Part Number List (Manufacturer, or Dealer, or Other Source)

Current Price List(s)/Catalog(s)

Special Approval Form

Exhibits and Attachments

Attach Recommendation of MBE/WBE/DBE Analysis Form

Is this a Revenue Producing Contract?

Yes No

Yes No

If Modification request, please verify and provide the following:

Contractor's Name:

Contractor's Address:

Contractor's e-mail Address:

Contractor's Phone Number:

Contractor's Contact Person:

WORK SERVICES/FACILITY MAINTENANCE SUPPLEMENTAL CHECKLIST

Required Attachments:

- Detailed Specifications (Scope of Services) including detailed description of the work, locations (with supporting detail), user department contacts, work hours/days, laborer/supervisor mix, compensation and price escalation considerations
- Bidder's qualification, contract term and extension options
- Contractor's qualifications, citation of any applicable City/State/Federal statutes or regulations, citation of any applicable technical standards
- Price Lists/Catalogs, technical drawings and other exhibits and attachments as appropriate
- If an Information Technology (IT) project valued at \$100,000.00 or more, attach approval transmittal sheet from Information Technology Governance Board (ITGB)

Risk Management:

- Will services be performed within 50 feet (50') of CTA train or other railroad property? Yes No
- Will services be performed on or near a waterway? Yes No
- Will services require the handling of hazardous/bio-waste material? Yes No
- Will services require the blocking of streets or sidewalks which may affect public safety? Yes No

Attach Recommendation of MBE/WBE/DBE Analysis Form

- Is this a Revenue Producing contract? Yes No

If Modification or Amendment request, please verify and provide the following:

- Contractor's Name:
- Contractor's Address:
- Contractor's e-mail Address:
- Contractor's Phone Number:
- Contractor's Contact Person:

**CITY OF CHICAGO
 PURCHASE REQUISITION**

Copy (Department)

DELIVER TO: 218 DESIGN/CONSTRUCTION DIVISION P.O. BOX 66142 CHICAGO, IL 60666	REQUISITION: 51578 PAGE: 1 DEPARTMENT: 85 - DEPT OF AVIATION PREPARER: David A Bowman NEEDED: APPROVED: 9/17/2010
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REQUISITION DESCRIPTION

REQUEST NEW NON COMPETITIVE BLANKET CONTRACT WITH J.E. MANZI & ASSOCIATES FOR PROJECT AND CONSTRUCTION MANAGEMENT SERVICES FOR F.A.C.E PROJECT AT O'HARE INTERNATIONAL AIRPORT. ONE YEAR PLUS 181 DAYS EXT. MAX VALUE \$480,000. SPECIFICATION NUMBER: 88573

COMMODITY INFORMATION

LINE	ITEM	QUANTITY	UOM	UNIT COST	TOTAL COST						
1	91268	1,920.00	Hour	0.00	0.00						
PROJECT AND CONSTRUCTION MANAGEMENT SERVICES FOR F.A.C.E PROJECT AT O'HARE INTERNATIONAL AIRPORT											
SUGGESTED VENDOR: J E MANZI & ASSOC			REQUESTED BY: David A Bowman								
DIST	BFY	FUND	COST CTR	APPR	ACCNT	ACTV	PROJECT	RPT CAT	GENRL	FUTR	Dist. Amt.
1	086	0751	0854971	9071	220140	0000	C201071E	000000	00000	0000	0.00
LINE TOTAL:											0.00
REQUISITION TOTAL:											0.00

Where a commodity is for a particular or unique use other than standard quality, grades, color, size or other characteristics, give details of how it will be and for what purpose. Requisitions prepared incorrectly will be returned to the using department.

J.E. Manzi & Associates, Inc.
Construction Consulting & Claims Analysis

826 Busse Highway
Park Ridge, Illinois 60068-2302
Telephone (847) 699-5800
Telecopier (847) 699-5810
email: joe@jemanzi.com



VIA EMAIL TRANSMITTAL

September 8, 2010

Robert C. Dawson
City of Chicago Department of Aviation
P.O. Box 66142
Chicago, Illinois 60666

Reference: Chicago O'Hare International Airport
Terminals 2 and 3
Façade and Circulation Enhancements Project

Subject: Proposal for Professional Services – New Contract Request

Dear Robert:

In November 2006, the City of Chicago Department of Aviation (the "CDA") and J.E. Manzi & Associates, Inc. ("JEMA") entered into a contract regarding project and construction management services on Bid Packages 1 and 2 of the Façade and Circulation Enhancement ("FACE") Project. That contract was predicated on Bid Package 1 reaching substantial completion by September 2008 and included the following scope of work:

"J.E. Manzi & Associates, Inc. will serve as the Department of Aviation's Project and Construction Manager throughout the construction phase of the FACE project and through the closeout portion of all FACE project related matters. Consultant undertakes to ensure that the FACE project is completed by September 30, 2008 with project close-out completed in 2008.

Responsibilities will include, but are not limited to:

- *Schedule review and verification*
- *Project Schedule Development*
- *Contract Management Assistance*
- *Claims Avoidance, Claims Management, and Change Order Analysis*
- *Contract Closeout"*

The contract amount was \$1,000,000 and only considered the scope of the base contract.

With the subsequent realization of significant defective work performed by Walsh Construction Company ("Walsh") recognized in 2008, it became necessary to provide an initial amendment to the contract in the amount of \$450,000 dated January 21, 2009. At the time of the 1st amendment, it was anticipated that the completion of the remedial effort would run through August 2009.

The then forecasted remedial effort was regrettably not completed by August 2009. Because of the defective weld referred to as Weld 6.2, the physical remedial effort was forecasted to extend through September 2010. On July 21, 2009, JEMA requested a contract increase of \$440,000 and an extension through September 2010. This second amendment request was approved by the City of Chicago on February 21, 2010. The attached represents our billings through May 31, 2010. As is evident, there would have been more than sufficient funds to complete the physical project by September 2010.

Currently, there needs to be a new contract issued to include this extended remedial effort including the following:

Issues Not Known When Previous Proposal Was Submitted On July 21, 2009:

- Weld 2/4 Crack at Column 4F.7
- Interior Shroud/Outrigger Cracks
- Main Box Girder Drip Edge Cracks
- Weld 5.14 Cracks
- Outrigger Wing Arms Understrength
- Interior Box Girder Gouges
- Weld 1
- Weld 13
- Gutter Transfer Straps
- Weld 11

- Weld 2 and 4 Defects
- Required Mediation/Litigation Services

In addition to the management/oversight of the above work, services requested by the City of Chicago's attorneys regarding the pending mediation/litigation will also be required.

As such, services will include the following, which includes remedial work to the Canopy, and will run through December 2012:

- Chairing the weekly Canopy As-Built Conditions Meetings.
- Coordinating the logical and timely flow of data collection, acceptable test procedures and reporting.
- Maintaining a regimented documentation, paper and audit trail of the process.
- Chairing the weekly Collaborative Effort Meeting. Evaluating current progress and short term look-aheads.
- Coordinating the laboratory testing with the various consultants' agreed-to procedure and securing, reviewing and distributing the test reports.
- Supervise the services performed by the City of Chicago consultants such as Chicago Airports Resources Enterprise ("CARE"), AECOM/STS/MTS, Thornton Tomasetti Group and Lucius Pitkin, Inc.
- Coordinate the efforts of Walsh/Wiss, Janney, Elstner Associates, Inc. and Murphy Jahn/Werner Sobek Ingenieure International.
- Insure compliance with the remedial 10 Point Program.
- Mediation/litigation services.

The services listed above shall be performed exclusively by Joseph E. Manzi, P.E.

It is, therefore requested that a new one-year contract be issued as approved by the CDA. JEMA will provide services on an hourly basis at J.E. Manzi's rate:

J.E. Manzi & Associates, Inc.

Robert C. Dawson
September 8, 2010
Page 4

One Year Contract Scope

Joseph E. Manzi	12 months (160 hours/month) at \$250.00/per hour \$480,000
-----------------	--

Total Contract Amount **\$480,000**

It should be noted that the hourly rate for Mr. Manzi remains unchanged from 2006.

JEMA will submit its invoices on a monthly basis with the cost of this contract not to exceed \$480,000.

Should you have any questions, please let me know.

Sincerely,

Joseph Manzi

Joseph E. Manzi, P.E.
Principal

/afd
Project 0641

Attachment

c:	Khaled Naja	w/attachment
	Dennis Jelen	w/attachment
	Frank Grimaldi, Jr.	w/attachment
	Diane Pezanoski, Esq.	w/attachment
	David P. Winters, Esq.	w/attachment

EXHIBIT A

SCHEDULE OF COMPENSATION

J.E. Manzi & Associates, Inc. ("JEMA") will provide project and construction management services on an hourly basis at this rate:

Key Personnel

Joseph E. Manzi, Principal	\$250.00/per hour
----------------------------	-------------------

Mr. Manzi's fee of \$250/hour is inclusive of administrative fees, supplies, printing, faxes, etc.

JEMA will submit its invoices on a monthly basis. The cost of this contract shall not exceed \$480,000.



City of Chicago
Richard M. Daley, Mayor

Chicago Department of Aviation

Rosemarie S. Andolino
Commissioner

Chicago O'Hare International Airport
P.O. Box 66142
Chicago, Illinois 60666
(773) 686-2200
(773) 686-8333 (TTY)

O'Hare Modernization Program
P.O. Box 66142
10510 W. Zemke Road
Chicago, IL 60666
(773) 462-7300
(773) 462-8552 (Fax)

Chicago Midway International Airport
5700 South Cicero Avenue
Chicago, Illinois 60638
(773) 838-0600
(773) 838-0795 (TTY)

www.flychicago.com
www.OhareModernization.org



MEMORANDUM

To: Jamie L. Rhee
Chief Procurement Officer

Attention: Monica Cardenas
Deputy Procurement Officer

From: Rosemarie S. Andolino *RSA* *MS* *7/28/10*
Commissioner

Subject: Concurrence with Contractor's Request for
Full MBE/WBE Waiver
Vendor: J.E. Manzi & Associates, Inc.
Project and Construction Management Services for
F.A.C.E. Project at O'Hare International Airport
Specification Number: 88573

The Chicago Department of Aviation (CDA) is in receipt of a letter from J. E. Manzi & Associates, Inc. dated July 26, 2010 (attached) requesting a full waiver from the standard 16.9% MBE and 4.5% WBE participation requirements and is in concurrence pending review and approval by the Department of Procurement Services.

Given the sole source nature of the required services, the principal, Joseph E. Manzi, self performs almost all of the work. As such, direct compliance is not possible. Indirect participation through channels such as office supplies/equipment are not practical as the contract does not require significant materials, supplies, printing etc. In addition, as the consultant is based locally, travel planning services are not a practical means of compliance either.

In 2006, DPS awarded a contract (PO 13431) of similar scope to J. E. Manzi via a non-competitive procurement which is set to expire December 31, 2010. Due to unforeseen construction issues and pending litigation, the services of J. E. Manzi will be required beyond this date necessitating this new contract request. In the existing PO, J. E. Manzi was relieved of committing to compliance for similar reasons and the contract contains "No Stated Goals" language (attached).

If you have any questions or need additional information regarding this request please contact David Bowman at 773-686-7089.

Thank you for your cooperation.

JL Reviewed by Jonathan Leach, Managing Deputy Commissioner



J.E. Manzi & Associates, Inc.
Construction Consulting & Claims Analysis

826 Busse Highway
Park Ridge, Illinois 60068-2302
Telephone (847) 699-5800
Telecopier (847) 699-5810
e-mail: joe@jemanzi.com



VIA EMAIL TRANSMITTAL

September 8, 2010

Jamie L. Rhee
Chief Procurement Officer
City of Chicago Department of Procurement Services
City Hall, Room 403
121 North LaSalle Street
Chicago, Illinois 60602

Reference: Chicago O'Hare International Airport
Terminals 2 and 3
Façade and Circulation Enhancement Project

Subject: Project Management Services
MBE/WBE Waiver

Dear Ms. Rhee:

The City of Chicago Department of Aviation ("CDA") has again requested to retain the services of Joseph E. Manzi, P.E., Principal of J.E. Manzi & Associates, Inc. ("JEMA") regarding the Façade and Circulation Enhancement ("FACE") Project. The CDA has previously contracted with JEMA on the FACE Project starting in November, 2006 through December, 2010. This effort has almost exclusively been performed by myself. This continuing assignment will be performed exclusively by myself on behalf of the CDA. As such, achieving any minority participation inclusive of MBE and WBE compliance, will not be possible. The reasons are as follows. The FACE Project is nearing completion of the Collaborative Effort (in effect for over two years) which is comprised of the determination of the as-built condition of the canopy structure, the assessment of additional testing required, and the preparation of the 10 Point Program. All of this effort has and continues to require my direct intervention and involvement. It is not a management task that can be delegated. Please refer to the most recent Project meeting minutes (copy attached) to provide an indication of my Project involvement.

Jamie L. Rhee
September 8, 2010
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Additionally, I have been asked by the City of Chicago Department of Law (Diane Pezanoski, Esq.) and outside counsel (David P. Winters, Esq.) to participate in the court-directed mediation. All of these services require me to perform them to the point that I cannot even delegate them to my own staff.

Lastly, I have looked to any potential options to provide compliance with indirect aspects of the contract (i.e. supplies, materials, printing, etc.). Our contract with the CDA does not include indirect costs such as these and in fact, we incur minimal printing costs and no materials or supplies. Our contract is exclusively for my labor hours only.

In as much as there are not any subcontracting opportunities in the performance of this assignment, I respectfully request a waiver of the City of Chicago's MBE/WBE participation goals for this contract extension.

Please advise should you have any questions.

Sincerely,

Joseph Manzi

Joseph E. Manzi, P.E.
Principal

/afd
Attachment