

**Memorandum  
Public Works Department**



**To:** City Manager  
**Subject:** Wastewater Treatment System, Project 2624  
**Date:** October 1, 2013  
**Number:** 2013-193

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DrinkerBiddle & Reath is due payment for legal services provided through June 30, 2013 for the Wastewater Treatment System, Project 2624.

**Recommendation**

The Public Works Department recommends that the City Council approve the payment to DrinkerBiddle & Reath in the amount of \$30,133.50.

**Vendor:** DrinkerBiddle & Reath  
**Payment Amount:** \$30,133.50

<b>Fund:</b>	506	Wastewater Operations and Maintenance
<b>Department:</b>	618	Utilities Services
<b>Cost Center:</b>	341	Wastewater Mill Street Plant
<b>Object Code:</b>	56503	Legal Services
<b>Project:</b>	2624	Wastewater Treatment System

Requisition Number: R004216

**Submitted by:** Randall D. Tweet, Public Works Director  
Michael J. Kane, P.E., City Engineer

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**Approved by:** Thomas Thomas, City Manager

LAW OFFICES

**Drinker Biddle & Reath**  
LLP191 N. Wacker Drive  
Suite 3700  
Chicago, IL 60606-1698  
312-569-1000**REMITTANCE PAGE**

09/13/2013

City of Rock Island  
Mr. Robert Hawes  
1528 Third Avenue  
Rock Island, IL 61201

Invoice No. 14700229

For services through 30 JUNE 2013 as follows:

<u>Our File</u>	<u>Matter Name</u>	<u>Amount</u>
321140	Environmental Law	
	Current Fees	30,133.50
	Total Amount Due This Invoice Per Attached Detail	\$ <u>30,133.50</u>

Please return this remittance copy with your payment.  
Payment for legal services is due within 30 days of invoice date.

**Wire Payments:**

**Bank:** Citibank – New York, NY  
**ABA #:** 021000089  
**Payee:** Brown Brothers Harriman & Co.  
**Acct. No.:** 09250276  
**Further Credit:** Drinker Biddle & Reath LLP  
Account No. 3485513  
**Reference:** 160805/14700229

**Checks:**

**Drinker Biddle & Reath LLP**  
One Logan Square, Ste. 2000  
Philadelphia, PA 19103-6996

**ACH Payments:**

**Bank:** Brown Brothers Harriman & Co.  
**Acct Name:** Drinker Biddle & Reath LLP  
**ABA #:** 026-004-802  
**Acct. No. :** 3485513

(160805)

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# DrinkerBiddle&Reath L L P

191 N. Wacker Drive  
Suite 3700  
Chicago, IL 60606-1698  
312-569-1000

City of Rock Island  
Mr. Robert Hawes  
1528 Third Avenue  
Rock Island, IL 61201

Invoice Number: 14700229  
Invoice Date: 09/13/2013  
Client Number: 160805  
Matter Number: 321140  
Page: 1

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**RE: Environmental Law**

FOR PROFESSIONAL SERVICES RENDERED THROUGH 30 JUNE 2013

			<u>Hours</u>	<u>Amount</u>
<b>LTCP</b>		<b>Long Term Control Plan</b>		
05/01/13	RM Harsch	LTCP - Respond to e-mail from Mr. Till; reply to e-mail regarding need to tell EPA City of Rock Island will not install; e-mail to Ms. Flynn for regulatory citation request by Mr. Till.	1.90	940.50
05/07/13	RM Harsch	LTCP - Review draft letter from Mr. Till regarding engine testing; prepare response and comments to Mr. Till and Mr. Kane; respond to Mr. Till's question.	1.10	544.50
05/13/13	RM Harsch	LTCP - Conference call to dismiss testimony issue and reply to issue.	1.30	643.50
05/15/13	ER Sadat	LTCP - E-mails from and to Mr. Harsch regarding background on draft letter from consultant and proposed next steps; review EPA NSPS Part 60.8 requirements related to testing; review NSPS Subpart JJJJ related to testing; e-mails from and to Mr. Harsch regarding notice to EPA and Subpart JJJJ requirements.	1.60	792.00
05/15/13	RM Harsch	LTCP - Review draft letter from Mr. Till regarding testing; request reply from Ms. Sadat; e-mail regarding same.	1.60	792.00
05/16/13	ER Sadat	LTCP - Review e-mail and continue research on issues.	0.30	148.50
05/17/13	ER Sadat	LTCP - Review e-mail from Mr. Harsch regarding NSPS regulatory issues.	0.20	99.00

			<u>Hours</u>	<u>Amount</u>
<b>LTCP</b>		<b>Long Term Control Plan</b>		
05/20/13	ER Sadat	LTCP - Review questions from Mr. Harsch; research NSPS regulations and EPA applicability determinations; prepare memo to Mr. Harsch regarding response to questions; review and revise draft letter to Mr. Harsch from SYMBIONT.	3.00	1,485.00
05/20/13	RM Harsch	LTCP - Review and revise Ms. Sadat's changes to Mr. Till's letter regarding testing of engines; forward final changes to Mr. Till.	0.70	346.50
05/22/13	RM Harsch	LTCP - Review letter from Mr. Till regarding engine testing issue and e-mail Mr. Chow regarding impact upon LTCP and possibly dispute resolution request; review letter from Mr. Till regarding storage tank issue and send to Mr. Chow.	1.20	594.00
05/30/13	RM Harsch	LTCP - Respond to Mr. Chow's dates and forward to Mr. till; respond.	0.20	99.00
06/12/13	RM Harsch	LTCP - E-mails regarding conference call with USEPA; conference call; follow-up.	1.10	544.50
06/17/13	RM Harsch	LTCP - E-mails regarding call; conference call with Mr. Kane and Mr. Till regarding conference call with USEPA concerning suggested testing issues and Farmall; draft e-mail to Mr. Till regarding Kraft Power and stack testing for additional engines.	1.10	544.50
06/18/13	RM Harsch	LTCP - E-mails to Mr. Chow regarding Farmall Tank question; respond to his reply regarding conference call with Mr. Brost.	0.50	247.50
		<b>TOTAL Long Term Control Plan</b>	<b>15.80</b>	<b>7,821.00</b>

			<u>Hours</u>	<u>Amount</u>
<b>MILL</b>		<b>Mill Creek</b>		
01/18/13	RM Harsch	Mill Creek - E-mail from Mr. Hawes regarding need to send 60-Day Notice; reply to Mr. Hawes and Mr. Kutsunis regarding lack of authorization from City of Milan and Rock Island county; reply from Mr. Hawes and Mr. Thomas; telephone call to and from Mr. Seiver; e-mail to Mr. Brost regarding Complaint; conference call with Ms. Flynn regarding revision to 60-Day Notice to delete Milan and convey; review and revise draft e-mail authorization from Mr. Seiver at Milan; add Milan back in; finalize and send 60-Day Notice letter; e-mail same to Mr. Brost and Mr. Davis; send to Rock Island and Milan.	4.20	2,079.00
05/01/13	RM Harsch	Mill Creek - Finalize complaint without County, question regarding County filing.	0.40	198.00
05/13/13	RM Harsch	Mill Creek - E-mails regarding meeting; telephone call from Mayor Dawson regarding Milan; e-mail sent to City of Rock Island.	1.90	940.50
05/14/13	RM Harsch	Mill Creek - Comments to Ms. Flynn's regarding changes to draft complaint regarding latest ACOE work; e-mail back to Ms. Flynn.	1.90	940.50
05/14/13	T Flynn	Mill Creek - Discussion with Mr. Harsch regarding additions to be made to complaint against ACOE; made revisions to complaint; e-mail exchange with Mr. Harsch regarding same.	1.30	403.00
05/15/13	RM Harsch	Mill Creek - Forward final draft of complaint and request review, approval and confirmation regarding facts; various e-mails regarding service.	1.80	891.00
05/15/13	T Flynn	Mill Creek - Make revisions to complaint.	0.50	155.00
05/20/13	RM Harsch	Mill Creek - Various e-mails regarding filing of complaint and approved for same.	0.50	247.50
05/21/13	RM Harsch	Mill Creek - E-mail Mr. Kutsunis; e-mails regarding follow up on approvals to file complaint.	0.50	247.50

			<u>Hours</u>	<u>Amount</u>
<b>MILL</b>		<b>Mill Creek</b>		
05/22/13	RM Harsch	Mill Creek - Obtain approval to file Complaint from Mr. Scott after e-mails; e-mails regarding Ms. Castro approval; various e-mails regarding service including verification of facts by Mr. Tweet; work on same.	4.00	1,980.00
05/22/13	T Flynn	Mill Creek - Telephone call with Mr. Harsch regarding filing of complaint against ACOE; exchange of emails regarding same.	0.20	62.00
05/22/13	D Ravenscraft	Mill Creek - Review issues regarding preparing complaint for filing for Mr. Harsch in Central District of Illinois.	0.90	207.00
05/23/13	RM Harsch	Mill Creek - Work on finalizing complaint and exhibits with Ms. Flynn, Ms. Santos, Ms. Ravenscraft and Mr. Bird.	7.00	3,465.00
05/23/13	T Flynn	Mill Creek - Make final revisions to complaint v. ACOE; exchange of e-mails regarding same; review and preparations of exhibits; exchanges of e-mails regarding same; phone call with Mr. Harsch.	2.20	682.00
05/23/13	D Ravenscraft	Mill Creek - Telephone conference with Mr. Simon regarding preparation of exhibits and filing of complaint in Central District of Illinois; review issues regarding the same.	3.20	736.00
05/23/13	M Bird	Mill Creek - Research regarding exhibits for Rock Island filing for Mr. Harsch.	1.30	305.50
05/24/13	RM Harsch	Mill Creek - Finalize Exhibits and preparation of complaint for filing; e-mails to and from Ms. Flynn, Ms. Santos, Ms. Ravenscraft regarding same; forward filed complaint to Mr. Chow, Mr. Davis and Mr. Brost and request waiver of service; response from Mr. Davis and Mr. Brost; forward to City of Rock Island, Milan.	5.50	2,722.50
05/24/13	T Flynn	Mill Creek - Review of exhibits for complaint; multiple revisions to complaint; exchange of numerous e-mails regarding same; phone calls with Mr. Harsch regarding same.	2.00	620.00

**SUMMARY OF TASK AMOUNTS**

<u>TASK</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
LTCP	Long Term Control Plan	7,821.00
MILL	Mill Creek	18,931.50
USEPA LTCP	USEPA Long Term Control Plan	3,381.00
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TOTAL		30,133.50

TOTAL THIS INVOICE

\$ 30,133.50

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