

ORDER

WHEREAS, in July of 2016 the City of Chicago, the Department of Water Management and the Department of Procurement Services contracted with several contractors to perform water main replacement services; and,

WHEREAS, the City also contracted an entity known as CTR to act as the Department of Water Management's "representative for management for construction of construction activities related to the construction of water mains and force account work by private contractors;" and,

WHEREAS, CTR directed all construction activities of the private contractors awarded contracts for construction activities for water main, sewer, private drain and, among other things, storm drains, including NPL; and,

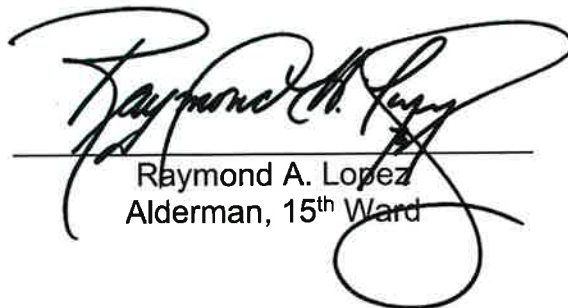
WHEREAS, on November 15, 2015, CTR was defaulted by the City of Chicago, for, among other things, mismanagement of the water main replacement program; and,

WHEREAS, the City of Chicago's Department of Water Management withheld NPL Construction Co.'s retainage and outstanding payment's due to CTR's mismanagement of the contracts; and,

WHEREAS, on December 20, 2021, NPL Construction Co., filed lawsuit titled *NPL Construction Co. vs. City of Chicago, et al*, 2021 CH 06308; and,

WHEREAS, the aforementioned lawsuit has a high likelihood of success in the favor of the contractor plaintiff, and against the city of Chicago, which may result in tens of millions of dollars being awarded to the contractor; now, therefore,

BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF CHICAGO, that the City of Chicago Department of Law immediately enter into a settlement agreement negotiations with NPL Construction Co. in an effort to protect Chicago taxpayers from future and further litigation.



Raymond A. Lopez
Alderman, 15th Ward