



DuPage Water Commission

600 E. Butterfield Road, Elmhurst, IL 60126-4642
(630)834-0100 Fax: (630)834-0120

AGENDA

**DUPAGE WATER COMMISSION
THURSDAY, AUGUST 13, 2009
7:30 P.M.**

**600 EAST BUTTERFIELD ROAD
ELMHURST, IL 60126**

- I. Call to Order and Pledge of Allegiance
- II. Roll Call
(Majority of the Commissioners then in office—minimum 7)
- III. Public Comments (limited to 5 minutes per person)
- IV. Approval of Minutes
 - Regular Meeting of July 9, 2009
(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)

RECOMMENDED MOTION: To approve the Minutes of the July 9, 2009 Regular Meeting of the DuPage Water Commission (Voice Vote).

- V. Treasurer's Report – July 2009
(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)

RECOMMENDED MOTION: To accept the July 2009 Treasurer's Report (Voice Vote).

- VI. Committee Reports
 - A. Administration Committee
 1. Report of 8/13/09 Administration Committee
 2. Actions on Items Listed on 8/13/09 Administration Committee
 - B. Engineering & Construction Committee
 1. Report of 8/13/09 Engineering & Construction Committee
 2. Actions on Items Listed on 8/13/09 Engineering & Construction Committee

All visitors must present a valid drivers license or other government-issued photo identification, sign in at the reception area and wear a visitor badge while at the DuPage Pumping Station.

C. Finance Committee

1. Report of 8/13/09 Finance Committee
2. Actions on Items Listed on 8/13/09 Finance Committee Agenda

VII. Chairman's Report

VIII. Omnibus Vote Requiring Majority Vote

- A. Ordinance No. O-11-09: An Ordinance Requesting the Intergovernmental Transfer of Easement Rights for the DuPage County Glen Ellyn Heights Metering Station MS-9A Site and Authorizing the Execution of the DuPage County Glen Ellyn Heights Metering Station Easement Agreement

(Concurrence of a Majority of the Appointed Commissioners—7)

- B. Ordinance No. O-12-09: An Ordinance Requesting the Intergovernmental Transfer of Easement Rights for the DuPage County Hobson Valley (Greene Road) Metering Station MS-9B Site and Authorizing the Execution of the DuPage County Hobson Valley (Greene Road) Metering Station Easement Agreement

(Concurrence of a Majority of the Appointed Commissioners—7)

- C. Resolution No. R-47-09: A Resolution Approving and Authorizing the Execution of a First Amendment to the Contract for Document Management System Consulting Services

(Concurrence of a Majority of the Appointed Commissioners—7)

- D. Resolution No. R-48-09: A Resolution Approving and Ratifying Certain Task Orders Under a Master Contract with Peters & Associates, Inc. at the August 13, 2009, DuPage Water Commission Meeting

(Concurrence of a Majority of the Appointed Commissioners—7)

RECOMMENDED MOTION: To adopt the items listed on the Majority Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote Procedures (Roll Call).

IX. Omnibus Vote Requiring Super-Majority or Special Majority Vote

- A. Resolution No. R-42-09: A Resolution Approving a Second Amendment to Task Order No. 21 Under the Master Contract with AECOM USA, Inc.

(Affirmative Majority of the Appointed Commissioners, containing the votes of at least 1/3 of the County Appointed Commissioners and 40% of the Municipal Appointed Commissioners—3 County + 3 Muni+1=7)

- B. Resolution No. R-43-09: A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Electrical Contract QRE-4/08 at the August 13, 2009, DuPage Water Commission Meeting

(Affirmative Majority of the Appointed Commissioners, containing the votes of at least 1/3 of the County Appointed Commissioners and 40% of the Municipal Appointed Commissioners—3 County + 3 Muni+1=7)

C. Resolution No. R-44-09: A Resolution Approving and Ratifying Certain Contract Change Orders at the August 13, 2009, DuPage Water Commission Meeting

(Affirmative Majority of the Appointed Commissioners, containing the votes of at least 1/3 of the County Appointed Commissioners and 40% of the Municipal Appointed Commissioners—3 County + 3 Muni+1=7)

D. Resolution No. R-45-09: A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Contract QR-8/08 at the August 13, 2009, DuPage Water Commission Meeting

(Affirmative Majority of the Appointed Commissioners, containing the votes of at least 1/3 of the County Appointed Commissioners and 40% of the Municipal Appointed Commissioners—3 County + 3 Muni+1=7)

E. Resolution No. R-46-09: A Resolution Approving and Ratifying Certain Task Orders under a Master Contract with AECOM USA, Inc. at the August 13, 2009, DuPage Water Commission Meeting

(Affirmative Majority of the Appointed Commissioners, containing the votes of at least 1/3 of the County Appointed Commissioners and 40% of the Municipal Appointed Commissioners—3 County + 3 Muni+1=7)

RECOMMENDED MOTION: To adopt the items listed on the Super/Special Majority Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote Procedures (Roll Call).

X. Old Business

XI. New Business

XII. Accounts Payable

(Affirmative Majority of the Appointed Commissioners, containing the votes of at least 1/3 of the County Appointed Commissioners and 40% of the Municipal Appointed Commissioners—3 County + 3 Muni+1=7)

RECOMMENDED MOTION: To approve the Accounts Payable in the amount of \$64,828.48 subject to submission of all contractually required documentation (Roll Call).

XIII. Executive Session

(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)

RECOMMENDED MOTION: To go into Executive Session to discuss security procedures pursuant to 5 ILCS 120/2(c)(8), to discuss matters related to personnel pursuant to 5 ILCS 120/2(c)(1) and (2), to discuss acquisition of real estate pursuant to 5 ILCS 120/2(c)(5), and/or to discuss pending, probable, or imminent litigation pursuant to 5 ILCS 120/2(c)(11) (Roll Call).

RECOMMENDED MOTION: To come out of Executive Session (Voice Vote).

XIV. Adjournment

(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)

**MINUTES OF A MEETING OF THE
DuPAGE WATER COMMISSION
HELD ON THURSDAY, JULY 9, 2009
600 E. BUTTERFIELD ROAD
ELMHURST, ILLINOIS**

The meeting was called to order by Chairman S. Louis Rathje at 7:37 P.M.

Commissioners in attendance: T. Bennington, E. Chaplin (teleconference), T. Elliott, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, and L. Rathje

Commissioners Absent: L. Hartwig and D. Zeilenga

Also in attendance: Treasurer R. Thorn, R. Martin, R. M. Richter, M. Crowley, C. Johnson, J. Nesbitt, M. Weed, T. McGhee, J. Schori, E. Kazmierczak, and F. Frelka

PUBLIC COMMENTS

None

APPROVAL OF MINUTES

Commissioner Elliott moved to approve the Minutes of the June 11, 2009 Regular Meeting of the DuPage Water Commission. Seconded by Commissioner Mueller and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

TREASURER'S REPORT

Treasurer Thorn presented the Treasurer's Report for the month of June 2009 which showed receipts of \$7,268,933.00, disbursements of \$8,114,571.00, and a cash and investment balance of \$66,007,646.00.

Commissioner Saverino moved to accept the June 2009 Treasurer's Report. Seconded by Commissioner Zay and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

COMMITTEE REPORTS

Administration Committee – Reported by Commissioner Murphy

Commissioner Murphy reported that the Administration Committee reviewed all items listed on the Administration Committee agenda and specifically the requests from Illinois American Water and the City of Aurora for water service. Commissioner Murphy explained the nature of the requests, the issues outlined by staff that need to be evaluated before a determination or recommendation can be made, and the need for additional information from Illinois American Water. After Commissioner Murphy stated that it was the recommendation of the Administration Committee to proceed with

Minutes of the 7/9/09 Meeting

evaluating only the request from the City of Aurora, Commissioner Murphy moved to direct staff to evaluate the issues related to providing water service to the City of Aurora. Seconded by Commissioner Zay and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Engineering & Construction Committee – Reported by Commissioner Maio

Commissioner Maio reported that the Engineering & Construction Committee reviewed and recommended for approval all items listed on the Engineering & Construction Committee Agenda. Commissioner Maio further reported that construction still continues at the DuPage Pumping Station and that staff is still waiting for the City of Chicago to finish their permitting process which is expected sometime this month.

Finance Committee – Reported by Commissioner Mathews

Commissioner Mathews reported that the Finance Committee reviewed and recommended for approval all items listed on the Finance Committee Agenda. Commissioner Mathews further reported that discussion of the City of Chicago and the DuPage Water Commission's water rate increases was discussed and recommended for further discussion at the August Committee meeting, noting the potential revenue loss during the months of January – May if the Commission's water rate increase does not coincide with the City of Chicago's.

CHAIRMAN'S REPORT

Chairman Rathje began his report by referring to the two ordinances listed on the Regular Commission Agenda for Board consideration.

Chairman Rathje reported that the County of DuPage is requesting approval of an Intergovernmental Agreement concerning the construction and operation of a joint facility for the Glen Ellyn Heights Service Area and approval of an Intergovernmental Agreement concerning the construction and operation of a joint facility for the Hobson Valley (Greene Road) Service Area. After noting that staff has been trying to complete various easement acquisitions for facilities that have already been installed by tying approvals together, Chairman Rathje informed the Board that Chairman Schillerstrom signed the easement agreement that both the County and the Commission approved in 1988 for the Northwest Transmission Main along the Great Western Trail in exchange for \$450,000.00. Chairman Rathje added that even though there were still a few outstanding items that the County needed to address (primarily relating to the sufficiency of the legal descriptions in the easement agreement to encompass all Great Western Trail facilities), the County promised to promptly address them and, as such, construction of the joint facilities would proceed in order to avoid delaying water service to the Glen Ellyn Heights Service Area and the Hobson Valley (Greene Road) Service Area.

Minutes of the 7/9/09 Meeting

Chairman Rathje then introduced Nick Kottmeyer, the representative for the County of DuPage, and thanked him for his help in fine-tuning the joint facility agreements and in resolving outstanding easement issues with General Manager Martin and Staff Attorney Crowley. With respect to the schedule for supplying water to the County to serve the Glen Ellyn Heights Service Area and the Hobson Valley (Greene Road) Service Area, Chairman Rathje then noted once both ordinances were adopted, staff would seek bids for the construction of the joint facilities by August 10, 2009, the contract(s) awarded at the September meeting, and water service available by March of 2010.

Chairman Rathje then advised the Board that the Commission would be hosting a water conservation breakfast this year and had invited author Dave Dempsey as the guest speaker to discuss his books *On the Brink: The Great Lakes in the 21st Century* and *Great Lakes for Sale: From Whitecaps to Bottlecaps*. Chairman Rathje noted that the breakfast will be held at Bobak's Signature Room on November 17, 2009 from 8:00am – 12:00pm and asked the Board to mark their calendars accordingly.

As promised at the June Commission Meeting, Chairman Rathje advised that the Executive Assistant had polled the Commissioners who did not attend the June meeting regarding the Board's annual holiday party and the consensus reached at the June meeting did not change. Thus, Chairman Rathje advised the Board that the rapport building event would proceed as budgeted on December 18, 2009, at *The Clubhouse*, but with a pay-your-own-alcoholic beverage dinner.

Chairman Rathje concluded his report by informing the Board that General Manager Martin met with the City of Naperville regarding the relocation of the Commission's transmission main in the vicinity of 75th and Washington Streets, noting that the Intergovernmental Agreement to fully reimburse the Commission's relocation costs needed to be completed within the first two weeks of August in order to stay on schedule.

MAJORITY OMNIBUS VOTE AGENDA

Commissioner Chaplin requested that Resolution No. R-38-09 be removed from the Majority Omnibus Vote Agenda for separate consideration.

Commissioner Murphy moved to adopt Resolution No. R-40-09: A Resolution Approving a First Amendment to the Landscape Maintenance Services Contract between the DuPage Water Commission and Acres Enterprises, Inc. Seconded by Commissioner Elliott and unanimously approved by a Roll Call Vote:

Ayes: T. Bennington, E. Chaplin, T. Elliott, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, and L. Rathje

Nays: None

Absent: L. Hartwig and D. Zeilenga

Minutes of the 7/9/09 Meeting

Commissioner Zay moved to adopt Resolution No. R-38-09: A Resolution Approving and Ratifying Certain Task Orders Under a Master Contract with Peters & Associates, Inc. at the July 9, 2009, DuPage Water Commission Meeting. Seconded by Commissioner Saverino.

Before the vote was called, Commissioner Chaplin asked how much more work needs to be done by Peters & Associates. After General Manager Martin explained that Peters & Associates is retained as needed for individual projects, the motion was approved by a Roll Call Vote:

Ayes: T. Bennington, T. Elliott, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, and L. Rathje

Nays: E. Chaplin

Absent: L. Hartwig and D. Zeilenga

SUPER/SPECIAL MAJORITY OMNIBUS VOTE AGENDA

Commissioner Bennington moved to adopt the items listed on the Super/Special Majority Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Mathews and unanimously approved by a Roll Call Vote:

Super/Special Majority Omnibus Vote

Ayes: T. Bennington, E. Chaplin, T. Elliott, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, and L. Rathje

Nays: None

Absent: L. Hartwig and D. Zeilenga

Item 1: Ordinance No. O-9-09: An Ordinance Amending Ordinance No. O-2-09, being "An Ordinance Approving and Authorizing the Execution of an Intergovernmental Agreement between the DuPage Water Commission and the County of DuPage Concerning the Construction and Operation of a Joint Facility for the Glen Ellyn Heights Service Area"—"Super/Special Majority Omnibus Vote"

Item 2: Ordinance No. O-10-09: An Ordinance Amending Ordinance No. O-3-09, being "An Ordinance Approving and Authorizing the Execution of an Intergovernmental Agreement between the DuPage Water Commission and the County of DuPage Concerning the Construction and Operation of a Joint Facility for the Hobson Valley (Greene Road) Service Area"—"Super/Special Majority Omnibus Vote"

Minutes of the 7/9/09 Meeting

- Item 3: Resolution No. R-36-09: A Resolution Approving and Ratifying Certain Contract Change Orders at the July 9, 2009, DuPage Water Commission Meeting—"Super/Special Majority Omnibus Vote"
- Item 4: Resolution No. R-37-09: A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Contract QR-8/08 at the July 9, 2009, DuPage Water Commission Meeting—"Super/Special Majority Omnibus Vote"
- Item 5: Resolution No. R-39-09: A Resolution Approving and Ratifying Certain Task Orders Under a Master Contract with Patrick Engineering, Inc. at the July 9, 2009, DuPage Water Commission Meeting—"Super/Special Majority Omnibus Vote"
- Item 6: Resolution No. R-41-09: A Resolution Approving a First Amendment to Task Order No. 10 Under the Master Contract with Patrick Engineering, Inc. —"Super/Special Majority Omnibus Vote"

OLD BUSINESS

Chairman Rathje referred to a memorandum regarding the Commission's Water Conservation Program and asked Water Operations Manager McGhee to give a brief summary of the program's progress. Water Operations Manager McGhee stated that the development of the program is now complete and the working group continues with developing the following:

- educational materials
- website development
- displays of rain barrels for residential landscaping use
- working with schools in DuPage County
- holding a Green Day festival like other communities

Water Operations Manager McGhee concluded his summary by stating that the Commission is trying to get the message out that we must all work together to conserve our water supply and mentioned that the official rollout will be November 17th at the Commission's Water Conservation breakfast.

Commissioner Zay commented that he thought it was a great program. Commissioner Chaplin asked whether the rain barrel equipment will be donated or sold to the various communities. Water Operations Manager McGhee replied that some of the equipment will be used in the training seminar(s) and also made available for purchase by the utility customers.

NEW BUSINESS

Before moving on to the accounts payable, Commissioner Elliott asked staff to clarify why there were two Holland & Knight invoices. Staff Attorney Crowley explained that due to the lack of a sufficient number of municipal Board members in attendance at the June meeting, review and approval of the May Holland & Knight invoice was deferred to the July meeting.

ACCOUNTS PAYABLE

Commissioner Murphy moved to approve the Accounts Payable in the amount of \$5,842.00 subject to submission of all contractually required documentation. Seconded by Commissioner Mathews and unanimously approved by a Roll Call Vote:

Ayes: T. Bennington, E. Chaplin, T. Elliott, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, and L. Rathje

Nays: None

Absent: L. Hartwig and D. Zeilenga

EXECUTIVE SESSION

None

Before the meeting was adjourned, Commissioner Chaplin asked Commissioner Mathews to explain the discussion relating to the increase in water rates that took place during the Finance Committee. Commissioner Mathews reiterated that the Finance Committee discussed whether there was a more appropriate date for customer rate increases. Commissioner Mathews noted that the Board needs to take careful consideration to the loss of revenue during the months of January through March should the Board decide not to raise water rates to coincide with the City of Chicago's rate increase. Commissioner Mathews concluded by noting that the customers should be given enough fair warning of the potential upcoming increase to better plan their budgets and therefore suggested further discussion at the August meeting.

Commissioner Maio moved to adjourn the meeting at 8:05 P.M. Seconded by Commissioner Saverino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

DU PAGE WATER COMMISSION
TREASURE'S REPORT
STATEMENT OF REVENUES & EXPENDITURES
July 31, 2009

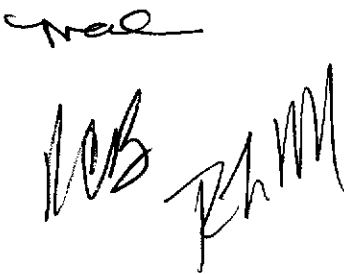
REVENUE	CURRENT MONTH			YEAR TO DATE		
	FY 2010	FY 2009	INC - (DEC)	FY 2010	FY 2009	INC - (DEC)
WATER SALES	\$ 3,012,060	2,123,092	888,968	12,221,202	9,054,386	3,166,814
SALES TAX	2,312,950	2,891,038	(578,088)	6,647,772	8,222,637	(1,574,865)
INVESTMENT INCOME	41,602	60,443	(18,841)	327,015	432,777	(105,762)
OTHER INCOME	-	-	-	-	-	-
TOTAL REVENUE	5,366,612	5,074,573	292,039	19,195,989	17,709,802	1,486,187
EXPENDITURES						
PERSONAL SERVICES	398,182	322,757	75,425	1,114,581	1,017,408	97,173
PROFESSIONAL SERVICES	70,535	12,068	58,467	166,426	91,339	75,087
CONTRACTUAL SERVICES	26,688	5,235	21,453	49,654	20,725	28,929
INSURANCE	17,571	8,320	9,251	26,357	34,659	(8,302)
WATER SUPPLY COSTS	5,266,299	4,507,770	758,529	14,146,238	12,695,373	1,450,865
BOND PRINCIPAL & INTEREST EXPENSE	-	-	-	11,934,718	11,707,643	228,875
LAND AND RIGHT OF WAY	-	-	-	-	-	-
CAPITAL EQUIPMENT PURCHASES	1,470,972	181,405	1,289,567	5,297,160	1,106,472	4,190,688
TOTAL EXPENDITURES	7,250,247	5,037,555	2,212,692	32,735,134	26,673,819	6,061,315
REBATES	-	-	-	-	-	-
TRANSFER TO OTHER GOVERNMENTS	-	-	-	-	-	-
NET INCREASE / (DECREASE) IN FUNDS	(1,883,635)	37,018	(1,920,653)	(13,539,145)	(8,964,017)	(4,575,128)

FUNDS CONSIST OF:	July 31, 2009	July 31, 2008	INC - (DEC)
PETTY CASH	800	800	-
CASH AT BANK ONE	1,000	7,526	(6,526)
CASH AT MB FINANCIAL LOCK BOX	100,109	113,901	(13,792)
CASH AT HARRIS BANK	91,321	62,913	28,408
TOTAL CASH	193,230	185,140	8,090

	July 31, 2009	July 31, 2008	% CHANGE			
ILLINOIS FUNDS MONEY MARKET	43.89%	21.58%	77.5%	28,028,491	15,795,115	12,233,376
ILLINOIS FUNDS PRIME FUND	0.00%	24.94%	-100.0%	-	18,255,022	(18,255,022)
GOVERNMENT MONEY MARKET FUNDS	0.01%	0.01%	0.0%	5,446	5,446	-
U. S. TREASURY INVESTMENTS	42.77%	25.48%	46.4%	27,308,098	18,650,326	8,657,772
U. S. AGENCY INVESTMENTS	0.00%	0.00%	0.0%	-	-	-
CERTIFICATES OF DEPOSIT	13.31%	28.00%	-58.5%	8,499,995	20,500,000	(12,000,005)
TOTAL INVESTMENTS	99.98%	100.01%		63,842,030	73,205,909	(9,363,879)
TOTAL FUNDS				64,035,260	73,391,049	(9,355,789)
UNRESTRICTED FUNDS				13,675,260	22,940,886	(9,265,626.00)
RESTRICTED FUNDS				50,360,000	50,450,163	(90,163.00)
TOTAL FUNDS				64,035,260	73,391,049	(9,355,789.00)

Date: August 7, 2009

REQUEST FOR BOARD ACTION

AGENDA SECTION	Omnibus Vote Requiring Majority Vote	ORIGINATING DEPARTMENT	Facilities Construction
ITEM	An Ordinance Requesting the Intergovernmental Transfer of Easement Rights for the DuPage County Glen Ellyn Heights Metering Station MS-9A Site and Authorizing the Execution of the DuPage County Glen Ellyn Heights Metering Station Easement Agreement Ordinance No. O-11-09	APPROVAL 	
<p>Pursuant to Ordinance No. O-2-09, as amended by Ordinance No. O-9-09, the County of DuPage and the Commission entered into an Intergovernmental Agreement to provide for the Commission to design and construct within unimproved public right-of-way the County's Pressure Adjusting Station for the Glen Ellyn Heights Service Area as a joint facility with the Commission's Metering Station for the Glen Ellyn Heights Service Area (the "Glen Ellyn Heights Joint Facility Agreement"). Ordinance No. O-9-09 amended Ordinance No. O-2-09 to evidence the Board's approval of the Glen Ellyn Heights Joint Facility Agreement in the form executed by the County, including without limitation the form of the Glen Ellyn Heights Metering Station Easement Agreement.</p> <p>Ordinance No. O-11-09 would approve the Easement Agreement for the location of the Commission's Glen Ellyn Heights Metering Station in the form executed by the County subject to resolution of any title issues as required by the Glen Ellyn Heights Joint Facility Agreement.</p>			
MOTION: To approve Ordinance No. O-11-09.			

DuPAGE WATER COMMISSION

ORDINANCE NO. O-11-09

AN ORDINANCE
REQUESTING THE INTERGOVERNMENTAL
TRANSFER OF EASEMENT RIGHTS FOR THE
DuPAGE COUNTY GLEN ELLYN HEIGHTS
METERING STATION MS-9A SITE AND
AUTHORIZING THE EXECUTION OF THE
DuPAGE COUNTY GLEN ELLYN HEIGHTS
METERING STATION EASEMENT AGREEMENT

WHEREAS, the Commission was formed and exists pursuant to Division 135 of Article 11 of the Illinois Municipal Code, 65 ILCS 5/11-135-1 et seq., and the Water Commission Act of 1985, 70 ILCS 3720/0.01 et seq., for the purposes of securing an adequate source and supply of water for its customers; and

WHEREAS, the Commission operates a water system supplying a number of municipalities and other customers in DuPage County with water drawn from Lake Michigan (the "Commission Waterworks System"); and

WHEREAS, the County of DuPage (the "County") owns and operates a waterworks system serving several discrete and non-contiguous service areas (the "DuPage County Unit System"); and

WHEREAS, the Commission and the County have entered into a certain Water Purchase and Sale Contract dated as of July 13, 2006, for the sale by the Commission of Lake Michigan water to the County to serve the various discrete and non-contiguous service areas served by the DuPage County Unit System from time to time, including the service area known as the Glen Ellyn Heights Service Area (the "DuPage County Contract"); and

WHEREAS, pursuant to Ordinance No. O-2-09, adopted March 12, 2009, as amended by Ordinance No. O-9-09, adopted July 9, 2009, the County and the Commission entered into an intergovernmental agreement to provide for the Commission to design and construct within unimproved public right-of-way the County's Pressure Adjusting Station for the Glen Ellyn Heights Service Area as a joint facility with the Commission's Metering Station for the Glen Ellyn Heights Service Area (the "Glen Ellyn Heights Joint Facility Agreement"); and

WHEREAS, the DuPage County Contract, as supplemented by the Glen Ellyn Heights Joint Facility Agreement, provides that the Commission is to furnish, install, own, operate, maintain, and repair certain equipment and devices, together with certain structures and portions of its water distribution main, including underground feeder pipe lines and related equipment, for properly conveying and measuring the quantity of Lake Michigan water delivered by the Commission to the County at the connection point for the Glen Ellyn Heights Service Area provided for under the Glen Ellyn Heights Joint Facility Agreement (collectively referred to as the "Glen Ellyn Heights Metering Station"); and

WHEREAS, the Glen Ellyn Heights Joint Facility Agreement provides that the Glen Ellyn Heights Metering Station is to be located at a site selected and provided by the County, subject to review and approval by the Commission; and

WHEREAS, the County has selected the site legally described in Exhibit 1 to Exhibit A attached hereto (the "Glen Ellyn Heights Metering Station Easement Premises") for the location of the Glen Ellyn Heights Metering Station; and

WHEREAS, the Commission has determined that it will be necessary and convenient for it to use, occupy, and improve the Glen Ellyn Heights Metering Station Easement Premises for the aforesaid public purpose of acquiring and operating its Waterworks System, and, in particular, to construct, furnish, install, own, operate, maintain, test, inspect, remove, repair, and replace the Glen Ellyn Heights Metering Station; and

WHEREAS, the territory of the Commission is partly within and partly without the corporate limits of the County; and

WHEREAS, the County desires to grant, convey, warrant, and dedicate to the Commission a perpetual easement for such purposes at, in, under, and upon the Glen Ellyn Heights Metering Station Easement Premises, and the Commission is willing to accept such easement, pursuant to the authority conferred by the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq. and other applicable authority; and

WHEREAS, the County is willing to grant to the Commission a perpetual easement for such purposes in consideration of the sum of Ten Dollars (\$10.00);

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the DuPage Water Commission as follows:

SECTION ONE: The foregoing recitals are hereby incorporated herein as findings of the Board of Commissioners of the DuPage Water Commission.

SECTION TWO: An Easement Agreement by and between the Commission and the County of DuPage, in the form attached hereto and by this reference incorporated herein and made a part hereof as Exhibit A, shall be and it hereby is approved subject

to satisfaction of the conditions precedent to execution and attestation set forth in Section Three below.

SECTION THREE: The General Manager and the Clerk of the DuPage Water Commission shall be and they hereby are authorized to execute and attest, respectively, an Easement Agreement with the County of DuPage in the form attached hereto as Exhibit A; provided, however, that they shall neither execute nor attest the Easement Agreement on behalf of the Commission unless and until (a) the General Manager shall have been presented with adequate evidence of merchantable fee simple title to the Glen Ellyn Heights Metering Station Easement Premises being vested in the County of DuPage and (b) the General Manager shall have been presented with adequate evidence that the easement rights to be granted and insured to the Commission are free and clear of all liens, claims, encumbrances, and restrictions unless otherwise approved by the General Manager.

SECTION FOUR: Upon execution and attestation by the General Manager and the Clerk, respectively, the grant of easement for the Glen Ellyn Heights Metering Station Easement Premises shall be deemed accepted by the Commission without further act.

SECTION FIVE: This Ordinance shall be in full force and effect from and after its adoption.

AYES:

NAYS:

ABSENT:

ADOPTED this _____ day of _____, 2009.

Chairman

ATTEST:

Clerk

Board/Ordinances/O-11-09.doc

EXHIBIT A

DUPAGE WATER COMMISSION

METERING STATION

EASEMENT AGREEMENT

(DuPage County Glen Ellyn Heights MS-9A)

PERMANENT REAL ESTATE TAX INDEX NO. part of 05-02-323-004

Prepared by and Mail to:

Maureen A. Crowley

Staff Attorney

DuPage Water Commission

600 East Butterfield Road

Elmhurst, Illinois 60126

METERING STATION

EASEMENT AGREEMENT

(DuPage County Glen Ellyn Heights MS-9A)

THIS EASEMENT AGREEMENT, made and entered into as of this ____ day of _____, 200_, by and between the DUPAGE WATER COMMISSION, a county water commission created and existing under the laws of the State of Illinois (the "Commission") and DUPAGE COUNTY "the Customer", a unit of local government created and existing under the laws of the State of Illinois and a customer of the Commission "the Customer",

WITNESSETH:

WHEREAS, the Commission and the Customer, a unit of local government created and existing under the laws of the State of Illinois and a customer of the Commission have entered into a certain Water Purchase and Sale Contract, dated as of July 13, 2006 (the "DuPage County Contract"), as supplemented by a certain Intergovernmental Agreement Concerning the Construction and Operation of a Joint Facility for the Glen Ellyn Heights Service Area, dated as of _____, 2009 (the "Joint Facility Agreement"); and

WHEREAS, the Joint Facility Agreement provides that the Commission is to furnish, install, own, operate, maintain, and repair certain equipment and devices, together with certain structures and portions of its water distribution main, including underground feeder pipe lines and related equipment, for properly conveying and measuring the quantity of Lake Michigan water delivered by the Commission to the Customer at the connection point for the Glen Ellyn Heights Service Area provided for under the Joint Facility Agreement (collectively referred to as the "Metering Station"); and

WHEREAS, the Joint Facility Agreement provides that the Metering Station is to be located at a site selected and provided by the Customer, subject to review and approval by the Commission; and

WHEREAS, the Customer has selected the site legally described in Exhibit 1 attached hereto and by this reference incorporated herein and made a part hereof (the "Metering Station Easement Premises") for the location of the Metering Station as generally depicted in Exhibit 2 attached hereto and by this reference incorporated herein and made a part hereof; and

WHEREAS, the Commission has reviewed the Metering Station Easement Premises and approved the same for the location of the Metering Station; and

WHEREAS, the Commission has submitted to the Customer for review the drawings and specifications for the Metering Station; and

WHEREAS, the Easement Premises are located in unimproved public right-of-way and the Customer is the owner of the Easement Premises and will grant an easement for the Metering Station Easement Premises; and

WHEREAS, the Commission desires to enter into this Easement Agreement the Customer in order to provide the Commission with a sufficient property interest in the Metering Station Easement Premises to fulfill the provisions and purpose of the DuPage County Contract, as supplemented by the Joint Facility Agreement; and

WHEREAS, the Commission has duly adopted its Ordinance No. O-3-09, being "An Ordinance Requesting the Intergovernmental Transfer of Easement Rights for the DuPage County Glen Ellyn Heights Metering Station MS-9A Site and Authorizing the Execution of the DuPage County Glen Ellyn Heights Metering Station Easement Agreement," pursuant to the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq.; and

WHEREAS, the Customer has duly adopted its Resolution No.PW-0009-09, being "A Resolution Approving the Intergovernmental Transfer of Easement Rights to the DuPage Water Commission," pursuant to the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq.;

NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in the exercise of their powers and authority under the intergovernmental cooperation provisions of Article VII, Section 10 of the Illinois Constitution of 1970 and the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq., and other applicable authority, the Commission and the Customer hereby agree as follows:

1. The foregoing recitals are hereby incorporated herein as substantive provisions of this Easement Agreement.
2. The Customer hereby grants, conveys, warrants, and dedicates to the Commission, its successors and assigns, a perpetual easement to construct, furnish, install, own, operate, maintain, test, inspect, remove, repair, and replace the Metering Station at, in, under, and upon the Metering Station Easement Premises, together with all reasonable rights of ingress and egress along or across any adjoining lands of, or under the jurisdiction and control of, the Customer.
3. The Metering Station shall be not located, constructed, or maintained in any manner not in substantial conformity with Exhibit 2 without the express consent of the Customer, which consent shall not be unreasonably withheld.

4. The Commission shall exercise the easement rights hereby granted with due care, and shall not unreasonably interfere with, damage, or harm any Customer property located upon the Subject Property.

5. After construction of the Metering Station, the Metering Station Easement Premises shall be restored in accordance with the drawings and specifications for the Metering Station.

6. The Customer hereby reserves the right to use the Metering Station Easement Premises, and its adjacent property in any manner that will not prevent or interfere in any way with the exercise by the Commission of the rights granted hereunder; provided, however, that the Customer shall not in any manner disturb, damage, destroy, injure, obstruct, or permit to be obstructed the Metering Station Easement Premises without the express prior written consent of the Commission, nor shall the Customer permanently or temporarily improve, damage, or obstruct the Metering Station Easement Premises in any manner that would impair the exercise by the Commission of the rights hereby granted.

7. The Customer agrees to indemnify and defend the Commission with respect to any and all claims or damages to persons or property which may arise directly from the negligence of the Customer, or its agents or employees, in performing any work on the Metering Station Easement Premises in conjunction with its rights pursuant to Paragraph 7 hereof, and the Commission agrees to indemnify and defend the Customer] with respect to any and all claims of damages to persons or property which may arise directly from the negligence of the Commission, or its agents or employees, in performing any work on the Metering Station Easement Premises in conjunction with its rights pursuant to Paragraphs 2, 5, 6, and 7 hereof. The Customer shall provide to the Commission, and the Commission

shall provide to the Customer, a certificate of insurance or proof of self-insurance coverage as evidence of its continuing ability to meet the obligation established in this Paragraph, and both shall maintain such coverage at all times.

8. Customer represents and warrants that it shall take all necessary action so that the easement contemplated by this Easement Agreement shall be released from all liens, including but not limited to the lien of all mortgages, mechanics' lien claims, security agreements, and assignments of rents and leases, and shall execute all such documents as may be reasonably necessary to perfect the Commission's right, title and interest therein.

9. This Easement Agreement shall constitute and stand in the place of all Customer permits required by the Commission or its contractor to construct, furnish, install, own, operate, maintain, test, inspect, repair, remove, or replace the Metering Station at, in, under, and upon the Metering Station Easement Premises, and the Customer hereby agrees to execute any and all additional documents, approvals, waivers, or consents, if any, that may be reasonably necessary for the Commission to secure any permits required from any county, state, or federal agency for or in connection with constructing, furnishing, installing, owning, operating, maintaining, testing, inspecting, repairing, removing, or replacing the Metering Station.

10. Upon the expiration of the term of this Easement Agreement as provided in Paragraph 2 hereof without renewal, or in the event that DuPage County Contract is terminated without renewal with respect to the Customer, the Commission shall, within 90 days execute and deliver to the Customer an appropriate document evidencing the termination of this Easement Agreement and releasing the easement rights hereby granted. The Commission shall, within said 90 day period, and at the Customer's expense,

remove the Metering Station from the Metering Station Easement Premises. If the Commission fails to remove the Metering Station, as aforesaid, the Customer may take title to the Metering Station.

In the event the Easement Agreement is ever terminated or the Customer's or the Commission's legal interest in or legal authority concerning the use of the Easement Premises for the Metering Station in the manner provided in the Easement Agreement is, for any reason, terminated or deemed or interpreted to be invalid, insufficient or nonexistent, the Commission shall remove the Metering Station from the Easement Premises at the Customer's sole cost and expense.

11. All rights, title, and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto and their respective grantees, successors, assigns, and legal representatives.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their proper representatives duly authorized to execute the same.

DUPAGE WATER COMMISSION

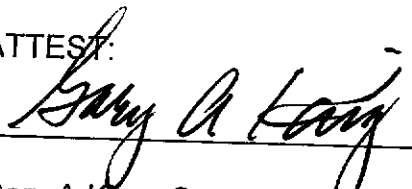
ATTEST:

_____ By: _____

General Manager

COUNTY OF DUPAGE

ATTEST:



Gary A King, County Clerk

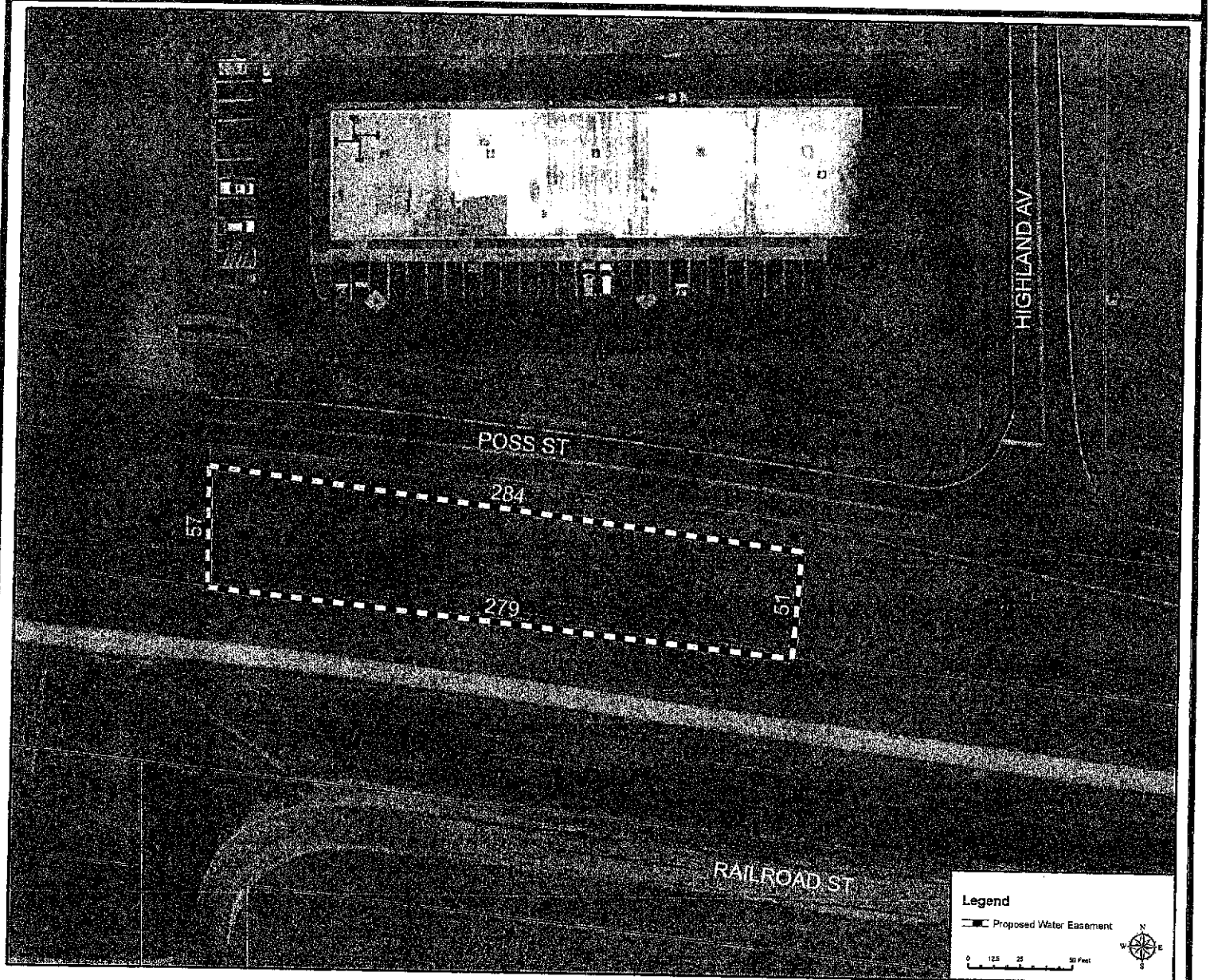
BY: _____


Robert J. Schillerstrom, Chairman

EXHIBIT 1

LEGAL DESCRIPTION OF THE METERING STATION EASEMENT PREMISES

Glen Ellyn Heights Lake Michigan Metering Station
05-02-323-004

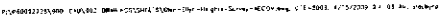


THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF VACATED POSS STREET, RECORDED IN BOOK 6, PAGE 51 OF MISCELLANEOUS RECORDS IN THE OFFICE OF THE RECORDER OF THE COUNTY OF DUPAGE WITH THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE SOUTH 01 DEGREES 21 MINUTES 26 SECONDS EAST ALONG SAID WEST LINE A DISTANCE OF 8.55 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 82 DEGREES 48 MINUTES 01 SECONDS EAST A DISTANCE OF 284.00 FEET; THENCE SOUTH 03 DEGREES 20 MINUTES 47 SECONDS WEST A DISTANCE OF 51.00 FEET TO THE NORTH LINE OF THE GREAT WESTERN TRAIL; THENCE NORTH 83 DEGREES 55 MINUTES 33 SECONDS WEST ALONG THE NORTH LINE OF SAID GREAT WESTERN TRAIL A DISTANCE OF 279.00 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE NORTH 01 DEGREES 21 MINUTES 26 SECONDS WEST ALONG SAID WEST LINE A DISTANCE OF 57.00 FEET TO THE POINT OF BEGINNING IN DUPAGE COUNTY, ILLINOIS.

EXHIBIT 2

PLANS FOR THE LOCATION OF THE METERING STATION

P:\60012228\900 P:\60012228\900 DMU-CONTRACTS\Other-Files-Highway-Survey-MCOV.dwg, C:\E=2003, 4/7/2009 2: 03 AM, xref.ppt



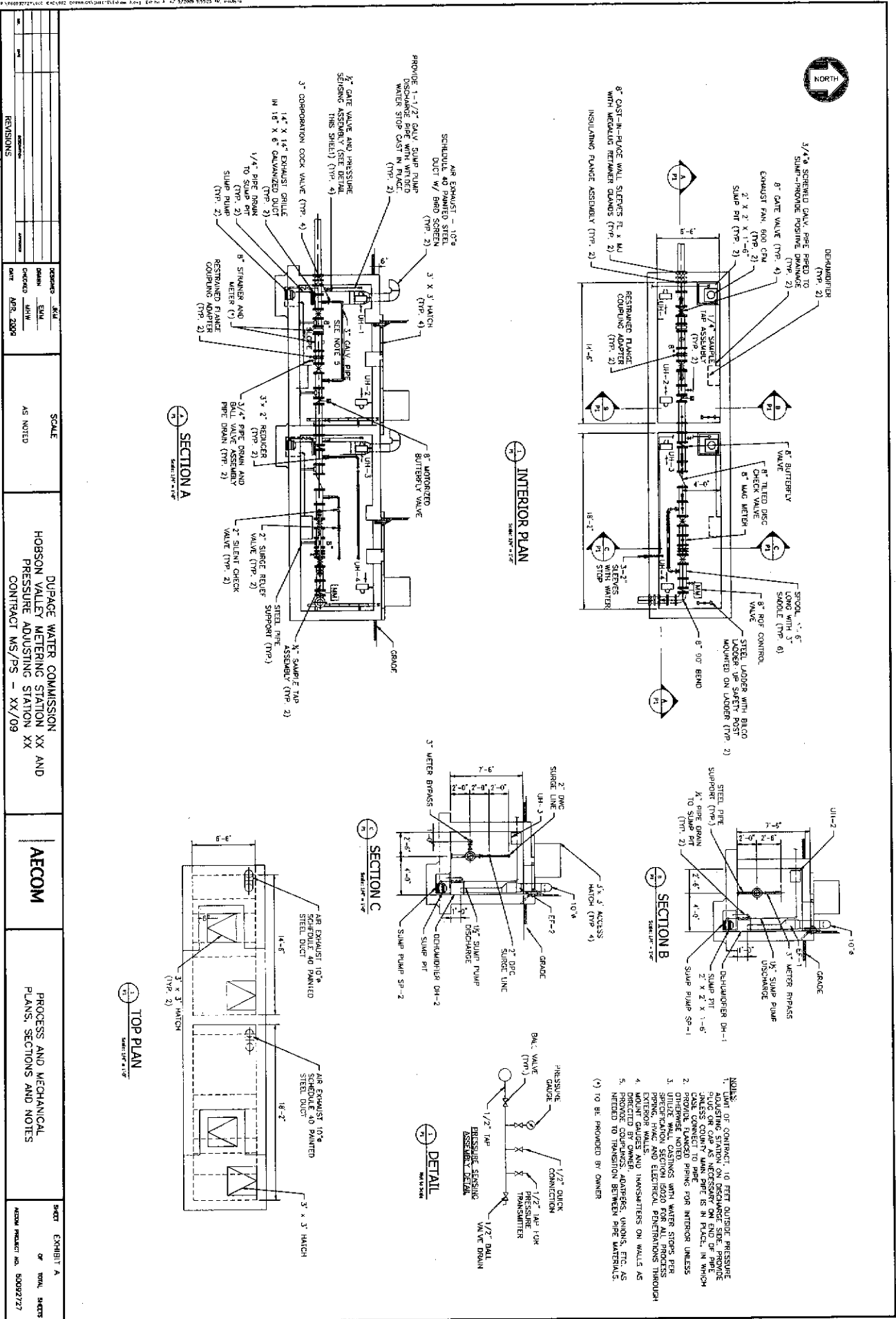
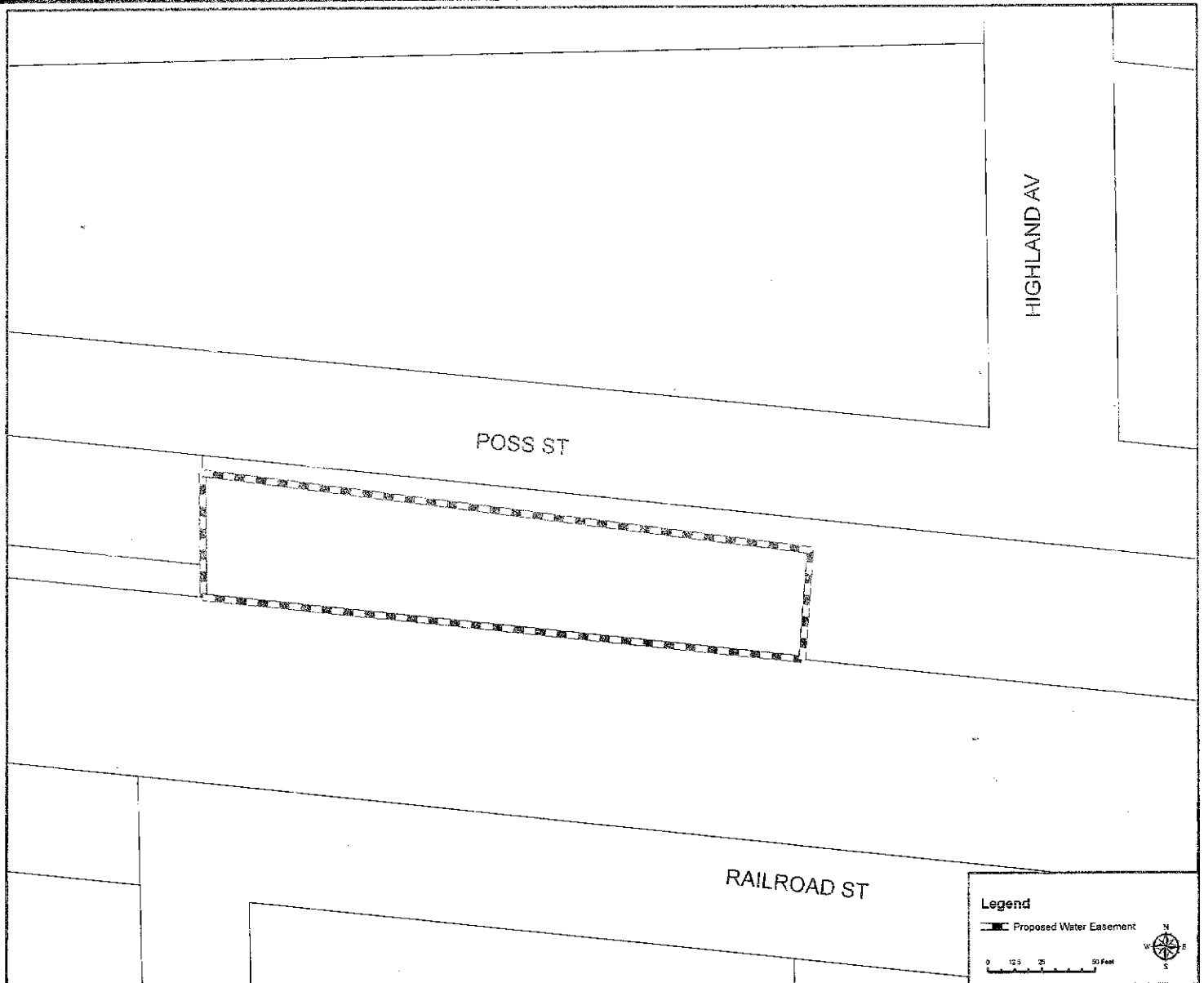


EXHIBIT 3

LEGAL DESCRIPTION OF SUBJECT PROPERTY

Glen Ellyn Heights Lake Michigan Metering Station
05-02-323-004



THAT PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF VACATED POSS STREET, RECORDED IN BOOK 6, PAGE 51 OF MISCELLANEOUS RECORDS IN THE OFFICE OF THE RECORDER OF THE COUNTY OF DUPAGE WITH THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE SOUTH 01 DEGREES 21 MINUTES 26 SECONDS EAST ALONG SAID WEST LINE A DISTANCE OF 8.55 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 82 DEGREES 48 MINUTES 01 SECONDS EAST A DISTANCE OF 284.00 FEET; THENCE SOUTH 03 DEGREES 20 MINUTES 47 SECONDS WEST A DISTANCE OF 51.00 FEET TO THE NORTH LINE OF THE GREAT WESTERN TRAIL; THENCE NORTH 83 DEGREES 55 MINUTES 33 SECONDS WEST ALONG THE NORTH LINE OF SAID GREAT WESTERN TRAIL A DISTANCE OF 279.00 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 2; THENCE NORTH 01 DEGREES 21 MINUTES 26 SECONDS WEST ALONG SAID WEST LINE A DISTANCE OF 57.00 FEET TO THE POINT OF BEGINNING IN DUPAGE COUNTY, ILLINOIS.

STATE OF ILLINOIS)

) SS

COUNTY OF COOK)

I, _____, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Robert L. Martin, personally known to me to be the General Manager of the DuPage Water Commission, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed, and delivered said instrument as his free and voluntary act, and as the free and voluntary act of said Commission, for the uses and purposes therein set forth.

Given under my hand and official seal this _____ day of _____, 200_.

Notary Public

My Commission Expires: _____

STATE OF ILLINOIS)

) SS

COUNTY OF _____)

I, _____, a Notary Public in and for said County, in the State aforesaid, do hereby certify that _____ [of _____, and _____ of said _____], personally known to me to be the same person(s) whose name(s) is (are) subscribed to the foregoing instrument [as such _____ and _____, respectively,] appeared before me this day in person and acknowledged that (he) (she) (they) signed and delivered said instrument as (his) (her) (their) free and voluntary act [, and as the free and voluntary act of said _____,] for the uses and purposes therein set forth.


Given under my hand and official seal this _____ day of _____, 200__.

Notary Public

My Commission Expires:

Date: August 7, 2009

REQUEST FOR BOARD ACTION

AGENDA SECTION	Omnibus Vote Requiring Majority Vote	ORIGINATING DEPARTMENT	Facilities Construction
ITEM	An Ordinance Requesting the Intergovernmental Transfer of Easement Rights for the DuPage County Hobson Valley (Greene Road) Metering Station MS-9B Site and Authorizing the Execution of the DuPage County Hobson Valley (Greene Road) Metering Station Easement Agreement Ordinance No. O-12-09	APPROVAL 	
<p>Pursuant to Ordinance No. O-3-09, as amended by Ordinance No. O-10-09, the County of DuPage and the Commission entered into an Intergovernmental Agreement to provide for the Commission to design and construct within unimproved public right-of-way the County's Pressure Adjusting Station for the Hobson Valley (Greene Road) Service Area as a joint facility with the Commission's Metering Station for the Hobson Valley (Greene Road) Service Area (the "Hobson Valley (Greene Road) Joint Facility Agreement"). Ordinance No. O-10-09 amended Ordinance No. O-3-09 to evidence the Board's approval of the Hobson Valley (Greene Road) Joint Facility Agreement in the form executed by the County, including without limitation the form of the Hobson Valley (Greene Road) Metering Station Easement Agreement.</p> <p>Ordinance No. O-12-09 would approve the Easement Agreement for the location of the Commission's Hobson Valley (Greene Road) Metering Station in the form executed by the County subject to resolution of any title issues as required by the Hobson Valley (Greene Road) Joint Facility Agreement.</p>			
MOTION: To approve Ordinance No. O-12-09.			

DuPAGE WATER COMMISSION

ORDINANCE NO. O-12-09

AN ORDINANCE
REQUESTING THE INTERGOVERNMENTAL
TRANSFER OF EASEMENT RIGHTS FOR THE
DuPAGE COUNTY HOBSON VALLEY (GREENE ROAD)
METERING STATION MS-9B SITE AND
AUTHORIZING THE EXECUTION OF THE
DuPAGE COUNTY HOBSON VALLEY (GREENE ROAD)
METERING STATION EASEMENT AGREEMENT

WHEREAS, the Commission was formed and exists pursuant to Division 135 of Article 11 of the Illinois Municipal Code, 65 ILCS 5/11-135-1 et seq., and the Water Commission Act of 1985, 70 ILCS 3720/0.01 et seq., for the purposes of securing an adequate source and supply of water for its customers; and

WHEREAS, the Commission operates a water system supplying a number of municipalities and other customers in DuPage County with water drawn from Lake Michigan (the "Commission Waterworks System"); and

WHEREAS, the County of DuPage (the "County") owns and operates a waterworks system serving several discrete and non-contiguous service areas (the "DuPage County Unit System"); and

WHEREAS, the Commission and the County have entered into a certain Water Purchase and Sale Contract dated as of July 13, 2006, for the sale by the Commission of Lake Michigan water to the County to serve the various discrete and non-contiguous service areas served by the DuPage County Unit System from time to time, including the service area known as the Hobson Valley (Greene Road) Service Area (the "DuPage County Contract"); and

WHEREAS, pursuant to Ordinance No. O-3-09, adopted March 12, 2009, as amended by Ordinance No. O-10-09, adopted July 9, 2009, the County and the Commission entered into an intergovernmental agreement to provide for the Commission to design and construct within unimproved public right-of-way the County's Pressure Adjusting Station for the Hobson Valley (Greene Road) Service Area as a joint facility with the Commission's Metering Station for the Hobson Valley (Greene Road) Service Area (the "Hobson Valley (Greene Road) Joint Facility Agreement"); and

WHEREAS, the DuPage County Contract, as supplemented by the Hobson Valley (Greene Road) Joint Facility Agreement, provides that the Commission is to furnish, install, own, operate, maintain, and repair certain equipment and devices, together with certain structures and portions of its water distribution main, including underground feeder pipe lines and related equipment, for properly conveying and measuring the quantity of Lake Michigan water delivered by the Commission to the County at the connection point for the Hobson Valley (Greene Road) Service Area provided for under the Hobson Valley (Greene Road) Joint Facility Agreement (collectively referred to as the "Hobson Valley (Greene Road) Metering Station"); and

WHEREAS, the Hobson Valley (Greene Road) Joint Facility Agreement provides that the Hobson Valley (Greene Road) Metering Station is to be located at a site selected and provided by the County, subject to review and approval by the Commission; and

WHEREAS, the County has selected the site legally described in Exhibit 1 to Exhibit A attached hereto (the "Hobson Valley (Greene Road) Metering Station

Easement Premises") for the location of the Hobson Valley (Greene Road) Metering Station; and

WHEREAS, the Commission has determined that it will be necessary and convenient for it to use, occupy, and improve the Hobson Valley (Greene Road) Metering Station Easement Premises for the aforesaid public purpose of acquiring and operating its Waterworks System, and, in particular, to construct, furnish, install, own, operate, maintain, test, inspect, remove, repair, and replace the Hobson Valley (Greene Road) Metering Station; and

WHEREAS, the territory of the Commission is partly within and partly without the corporate limits of the County; and

WHEREAS, the County desires to grant, convey, warrant, and dedicate to the Commission a perpetual easement for such purposes at, in, under, and upon the Hobson Valley (Greene Road) Metering Station Easement Premises, and the Commission is willing to accept such easement, pursuant to the authority conferred by the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq. and other applicable authority; and

WHEREAS, the County is willing to grant to the Commission a perpetual easement for such purposes in consideration of the sum of Ten Dollars (\$10.00);

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the DuPage Water Commission as follows:

SECTION ONE: The foregoing recitals are hereby incorporated herein as findings of the Board of Commissioners of the DuPage Water Commission.

SECTION TWO: An Easement Agreement by and between the Commission and the County of DuPage, in the form attached hereto and by this reference incorporated herein and made a part hereof as Exhibit A, shall be and it hereby is approved subject to satisfaction of the conditions precedent to execution and attestation set forth in Section Three below.

SECTION THREE: The General Manager and the Clerk of the DuPage Water Commission shall be and they hereby are authorized to execute and attest, respectively, an Easement Agreement with the County of DuPage in the form attached hereto as Exhibit A; provided, however, that they shall neither execute nor attest the Easement Agreement on behalf of the Commission unless and until (a) the General Manager shall have been presented with adequate evidence of merchantable fee simple title to the Hobson Valley (Greene Road) Metering Station Easement Premises being vested in the County of DuPage and (b) the General Manager shall have been presented with adequate evidence that the easement rights to be granted and insured to the Commission are free and clear of all liens, claims, encumbrances, and restrictions unless otherwise approved by the General Manager.

SECTION FOUR: Upon execution and attestation by the General Manager and the Clerk, respectively, the grant of easement for the Hobson Valley (Greene Road) Metering Station Easement Premises shall be deemed accepted by the Commission without further act.

Ordinance No. O-12-09

SECTION FIVE: This Ordinance shall be in full force and effect from and after its adoption.

AYES:

NAYS:

ABSENT:

ADOPTED this _____ day of _____, 2009.

Chairman

ATTEST:

Clerk

Board/Ordinances/O-12-09.doc

EXHIBIT A

DuPAGE WATER COMMISSION
METERING STATION
EASEMENT AGREEMENT
(DuPage County Hobson Valley (Greene Road) MS-9B)

PERMANENT REAL ESTATE TAX INDEX NO. Within Road Right of Way of 75th Street

Prepared by and Mail to:

Maureen A. Crowley
Staff Attorney
DuPage Water Commission
600 East Butterfield Road
Elmhurst, Illinois 60126

METERING STATION
EASEMENT AGREEMENT
(DuPage County Hobson Valley (Greene Road) MS-9B)

THIS EASEMENT AGREEMENT, made and entered into as of this ____ day of _____, 2009, by and between the DUPAGE WATER COMMISSION, a county water commission created and existing under the laws of the State of Illinois (the "Commission") and DUPAGE COUNTY "the Customer", a unit of local government created and existing under the laws of the State of Illinois and a customer of the Commission the "the Customer",

W I T N E S S E T H:

WHEREAS, the Commission and the Customer, a unit of local government created and existing under the laws of the State of Illinois and a customer of the Commission have entered into a certain Water Purchase and Sale Contract, dated as of July 13, 2006 (the "DuPage County Contract"), as supplemented by a certain Intergovernmental Agreement Concerning the Construction and Operation of a Joint Facility for the Hobson Valley (Greene Road) Service Area, dated as of _____, 2009 (the "Joint Facility Agreement"); and

WHEREAS, the Joint Facility Agreement provides that the Commission is to furnish, install, own, operate, maintain, and repair certain equipment and devices, together with certain structures and portions of its water distribution main, including underground feeder pipe lines and related equipment, for properly conveying and measuring the quantity of Lake Michigan water delivered by the Commission to the Customer at the connection point for the Hobson Valley (Greene Road) Service Area provided for under the Joint Facility Agreement (collectively referred to as the "Metering Station"); and

WHEREAS, the Joint Facility Agreement provides that the Metering Station is to be located at a site selected and provided by the Customer, subject to review and approval by the Commission; and

WHEREAS, the Customer has selected the site legally described in Exhibit 1 attached hereto and by this reference incorporated herein and made a part hereof (the "Metering Station Easement Premises") for the location of the Metering Station as generally depicted in Exhibit 2 attached hereto and by this reference incorporated herein and made a part hereof; and

WHEREAS, the Commission has reviewed the Metering Station Easement Premises and approved the same for the location of the Metering Station; and

WHEREAS, the Commission has submitted to the Customer for review the drawings and specifications for the Metering Station; and

WHEREAS, the Easement Premises are located in unimproved public right-of-way and the Customer is the owner of the Easement Premises and will grant an easement for the Metering Station Easement Premise; and

WHEREAS, the Commission desires to enter into this Easement Agreement the Customer in order to provide the Commission with a sufficient property interest in the Metering Station Easement Premises to fulfill the provisions and purpose of the DuPage County Contract, as supplemented by the Joint Facility Agreement; and

WHEREAS, the Commission has duly adopted its Ordinance No. 0-3-09, being "An Ordinance Requesting the Intergovernmental Transfer of Easement Rights for the DuPage County Hobson Valley (Greene Road) Metering Station MS-9B Site and Authorizing the Execution of the DuPage County Hobson Valley (Greene Road) Metering Station

Easement Agreement," pursuant to the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq.; and

WHEREAS, the Customer has duly adopted its Resolution No. PW-0008-09, being "A Resolution Approving the Intergovernmental Transfer of Easement Rights to the DuPage Water Commission," pursuant to the Local Government Property Transfer Act, 50 ILCS 605/0.01 et seq.;

NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in the exercise of their powers and authority under the intergovernmental cooperation provisions of Article VII, Section 10 of the Illinois Constitution of 1970 and the Intergovernmental Cooperation Act, 5 ILCS 220/1 et seq., and other applicable authority, the Commission and the Customer hereby agree as follows:

1. The foregoing recitals are hereby incorporated herein as substantive provisions of this Easement Agreement.

2. The Customer hereby grants, conveys, warrants, and dedicates to the Commission, its successors and assigns, a perpetual easement to construct, furnish, install, own, operate, maintain, test, inspect, remove, repair, and replace the Metering Station at, in, under, and upon the Metering Station Easement Premises, together with all reasonable rights of ingress and egress along or across any adjoining lands of, or under the jurisdiction and control of, the Customer.

3. The Metering Station shall be not located, constructed, or maintained in any manner not in substantial conformity with Exhibit 2 without the express consent of the Customer, which consent shall not be unreasonably withheld.

4. The Commission shall exercise the easement rights hereby granted with due care, and shall not unreasonably interfere with, damage, or harm any Customer] property located upon the Subject Property.

5. After construction of the Metering Station, the Metering Station Easement Premises shall be restored in accordance with the drawings and specifications for the Metering Station.

6. The Customer hereby reserves the right to use the Metering Station Easement Premises, and its adjacent property in any manner that will not prevent or interfere in any way with the exercise by the Commission of the rights granted hereunder; provided, however, that the Customer shall not in any manner disturb, damage, destroy, injure, obstruct, or permit to be obstructed the Metering Station Easement Premises without the express prior written consent of the Commission, nor shall the Customer permanently or temporarily improve, damage, or obstruct the Metering Station Easement Premises in any manner that would impair the exercise by the Commission of the rights hereby granted.

7. The Customer agrees to indemnify and defend the Commission with respect to any and all claims or damages to persons or property which may arise directly from the negligence of the Customer, or its agents or employees, in performing any work on the Metering Station Easement Premises in conjunction with its rights pursuant to Paragraph 7 hereof, and the Commission agrees to indemnify and defend the Customer with respect to any and all claims of damages to persons or property which may arise directly from the negligence of the Commission, or its agents or employees, in performing any work on the Metering Station Easement Premises in conjunction with its rights pursuant to Paragraphs 2, 5, 6 and 7 hereof. The Customer shall provide to the Commission, and the Commission

shall provide to the Customer, a certificate of insurance or proof of self-insurance coverage as evidence of its continuing ability to meet the obligation established in this Paragraph, and both shall maintain such coverage at all times.

8. Customer represents and warrants that it shall take all necessary action so that the easement contemplated by this Easement Agreement shall be released from all liens, including but not limited to the lien of all mortgages, mechanics' lien claims, security agreements, and assignments of rents and leases, and shall execute all such documents as may be reasonably necessary to perfect the Commission's right, title and interest therein.

9. This Easement Agreement shall constitute and stand in the place of all Customer permits required by the Commission or its contractor to construct, furnish, install, own, operate, maintain, test, inspect, repair, remove, or replace the Metering Station at, in, under, and upon the Metering Station Easement Premises, and the Customer hereby agrees to execute any and all additional documents, approvals, waivers, or consents, if any, that may be reasonably necessary for the Commission to secure any permits required from any county, state, or federal agency for or in connection with constructing, furnishing, installing, owning, operating, maintaining, testing, inspecting, repairing, removing, or replacing the Metering Station.

10. Upon the expiration of the term of this Easement Agreement as provided in Paragraph 2 hereof without renewal, or in the event that DuPage County Contract is terminated without renewal with respect to the Customer, the Commission shall, within 90 days execute and deliver to the Customer an appropriate document evidencing the termination of this Easement Agreement and releasing the easement rights hereby granted. The Commission shall, within said 90 day period, and at the Customer's expense,

remove the Metering Station from the Metering Station Easement Premises. If the Commission fails to remove the Metering Station, as aforesaid, the Customer may take title to the Metering Station.

In the event the Easement Agreement is ever terminated or the Customer's or the Commission's legal interest in or legal authority concerning the use of the Easement Premises for the Metering Station in the manner provided in the Easement Agreement is, for any reason, terminated or deemed or interpreted to be invalid, insufficient or nonexistent, the Commission shall remove the Metering Station from the Easement Premises at the Customer's sole cost and expense.

11. All rights, title, and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto and their respective grantees, successors, assigns, and legal representatives.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed by their proper representatives duly authorized to execute the same.

DUPAGE WATER COMMISSION

ATTEST:

ATTEST



Gary A. King, County Clerk

By:


_____ General Manager

COUNTY OF DUPAGE

By:


_____ Robert J. Schillerstrom, Chairman

EXHIBIT 1

LEGAL DESCRIPTION OF THE METERING STATION EASEMENT PREMISES

Hobson Valley Lake Michigan Metering Station Property Easement

PALOMINO DR

134.21

68

29.79

68

29.91

75TH ST

Legend

— Easement
--- guide line



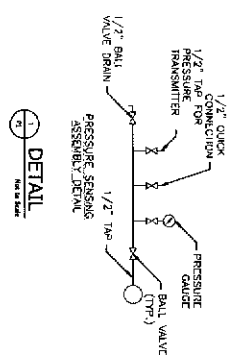
0 12.5 25 50 Feet

THAT PART OF THE PUBLIC RIGHT OF WAY OF 75TH STREET IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 IN FAIRLANE FARMS SUBDIVISION, RECORDED AS DOCUMENT NUMBER 63-013967; THENCE ON AN ASSUMED BEARING OF NORTH 88 DEGREES 04 MINUTES 20 SECONDS EAST, 134.21 FEET, ALONG THE SOUTH LINE OF SAID LOT 1 SAID LINE BEING ALSO THE NORTH RIGHT OF WAY LINE OF SAID 75TH STREET TO AN IRON PIPE, FOR A POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 04 MINUTES 20 SECONDS EAST, A DISTANCE OF 68.00 FEET, ALONG SAID SOUTH AND NORTH LINE, TO AN IRON PIPE; THENCE SOUTH 01 DEGREE 55 MINUTES 40 SECONDS EAST A DISTANCE OF 29.91 FEET TO A POINT; THENCE SOUTH 88 DEGREES 10 MINUTES 27 SECONDS WEST, A DISTANCE OF 68.00 FEET, TO A POINT; THENCE NORTH 01 DEGREE 55 MINUTES 40 SECONDS WEST A DISTANCE OF 29.79 FEET TO SAID POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS

EXHIBIT 2

PLANS FOR THE LOCATION OF THE METERING STATION



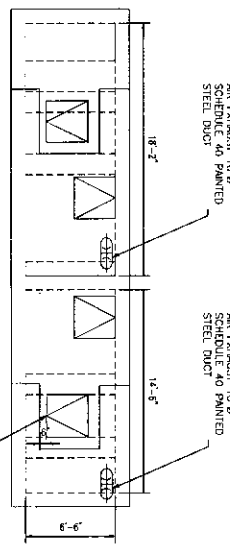


DELETED

1
P1

TOP PLAN

Scale: 1/4" = 1'-0"



1. INSTALLATION OF CONDUIT TO BE OUTSIDE. PREPARE AVOIDING STATION ON DISCHARGE SIDE. PROVIDE FLAG OR CAP AS NECESSARY ON END OF PIPE.
2. CONDUIT TO BE PLACED IN PLACE IN WHICH CABLES COULD BE PLACED.
3. PROVIDE LAMINATED PILING FOR INTERIOR WALLS. OTHERWISE, NOTED.
4. UTILIZE WALL CASINGS WITH WALL STOPS AND BRACES TO HOLD CONDUIT IN PLACE.
5. PROVIDE PROTECTIVE COATINGS FOR CONDUITS, PIPING, WIRE AND ELECTRICAL CONNECTIONS THROUGH EXISTING WALLS.
6. INSTALL CABLES AND TRANSDUCERS ON WALLS AS NOTED.
7. INSTALL CABLES, TRANSDUCERS, JUNCTIONS, ETC. AS NOTED.
8. NEEDED TO TRANSITION BETWEEN PIPE MATERIALS.
9. TO BE PROVIDED BY OWNER

SHEET	EXHIBIT A	OF TOTAL SHEETS
ALCON PROJECT NO. 60092726		

EXHIBIT 3

LEGAL DESCRIPTION OF THE SUBJECT PROPERTY

Hobson Valley Lake Michigan Metering Station Property Easement

PALOMINO DR

134.21

68

29.79

68

29.91

75TH ST

Legend

— Easement
--- guide line



0 12.5 25 50 Feet

THAT PART OF THE PUBLIC RIGHT OF WAY OF 75TH STREET IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS; COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 IN FAIRLANE FARMS SUBDIVISION, RECORDED AS DOCUMENT NUMBER 63-013967; THENCE ON AN ASSUMED BEARING OF NORTH 88 DEGREES 04 MINUTES 20 SECONDS EAST, 134.21 FEET, ALONG THE SOUTH LINE OF SAID LOT 1 SAID LINE BEING ALSO THE NORTH RIGHT OF WAY LINE OF SAID 75TH STREET TO AN IRON PIPE, FOR A POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 04 MINUTES 20 SECONDS EAST, A DISTANCE OF 68.00 FEET, ALONG SAID SOUTH AND NORTH LINE, TO AN IRON PIPE; THENCE SOUTH 01 DEGREE 55 MINUTES 40 SECONDS EAST A DISTANCE OF 29.91 FEET TO A POINT; THENCE SOUTH 88 DEGREES 10 MINUTES 27 SECONDS WEST, A DISTANCE OF 68.00 FEET, TO A POINT; THENCE NORTH 01 DEGREE 55 MINUTES 40 SECONDS WEST A DISTANCE OF 29.79 FEET TO SAID POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, _____, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Robert L. Martin, personally known to me to be the General Manager of the DuPage Water Commission, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed, and delivered said instrument as his free and voluntary act, and as the free and voluntary act of said Commission, for the uses and purposes therein set forth.

Given under my hand and official seal this _____ day of _____, 200_.

Notary Public

My Commission Expires: _____

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

I, _____, a Notary Public in and for said
County, in the State aforesaid, do hereby certify that _____
[of _____, and _____ of said
_____, personally known to me to be the same person(s) whose
name(s) is (are) subscribed to the foregoing instrument [as such
_____ and _____, respectively,]
appeared before me this day in person and acknowledged that (he) (she) (they) signed and
delivered said instrument as (his) (her) (their) free and voluntary act [, and as the free and
voluntary act of said _____,] for the uses and purposes therein
set forth.

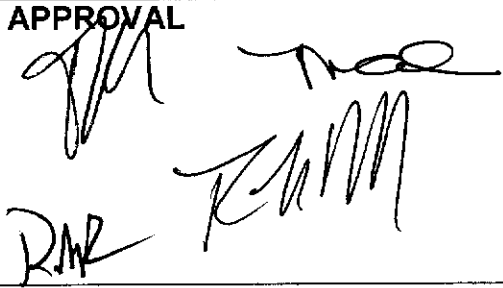
Given under my hand and official seal this _____ day of _____,
200__.

Notary Public

My Commission Expires:

DATE: August 7, 2009

REQUEST FOR BOARD ACTION

AGENDA SECTION	Omnibus Vote Requiring Majority Vote	ORIGINATING DEPARTMENT	Operations
ITEM	A Resolution Approving and Authorizing the Execution of a First Amendment to the Contract for Document Management System Consulting Services Resolution No. R-47-09	APPROVAL	
Account Number: 01-60-6280 (\$5,072.50)			
<p>On February 13, 2009, the Commission entered into a contract for Document Management System Consulting Services with CLS Group, Inc. to assist in the design and implementation of a document management system for Commission. In order to make more precise recommendations concerning the Commission's document scanning needs, and to assist the Commission in obtaining permission from the Local Records Commission to destroy non-critical Commission records, CLS conducted a more detailed inventory of Commission records than originally anticipated. This more detailed inventory was performed in preparation for and in conjunction with the inventory performed by a field representative of the Secretary of State's office (acting as a representative of the Local Records Commission).</p> <p>Resolution No. R-47-09 would increase the not-to-exceed cost of the services by \$5,072.50 in the Study and Report Phase to account for the more detailed inventory and assistance with Secretary of State inventory.</p>			
MOTION: To approve Resolution No. R-47-09.			

DuPAGE WATER COMMISSION

RESOLUTION NO. R-47-09

A RESOLUTION APPROVING AND AUTHORIZING THE
EXECUTION OF A FIRST AMENDMENT TO THE CONTRACT
FOR DOCUMENT MANAGEMENT SYSTEM
CONSULTING SERVICES

WHEREAS, the DuPage Water Commission ("Commission") and CLS Group, Inc. ("Consultant") previously entered into a certain "Document Management System Consulting Services," dated as of the 13th day February, 2009, and approved pursuant to Resolution No. R-9-09 adopted on February 12, 2009 (the "Contract") and

WHEREAS, the Commission and Consultant desire to amend the Contract (a) to include an inventory of boxed documents and assistance in obtaining permission from the Local Records Commission to destroy non-critical Commission records and (b) to modify certain not-to-exceed limitations on the cost of the work, the Board of Commissioners of the DuPage Water Commission hereby finding and determining, based upon the representations of staff and Consultant, that the circumstances said to necessitate the changes were not reasonably foreseeable at the time the Contract with Consultant was signed, the changes are germane to the Contract as signed, and/or the changes are in the best interest of the DuPage Water Commission and authorized by law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the DuPage Water Commission as follows:

SECTION ONE: The foregoing recitals are incorporated herein and made a part hereof as findings of the Board of Commissioners of the DuPage Water Commission.

SECTION TWO: A First Amendment to the Contract, in substantially the form attached hereto and by this reference incorporated herein and made a part hereof as

Exhibit 1, with such modifications as may be required or approved by the General Manager of the Commission, shall be and it hereby is approved.

SECTION THREE: The General Manager shall be and hereby is authorized and directed to execute the First Amendment to the Contract in substantially the form attached hereto as Exhibit 1 with such modifications as may be required or approved by the General Manager; provided, however, that the First Amendment shall not be so executed on behalf of the Commission unless and until the General Manager shall have been presented with copies of the First Amendment executed by CLS Group, Inc.

SECTION FOUR: This Resolution shall constitute the written determination required by Section 33E-9 of Article 33E of the Criminal Code of 1961 and shall be in full force and effect from and after its adoption.

AYES:

NAYS:

ABSENT:

ADOPTED THIS _____ DAY OF _____, 2009.

Chairman

ATTEST:

Clerk

EXHIBIT 1

**FIRST AMENDMENT
TO
CONTRACT BETWEEN
DuPAGE WATER COMMISSION
AND
CLS GROUP, INC.
FOR
DOCUMENT MANAGEMENT SYSTEM CONSULTING SERVICES**

THIS FIRST AMENDMENT TO CONTRACT FOR DOCUMENT MANAGEMENT SYSTEM CONSULTING SERVICES ("First Amendment"), made and entered into as of this 13th day of August, 2009, by and between the DuPage Water Commission, 600 East Butterfield Road, Elmhurst, Illinois 60126-4642, a unit of local government created and existing under the laws of the State of Illinois ("Owner"), and CLS Group, Inc., 188 Industrial Dr., #216, Elmhurst, Illinois 60126 ("Consultant"),

W I T N E S S E T H:

WHEREAS, Owner and Consultant previously entered into a certain "Contract for Document Management System Consulting Services," dated as of the 13th day February, 2009 ("Contract"); and

WHEREAS, the Commission and Consultant desire to amend the Contract (a) to include an inventory of boxed documents and assistance in obtaining permission from the Local Records Commission to destroy non-critical Commission records and (b) to modify certain not-to-exceed limitations on the cost of the work;

NOW, THEREFORE, in consideration of the foregoing and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Owner and Consultant hereby agree as follows:

SECTION ONE: Amendment to Section 6 of Attachment A. Section 6, entitled "Contract Price," of Attachment A, entitled "Supplemental Schedule of Contract Terms,"

to the Contract shall be, and it hereby is, amended in its entirety so that said Section 6 shall hereafter be and read as follows:

"6. **Contract Price:**

SCHEDULE OF PRICES

<u>Phase</u>	<u>Not to Exceed</u>
Study and Report	\$10,022.50
Design	\$8,400.00
Implementation Plan Development	\$7,200.00
Implementation	\$18,000.00"

SECTION TWO: Amendment to Section 1 of Attachment B. Section 1, entitled "Study and Report Phase," of Attachment B, entitled "Scope of Services," to the Contract shall be, and it hereby is, amended in its entirety so that said Section 1 shall hereafter be and read as follows:

"1. **Study and Report Phase:**

Task 1A: Review and Document Existing Systems. The Consultant shall review and document existing systems, hardware, software, resources, and activities in all departments as they relate to document management systems.

Task 1B: Inventory Documents. The Consultant shall inventory boxed documents and prepare a file that is easily usable for access to said documents.

Task 1C: Presentation(s). The Consultant shall conduct a presentation(s) to relevant department staff on document imaging concepts and possible municipal uses of document management systems.

Task 1D: Data Collection. The Consultant shall collect data to define the objectives and needs of each department including an evaluation of each department's business functions that would make use of a document management system.

Task 1E: Interviews. The Consultant shall conduct on-site interviews with each department's staff, consisting of potential users and management staff who are familiar with the functions of their departments but who will have varying degrees of knowledge of document management that is in current use at the Commission.

Task 1F: Meet Secretary of State Requirements. The Consultant shall meet with the Secretary of State Representative to review requirements for scanning of documents, storing of documents on a database, and destruction of documents.

Task 1G: Final Presentation and Assessment. The Consultant shall provide a presentation and a detailed written assessment with the information obtained from Task 1C and 1D. The presentation and assessment shall discuss objectives and requirements of each department in addition to opportunities for integration of existing systems (and planned future systems), resources, and activities into the proposed document management system.

Task 1H: Review and Comment on Assessment. Based upon Commission review and comment, the Consultant shall amend the assessment, as mutually agreed upon.

Task 1I: Status Reports and Meetings. The Consultant shall provide monthly project status reports to the Commission and attend monthly status meetings."

SECTION THREE: Contract in Full Force and Effect. In all other respects, the Contract shall remain in full force and effect, and the Contract shall be binding on both parties as hereinabove amended.

IN WITNESS WHEREOF, Owner has caused this First Amendment to be signed on its behalf by its General Manager, and Consultant has caused this First Amendment to be signed on its behalf by its President, as of the day and year first written above.

DUPAGE WATER COMMISSION

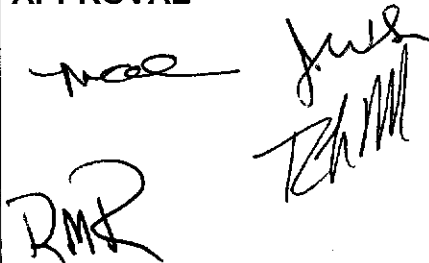
By: _____
Robert L. Martin
General Manager

CLS GROUP, INC.

By: _____
James Molitor
President

DATE: August 7, 2009

REQUEST FOR BOARD ACTION

AGENDA SECTION	Omnibus Vote Requiring Majority Vote	ORIGINATING DEPARTMENT	Instrumentation/ Remote Facilities
ITEM	A Resolution Approving and Ratifying Certain Task Orders Under a Master Contract with Peters & Associates, Inc. at the August 13, 2009, DuPage Water Commission Meeting Resolution No. R-48-09	APPROVAL 	
Account No.: 01-60-6280			
<p>The Commission entered into a master contract with Peters & Associates, Inc. dated April 10, 2009, for computer consulting services in connection with such discrete projects as are delineated and described in Task Orders to be approved by the Commission. Resolution No. R-48-09 would approve the following Task Orders under the Master Contract:</p> <p>Task Order No. 5: Security Assessment Remediation Work</p> <p>Task Order No. 5 will authorize Peters & Associates to perform the following basic tasks of remediation work that came out of the security assessment of the Commission's computer network:</p> <ul style="list-style-type: none">• Cisco PIX Firewall Configuration Changes• External Penetration Scan Remediation Changes• DNS Report Remediation Changes• Congruity Outbound Firewall Changes / Restrictions• Remote Access (Firewall) Changes• Content Filtering / Firewall Restrictions - Discussion <p>Cost of this Task Order will not exceed \$3,000.00.</p>			
MOTION: To approve Resolution No. R-48-09.			

DuPAGE WATER COMMISSION

RESOLUTION NO. R-48-09

A RESOLUTION APPROVING AND RATIFYING CERTAIN
TASK ORDERS UNDER A MASTER CONTRACT
WITH PETERS & ASSOCIATES, INC. AT THE
AUGUST 13, 2009, DuPAGE WATER COMMISSION MEETING

WHEREAS, the DuPage Water Commission (the "Commission") entered into a contract with Peters & Associates, Inc. (the "Consultant") dated April 10, 2009, to provide, from time to time, computer consulting services in connection with various projects of the Commission (the "Master Contract"); and

WHEREAS, the Master Contract sets forth the terms and conditions pursuant to which the Commission will obtain from time to time, and the Consultant will provide from time to time, computer consulting services for such discrete projects as are delineated and described in Task Orders to be approved by the Commission and the Consultant; and

WHEREAS, the Consultant has approved the Task Orders attached hereto and by this reference incorporated herein and made a part hereof as Exhibit 1 (the "Task Orders");

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the DuPage Water Commission as follows:

SECTION ONE: The foregoing recitals are incorporated herein and made a part hereof as findings of the Board of Commissioners of the DuPage Water Commission.

SECTION TWO: The Task Orders attached hereto as Exhibit 1 shall be and hereby are approved and, if already issued, ratified because the Board of Commissioners of the DuPage Water Commission has determined, based upon the representations of

Resolution No. R-48-09

staff and the Consultant, that the circumstances said to necessitate the Task Orders were not reasonably foreseeable at the time the Master Contract was signed, the Task Orders are germane to the Master Contract as signed, and/or the Task Orders are in the best interest of the DuPage Water Commission and authorized by law.

SECTION THREE: This Resolution shall constitute the written determination required by Section 33E-9 of Article 33E of the Criminal Code of 1961 and shall be in full force and effect from and after its adoption.

AYES:

NAYS:

ABSENT:

ADOPTED THIS _____ DAY OF _____, 2009.

Chairman

ATTEST:

Clerk

EXHIBIT 1

TASK ORDER NO. 5

In accordance with Section 1.1 of the Master Contract between the DuPage Water Commission ("Owner" or "DWC") and Peters & Associates, Inc. ("Consultant" or "P&A") for Computer Consulting Services dated April 10, 2009 (the "Contract"), Owner and Consultant agree as follows:

1. **Project:**

Security Assessment Remediation Work

2. **Services of Consultant:**

The following sections detail the scope of work for each of the various components included in this project:

A. Cisco PIX Firewall Configuration Changes

- Reconfigure the Cisco PIX 515 Firewall, to address the settings that were found to "FAIL", based upon the Router Audit Tool (RAT) assessment

B. External Penetration Scan Remediation Changes

- Implement configuration changes, where available, to the various hosts which exhibited potential security vulnerabilities during the external penetration scan
 - Update device software / OS, if possible
 - Enable / disable services, as necessary
 - Make configuration changes to devices, as necessary

C. DNS Report Remediation Changes

- Acceptance of postmaster address
 - Configure the Exchange server to accept mail to "postmaster@dwpc.org"
- Missing Nameservers (2) / Stealth NS Record Leakage
 - Assist DWC in contacting AT&T / SBC regarding the nameserver / nameserver record leakage issues
 - Request that AT&T / SBC address the issues

D. Congruity Outbound Firewall Changes / Restrictions

- Implement firewall restrictions, related to unnecessary open ports
 - Done prior to users beginning work, if / when possible
- Monitor the firewall / network for any issues related to implemented restrictions / changes to ports

- Resolve any port issues that arise, based on DWC IT / management approval

E. Remote Access (Firewall) Changes

- Review the current remote access configuration
- Discuss the current remote access needs, users, access, etc., with DWC
- Configure the firewall to authenticate against Active Directory
 - Firewall can query against a user's group membership for authentication
 - This would eliminate the need for the firewall configuration to be changed each time a remote access user account needs to be changed.

F. Content Filtering / Firewall Restrictions – Discussion

- Discuss the need for content filtering
 - Identify products that can provide this service (Websense, SonicWALL, etc.)
 - Discuss pros and cons of the various product options
 - Discuss the implementation process, including installation, configuration, etc.
- Discuss the recommended firewall restrictions and alternate solutions for addressing these needs
 - Identify products that can assist in implementing such restrictions / ensuring the security of the network
 - Review options, such as a firewall with an IPS (Intrusion Prevention System) module or Websense, among other options

G. Assumptions

- DWC will provide authorized P&A personnel with:
 - Access to required data centers / servers
 - Access to required passwords
 - Access to required DWC personnel
 - Adequate work space
 - Access to the Internet
- P&A will assist DWC in contacting third party service providers and requesting the necessary changes
 - AT&T / SBC

- All work will be performed during regular business hours, unless agreed upon by both parties.

3. **Approvals and Authorizations:** Consultant shall obtain the following approvals and authorizations:

None

4. **Commencement Date:**

August 14, 2009

5. **Completion Date:**

September 30, 2009

6. **Submittal Schedule:**

None

7. **Key Project Personnel:**

Larry Jensen, Senior Account Manager

Jim Friel, Project Manager

8. **Contract Price:**

For providing, performing, and completing all Services, an amount equal to Consultant's Direct Labor Costs for all Services rendered by principals and employees engaged directly on the Project, plus an amount equal to the actual costs of all Reimbursable Expenses.

Notwithstanding the foregoing, the total Contract Price shall not exceed \$3,000.00 except as adjusted by a Change Order issued pursuant to Section 2.1 of the Contract.

9. **Payments:**

For purposes of payments to Consultant, the value of the Services shall be determined as follows:

Direct Labor Costs shall mean the billing rates assigned to all Consultant personnel engaged directly on the Project, whether as owners or employees, as set forth below:

Senior Consultant and Project Manager:

Monday – Friday, 8am – 5pm	\$150.00/hr
All other hours	\$195.00/hr

Senior Technician:

Monday – Friday, 8am – 5pm	\$75.00/hr
All other hours	\$95.00/hr

Reimbursable Expenses shall mean the actual expenses incurred by Consultant directly or indirectly in connection with the Project, including expenses for transportation, telephone, postage, computer time and other highly specialized equipment, reproduction and similar Project related items.

10. **Special Safety Requirements:**

None

11. **Modifications to Contract:**

None

12. **Attachments:**

None

Approval and Acceptance: Acceptance and approval of this Task Order, including the attachments listed above, shall incorporate this Task Order as part of the Contract.

The Effective Date of this Task Order is August 14, 2009.

DUPAGE WATER COMMISSION

By: _____
Robert L. Martin, P.E.
General Manager

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: John Schori
Title: Instrumentation & Remote Facilities Supervisor
Address: 600 East Butterfield Road, Elmhurst, Illinois 60126-4642
E-mail Address: schori@dpwc.org
Phone: (630) 834-0100
Fax: (630) 834-0120

PETERS & ASSOCIATES, INC.

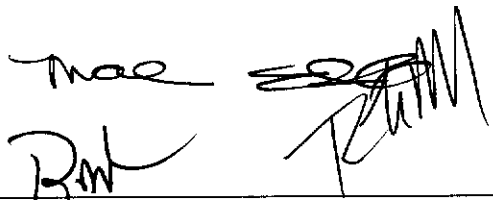
By: _____
Name: _____
Title: _____

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Larry Jensen
Title: Senior Account Manager
Address: 1801 South Meyers Road, Suite 120, Oakbrook Terrace, Illinois 60181
E-mail Address: larry.jensen@peters.com
Phone: (630) 832-0075
Fax: (630) 832-9636

DATE: August 7, 2009

REQUEST FOR BOARD ACTION

AGENDA SECTION	Omnibus Vote Requiring Super-Majority or Special Majority Vote	ORIGINATING DEPARTMENT	Pipeline
ITEM	A Resolution Approving a Second Amendment to Task Order No. 21 Under the Master Contract with AECOM USA, Inc. Resolution No. R-42-09	APPROVAL	
Account No.: Task Order No. 21 (01-60-6631)			
<p>The Commission entered into a Master Contract with AECOM USA, Inc., formerly known as Consoer Townsend Envirodyne Engineers, Inc., dated May 14, 2004, for professional engineering services in connection with such discrete projects as are delineated and described in Task Orders to be approved by the Commission.</p> <p>Pursuant to Resolution No. R-8-08, the Commission approved Task Order No. 21 to the Master Contract, at a cost not to exceed \$11,500.00, for the evaluation of remedial measures to eliminate potential conflicts with Commission facilities at 75th and Washington Streets, Naperville. In October of 2008, the Commission approved a First Amendment to Task Order No. 21 to change the title of the Task Order, to add project design and bidding services, to extend the completion date from April 8, 2008, to December 31, 2008, and to increase the not-to-exceed limit on the cost of the work from \$11,500.00 to \$35,380.00.</p> <p>Resolution No. R-42-09 would approve a Second Amendment to Task Order No. 21 to add construction services, to extend the completion date from December 31, 2008 to January 31, 2010, and to increase the not-to-exceed limit on the cost of the work from \$35,380.00 to \$50,380.00.</p>			
MOTION: To approve Resolution No. R-42-09.			

DUPAGE WATER COMMISSION**RESOLUTION NO. R-42-09****A RESOLUTION APPROVING
A SECOND AMENDMENT
TO TASK ORDER NO. 21 UNDER THE
MASTER CONTRACT WITH AECOM USA, INC.**

WHEREAS, the DuPage Water Commission (the "Commission") entered into a contract with AECOM USA, Inc., formerly known as Consoer Townsend Envirodyne Engineers, Inc. (the "Consultant"), dated May 14, 2004, to provide, from time to time, professional engineering services in connection with the design and construction of extensions and improvements to the Waterworks System and other projects of the Commission (the "Master Contract"); and

WHEREAS, the Master Contract sets forth the terms and conditions pursuant to which the Commission will obtain from time to time, and the Consultant will provide from time to time, professional engineering services for such discrete projects as are delineated and described in Task Orders to be approved by the Commission and the Consultant; and

WHEREAS, pursuant to Resolution No. R-8-08, the Commission approved Task Order No. 21 to the Master Contract for the evaluation of remedial measures to eliminate potential conflicts with Commission facilities at 75th and Washington Streets, Naperville (the "Original Task Order No. 21"); and

WHEREAS, the Commission and Consultant entered into a First Amendment to the Original Task Order No. 21 (the "First Amendment"), dated October 10, 2008, and approved pursuant to Resolution No. R-51-08, adopted on October 9, 2008 to change the title of the Original Task Order No. 21 and to include design and bidding services for

the relocation of Commission facilities located at the intersection of 75th and Washington Streets in Naperville (the Original Task Order No. 21 as amended by the First Amendment hereinafter collectively referred to as "Task Order No. 21"); and

WHEREAS, the Commission and the Consultant desire to further amend Task Order No. 21 to add construction services to the scope of services, to extend the completion date for the services to be provided, and to increase the not-to-exceed limit on the cost of the work, the Board of Commissioners of the DuPage Water Commission hereby finding and determining, based upon the representations of staff and Consultant, that the circumstances said to necessitate the changes were not reasonably foreseeable at the time the Task Order No. 21 was signed, the changes are germane to Task Order No. 21 as signed, and/or the changes are in the best interest of the DuPage Water Commission and authorized by law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the DuPage Water Commission as follows:

SECTION ONE: The foregoing recitals are incorporated herein and made a part hereof as findings of the Board of Commissioners of the DuPage Water Commission.

SECTION TWO: A Second Amendment to Task Order No. 21, in substantially the form attached hereto and by this reference incorporated herein and made a part hereof as Exhibit 1, with such modifications as may be required or approved by the General Manager of the Commission, shall be and it hereby is approved.

SECTION THREE: The General Manager shall be and hereby is authorized and directed to execute the Second Amendment to Task Order No. 21 in substantially the form attached hereto as Exhibit 1 with such modifications as may be required or

Resolution No. R-42-09

approved by the General Manager; provided, however, that the Second Amendment shall not be so executed on behalf of the Commission unless and until the General Manager shall have been presented with copies of the Second Amendment executed by AECOM USA, Inc.

SECTION FOUR: This Resolution shall constitute the written determination required by Section 33E-9 of Article 33E of the Criminal Code of 1961 and shall be in full force and effect from and after its adoption.

AYES:

NAYS:

ABSENT:

ADOPTED THIS _____ DAY OF _____, 2009.

Chairman

ATTEST:

Clerk

Board/Resolutions/R-42-09.doc

EXHIBIT 1

SECOND AMENDMENT TO TASK ORDER NO. 21

In accordance with Section 1.1 of the Master Contract between the DuPage Water Commission ("Owner") and AECOM USA, Inc., formerly known as Consoer Townsend Envirodyne Engineers, Inc. ("Consultant"), for Professional Engineering Services dated May 14, 2004 (the "Contract"), Owner and Consultant agree to amend, effective as of August 14th, 2009, Task Order No. 21 to the Contract for professional engineering services in connection with the South Transmission Main Relocation—75th and Washington Streets, Naperville, as previously amended by a First Amendment dated as of October 10, 2008 (collectively, "Task Order No. 21"), as follows:

1. Description and Scope of the Project:

Section 2, entitled "Description and Scope of the Project," of Task Order No. 21 shall be, and it hereby is, amended in its entirety so that said Section 2 shall hereafter be and read as follows:

"2. Description and Scope of the Project:

Review plans and specifications for a project to widen 75th and Washington Streets in the City of Naperville; identify potential conflicts between the proposed improvements and existing Commission facilities; recommend remedial measures to eliminate identified conflicts; prepare design drawings and specifications; and provide bidding and construction services for a contract to relocate conflicting Commission facilities."

2. Services of Consultant:

Subsection 3A, entitled "Basic Services," of Section 3, entitled "Services of Consultant," of Task Order No. 21 shall be, and it hereby is, amended in its entirety so that said Subsection 3A shall hereafter be and read as follows:

"A. Basic Services:

1. Review and analyze available data and site conditions.
2. Determine if existing Commission facilities are in conflict with the proposed improvements and provide comparative studies of prospective solutions.
3. For each of the alternatives studied, prepare a site plan and a section drawing.
4. For each of the alternatives studied, identify the permits, if any, that may be required. Also, identify any problems and/or difficulties that may be encountered.

5. Upon completion of the study, prepare a report including such graphs, tables, drawings, and text as are necessary to describe each of the alternatives studied and the conclusions reached. The report should also include a summary of pertinent facts, including an opinion of probable cost for each alternative studied and a recommended course of action based upon the results of the alternatives studied.
6. Provide five copies of a draft report for review and approval by Owner and review them in person with Owner.
7. Revise the draft report in response to Owner's comments and provide twenty-five copies of the final report to Owner.

After written authorization to proceed:

8. Prepare preliminary design drawings and specifications for the relocation of conflicting Commission facilities. Such drawings and specifications shall show the general scope, extent, and character of the work to be furnished and performed by the construction contractor.
9. Furnish five copies of the preliminary design drawings and specifications, together with Consultant's revised opinion of Construction Cost of the Project, for review and approval by Owner, and review them in person with Owner.
10. On basis of accepted Preliminary Design Documents and the revised opinion of probable Project Costs and Construction Cost of the Project, prepare pricing and quantity proposal forms, final drawings, and final specifications for incorporation in the construction contract documents.
11. Assist Owner by providing all required criteria, descriptions, and design data and consulting with officials and Owner to obtain permits and to prepare other bidding and construction contract documents.
12. Furnish five copies of the proposal forms, drawings and specifications, together with Consultant's revised opinion of probable Project Costs and Construction Cost of the Project, based upon the drawings and specifications and the other bidding and construction contract documents, for review and approval by Owner, and review them in person with Owner.

After written authorization to proceed:

13. Assist Owner in advertising for and obtaining bids. Maintain a record of prospective bidders to whom bidding documents have been issue and attend pre-bid conferences.
14. Issue addenda as appropriate and approved by Owner.
15. Consult with and advise Owner as to the acceptability of contractors, subcontractors, suppliers, and other persons if such acceptability is required by the construction contract documents.
16. Consult with Owner as to acceptability of proposed substitute materials and equipment.
17. Attend the bid opening, prepare bid tabulation sheets, and assist Owner in evaluating bids and in assembling and awarding the construction contract.

After written authorization to proceed:

18. Furnish advice and consulting services during the construction period.
19. Review, return and comment on shop drawings and other equipment drawings furnished by contractors for materials and equipment to be incorporated into the work. Submittals shall be returned within 30 days of receipt by Consultant.
20. Consult and advise on the interpretation of the construction contracts.
21. Assist Owner and field personnel in checking laboratory tests of construction materials and equipment which are to be incorporated into the work.
22. Review contractors' breakdown of cost, material quantities and scheduling.
23. Prepare and submit proposed change orders to Owner for its consideration, approval or denial. Consultant shall, when requested, submit recommendations on proposed change orders.
24. Schedule and attend preconstruction and job conferences and promptly prepare and circulate minutes thereof to all participants.

25. Conduct final inspection of the construction work, and prepare punchlists for corrections and recommend, when the construction work is complete, final payment to the construction contractors.
26. Prepare and continuously update drawings of record and submit one set of reproducible drawings of record to Owner within 90 days from the completion of the construction contract."

3. **Completion Date:**

Section 6, entitled "Completion Date," of Task Order No. 21 shall be, and it hereby is, amended in its entirety so that said Section 6 shall hereafter be and read as follows:

"6. **Completion Date:**

January 31, 2010, plus extensions, if any, authorized by a Change Order issued pursuant to Section 2.1 of the Contract."

4. **Contract Price:**

Section 9, entitled "Contract Price," of Task Order No. 21 shall be, and it hereby is, amended in its entirety so that said Section 9 shall hereafter be and read as follows:

"9. **Contract Price:**

For providing, performing, and completing all Services, an amount equal to Consultant's Direct Labor Costs times a factor of 1.93 for all Services rendered by principals and employees engaged directly on the Project, plus an amount equal to the actual costs of all Reimbursable Expenses.

Notwithstanding the foregoing, the total Contract Price shall not exceed \$50,380.00 except as adjusted by a Change Order issued pursuant to Section 2.1 of the Contract."

In all other respects, Task Order No. 21 to the Contract shall remain in full force and effect and Task Order No. 21 to the Contract shall be binding on both parties as hereinabove amended.

DUPAGE WATER COMMISSION

By: _____

Robert L. Martin
General Manager

Second Amendment to
Task Order No. 21

AECOM USA, INC.

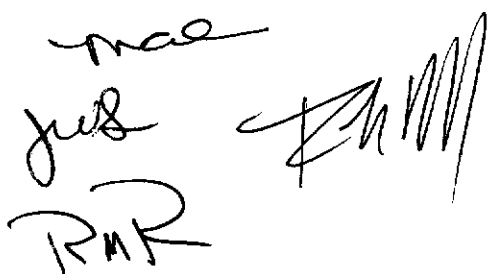
By: _____

Name: _____

Title: _____

DATE: August 7, 2009

REQUEST FOR BOARD ACTION

AGENDA SECTION	Omnibus Vote Requiring Super-Majority or Special Majority Vote	ORIGINATING DEPARTMENT	Instrumentation / Remote Facilities
ITEM	A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Electrical Contract QRE-4/08 at the August 13, 2009, DuPage Water Commission Meeting Resolution No. R-43-09	APPROVAL 	
Account Number: 01-60-6560			
<p>The Commission entered into certain agreements dated December 18, 2008, with Divane Bros. Electric Co. and January 1, 2009, with Aldridge Electric, Inc. for quick response electrical work as needed through the issuance of Work Authorization Orders. Resolution No. R-43-09 would approve the following Work Authorization Orders under the Quick Response Electrical Contracts:</p> <p>Work Authorization Order No. 005 to Divane Bros. Electric Co.: This Work Authorization was issued, and the work completed, prior to board approval to avoid delaying work on the PSD-6A and PSD-7 construction contracts and involves two tasks at the pump station:</p> <ol style="list-style-type: none">1.) Replacing existing conduits between the pump station and the reservoir that are badly corroded allowing ground water to enter the conduits causing further damage to junction boxes and conduits inside the pump station. These conduits cross the south access road between the pump station and the reservoir that is scheduled to be paved during the first week in August under Contract PSD-7.2.) Installing two new fiber optic cables in an existing conduit path between the pump station and the 72-inch Meter Building allowing required communications from the new Equipment Storage Building being built under Contract PSD-6A and for future use. <p>The cost of this work is estimated to be \$20,300.00.</p>			
MOTION: To approve Resolution No. R-43-09.			

DuPAGE WATER COMMISSION

RESOLUTION NO. R-43-09

A RESOLUTION APPROVING AND
RATIFYING CERTAIN WORK AUTHORIZATION ORDERS
UNDER QUICK RESPONSE ELECTRICAL CONTRACT QRE-4/08
AT THE AUGUST 13, 2009, DuPAGE WATER COMMISSION MEETING

WHEREAS, the DuPage Water Commission (the "Commission") entered into certain agreements dated December 18, 2008, with Divane Bros. Electric Co. and January 1, 2009, with Aldridge Electric, Inc. for quick response electrical work related to the Commission's Waterworks System (said agreements being hereinafter collectively referred to as "Contract QRE-4/08"); and

WHEREAS, Contract QRE-4/08 is designed to allow the Commission to direct one or more or all of the quick response electrical contractors to perform emergency electrical work, including without limitation electrical work that the Commission is unable to perform through its own personnel and with its own equipment, as needed through the issuance of Work Authorization Orders; and

WHEREAS, the need for such emergency electrical work could not have been reasonably foreseen at the time the contracts were signed;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the DuPage Water Commission as follows:

SECTION ONE: The foregoing recitals are by this reference incorporated herein and made a part hereof as findings of the Board of Commissioners of the DuPage Water Commission.

SECTION TWO: The Work Authorization Orders attached hereto and by this reference incorporated herein and made a part hereof as Exhibit 1 shall be and hereby are

Resolution No. R-43-09

approved and, if already issued, ratified because the Board of Commissioners of the DuPage Water Commission has determined, based upon the representations of staff, that the circumstances said to necessitate the Work Authorization Orders were not reasonably foreseeable at the time the contracts were signed, the Work Authorization Orders are germane to the original contracts as signed and/or the Work Authorization Orders are in the best interest of the DuPage Water Commission and authorized by law.

SECTION THREE: This Resolution shall constitute the written determination required by Section 33E-9 of the Criminal Code of 1961 and shall be in full force and effect from and after its adoption.

AYES:

NAYS:

ABSENT:

ADOPTED this ____ day of _____, 2009.

Chairman

ATTEST:

Clerk

Exhibit 1

WORK AUTHORIZATION ORDER

SHEET 1 OF 2

CONTRACT QRE-4/08: QUICK RESPONSE ELECTRICAL CONTRACT

PROJECT: QRE-4.005

LOCATION:

DuPage Pumping Station

CONTRACTOR:

Divane Bros. Electric Co.

DESCRIPTION OF WORK:

- 1.) Replace existing conduits between the pump station and the top of the reservoir with PVC coated rigid conduit. Wires and cables are to be pulled out and re-used if possible.
- 2.) Install two new fiber optic cables between the pump station and 72-inch Meter Building in an existing conduit path. One cable is to be 12 strands of 62.5 micron and the other 12 strands of 50 micron. The fiber cables are to be terminated with ST type connectors in a panel mounted LIU box and tested.

REASON FOR WORK:

- 1.) Conduits are badly corroded allowing ground water to enter the conduits causing further damage to junction boxes and conduits inside the pump station.
- 2.) Additional fiber is required for communications to the pump station from the new Equipment Storage Building being built under Contract PSD-6A.

MINIMUM RESPONSE TIME:

By end of day August 31, 2009.

COMMISSION-SUPPLIED MATERIALS, EQUIPMENT AND SUPPLIES TO BE INCORPORATED INTO THE WORK:

None

THE WORK ORDERED PURSUANT TO THIS WORK AUTHORIZATION ORDER

☐ IS ☒ IS NOT PRIORITY EMERGENCY WORK

SUBMITTALS REQUESTED:

- 1.) PVC Coated Rigid Conduit and fittings
- 2.) Fiber cables
- 3.) Termination connectors and boxes
- 4.) Cable test results

SUPPLEMENTARY NOTIFICATION OF POTENTIALLY HAZARDOUS CONDITIONS:

None

SUPPLEMENTARY CONTRACT SPECIFICATIONS AND DRAWINGS:

None

DUPAGE WATER COMMISSION

By:



Signature of Authorized
Representative

DATE:

7/23/09

CONTRACTOR RECEIPT ACKNOWLEDGED:

By:



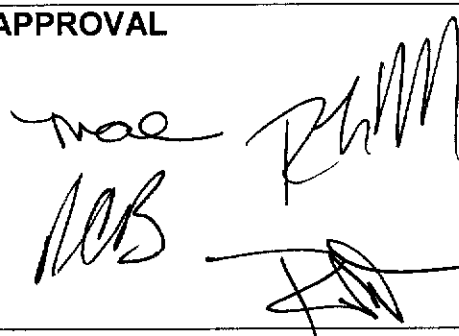
Signature of Authorized
Representative

DATE:

7-27-09

DATE: August 7, 2009

REQUEST FOR BOARD ACTION

AGENDA SECTION	Omnibus Vote Requiring Super-Majority or Special Majority Vote	ORIGINATING DEPARTMENT	Facilities Construction/Safety Coordinator
ITEM	A Resolution Approving and Ratifying Certain Contract Change Orders at the August 13, 2009, DuPage Water Commission Meeting Resolution No. R-44-09	APPROVAL 	
Account Number: 01-60-8202.01- (PSC-5/08) \$250,000.00 01-60-7212.01- (PSD-6A/08) \$48,702.00 01-60-7213.01- (PSD-7/08) \$33,179.00			
Resolution No. R-44-09 would approve the following Change Orders:			
Change Order No. 1 to Contract PSC-5/08 (Photovoltaic System at the Lexington Pumping Station). Change Order No. 1 would increase the Contract Price by \$250,000.00 for additional photovoltaic capacity.			
<p>The City of Chicago has received a grant in the amount of \$250,000.00 from the Illinois Department of Commerce and Economic Opportunity to increase the size of the photovoltaic system and has requested the Commission authorize a Contract Change Order for the expansion. The General Contractor, Divane Brothers, has proposed to furnish and install additional photovoltaic modules to produce 24 kilowatts of additional capacity at a cost of \$250,000.00. The proposal has been found to be acceptable to the Chicago Department of Water Management. The Completion Date would remain as July 21, 2010.</p>			
<p>Approval of this negotiated Change Order would increase the Contract Price by \$250,000.00, but does not authorize or necessitate an increase in the Contract Price that is 50% or more of the original Contract Price nor, based upon the Contractor's sworn certification, authorize or necessitate an increase in the price of any subcontract under the Contract that is 50% or more of the original subcontract price.</p>			
Change Order No. 2 to Contract PSD-6A/08 (Granular Material Storage and Vehicle Storage Buildings for the DuPage Pumping Station). Change Order No. 2 would increase the Contract Price by \$48,702.00 and extend the Completion Date from September 3, 2009 to September 17, 2009, due to (1) the installation of fire suppression system controls and alarms for the wet-pipe fire suppression system mechanically installed and connected to the available water supply under Change Order No. 1 (\$3,111.00); (2) the installation of a stormwater detention basin complete with tree removal, silt fencing, surveying, construction staking, drainage swale, outlet structure, bypass, landscaping and seeding (\$44,158.00 and 14-day extension); and (3) manhole adjustments to convert existing storm water access structures to storm water inlet structures (\$1,433.00).			

AGENDA SECTION	Omnibus Vote Requiring Super-Majority or Special Majority Vote	ORIGINATING DEPARTMENT	Facilities Construction/Safety Coordinator
ITEM	A Resolution Approving and Ratifying Certain Contract Change Orders at the August 13, 2009, DuPage Water Commission Meeting Resolution No. R-44-09	APPROVAL	

The first two categories of additional work were required because, after the Contract was signed, and during the final stages of the permit review process, the City of Elmhurst re-classified the Vehicle Storage Building to a class that required a wet-pipe fire suppression system and also required a Storm Water Pollution Prevention Plan which resulted in requiring a detention basin for the site. The third category of additional work was required because, during site engineering for the newly required stormwater facilities, it was determined that adjusting the elevation of existing manholes would be required in order to convert existing storm water access structures into storm water inlet structures capable of collecting storm water.

Approval of this negotiated Change Order would increase the Contract Price by \$48,702.00, which is within the cost range estimated by the Engineer, but does not authorize or necessitate an increase in the Contract Price that is 50% or more of the original Contract Price nor, based upon the Contractor's sworn certification, authorize or necessitate an increase in the price of any subcontract under the Contract that is 50% or more of the original subcontract price.

Change Order No. 4 to Contract PSD-7/08 (Electric Generation Facility and Office/Garage Expansion for the DuPage Pumping Station). This change order would increase the Contract Price by \$33,179.00 due to (1) additional electrical work requested by Commission Staff to expedite the transfer of electrical services in conjunction with the ComEd distribution improvements necessary to add the Commission's generation facilities (\$4,359.00); (2) revisions to the Butterfield Road entrance required by the Illinois Department of Transportation (\$20,334.00); (3) provision and installation of additional gypsum board in the conference room of the Office Building and re-painting of the ceiling in the converted Service Building unintentionally omitted from finish schedules (\$6,256.00); and (4) adjustment of the height of the general office counter top knee-wall and brick framing of the new main entrance door into the Office Building to address dimensional discrepancies (\$2,230.00). The final Contract Completion Date would remain as November 25, 2010.

The additional electrical work requested by Commission Staff included excavation and placement of additional conduits to provide a direct path for the reconfigured service feeders, from the existing ComEd power poles to the existing transformer locations, in order for ComEd to minimize the length of time that the Commission was on a single electrical service feed from an estimated 96 hours down to 16 hours. As part of ComEd's scope of work, ComEd's work practices required a long term shut down of their facilities to cut into the existing feeder conduits, remove old cable, pull new cable and perform splicing over several 8-hour shifts. By

AGENDA SECTION	Omnibus Vote Requiring Super-Majority or Special Majority Vote	ORIGINATING DEPARTMENT	Facilities Construction/Safety Coordinator
ITEM	<p>A Resolution Approving and Ratifying Certain Contract Change Orders at the August 13, 2009, DuPage Water Commission Meeting</p> <p>Resolution No. R-44-09</p>	APPROVAL	
<p>having the Contractor performing this preliminary work, the ComEd shut down and splicing was held to less than two 8-hour shifts and the Commission was able to maintain a seamless pumping operation.</p> <p>The revisions to the Butterfield Road entrance were required by the Illinois Department of Transportation (IDOT) in order to release the construction permit for the relocated Butterfield Road entrance. The revisions included an additional thickness of asphalt pavement, a rumble-strip median between ingress and egress lanes, and stormwater overflow facilities to direct any high stormwater off of the IDOT right-of way back into Commission detention facilities.</p> <p>The additional gypsum board overlay of the existing face brick on the south wall of the conference/training room is required because it was unintentionally omitted from the design finish schedule and is necessary to permit the painting of the wall for its intended use as a projection screen and dry erase board. Similarly, the re-painting of the ceiling in former Service Building, which is being converted into the main electric room, is required because it was also unintentionally omitted from the room finish schedule, and the ceiling has several in-filled openings and patches left from equipment demolition that require painting.</p> <p>Finally, the height adjustments and brick framing are required because of a dimensional discrepancy that was discovered where a knee-wall to be fabricated would not perform its intended function of covering exposed concrete along the south wall of the general office, and additional framing materials, gypsum board, and brick masonry is needed to complete the knee-wall.</p> <p>Approval of this negotiated Change Order would increase the Contract Price by \$33,179.00, which is within the cost range estimated by the Engineer, but does not authorize or necessitate an increase in the Contract Price that is 50% or more of the original Contract Price nor, based upon the Contractor's sworn certification, authorize or necessitate an increase in the price of any subcontract under the Contract that is 50% or more of the original subcontract price.</p>			
MOTION: To approve Resolution No. R-44-09.			

DUPAGE WATER COMMISSION

RESOLUTION NO. R-44-09

A RESOLUTION APPROVING AND RATIFYING
CERTAIN CONTRACT CHANGE ORDERS AT THE
AUGUST 13, 2009, DUPAGE WATER COMMISSION MEETING

BE IT RESOLVED by the Board of Commissioners of the DuPage Water Commission as follows:

SECTION ONE: The Change Orders set forth on Exhibit 1, attached hereto and by this reference incorporated herein and made a part hereof, shall be and hereby are approved and, if already issued, ratified because the Board of Commissioners of the DuPage Water Commission has determined that the circumstances said to necessitate the changes were not reasonably foreseeable at the time the contracts were signed, the Change Orders are germane to the original contracts as signed and/or the Change Orders are in the best interest of the DuPage Water Commission and authorized by law.

SECTION TWO: This Resolution shall constitute the written determination required by Section 33E-9 of Article 33E of the Criminal Code of 1961 and shall be in full force and effect from and after its adoption.

AYES:

NAYS:

ABSENT:

ADOPTED this _____ day of _____, 2009.

Chairman

ATTEST:

Clerk

Exhibit 1

Resolution No. R-44-09

1. Change Order No. 1: Contract PSC-5/08 (Photovoltaic System at the Lexington Pumping Station) in the amount of \$250,000.00.
2. Change Order No. 2: Contract PSD-6A/08 (Granular Material Storage and Vehicle Storage Buildings at the DuPage Pumping Station) in the amount of \$48,702.00 and a 14 calendar day extension of the Contract Completion Date.
3. Change Order No. 4: Contract PSD-7/08 (Electrical Generation Facility and Office/Garage Expansion for the DuPage Pumping Station) in the amount of \$33,179.00.

Total amount of the Change Order(s) is \$331,881.00.

DuPAGE WATER COMMISSION
CHANGE ORDER

SHEET 1 OF 3

PROJECT NAME: Photovoltaic System at the
Lexington Pumping Station

CHANGE ORDER NO. 1

LOCATION: Chicago, Illinois

CONTRACT NO. PSC-5/08

CONTRACTOR: Divane Bros. Electric Co.

DATE: August 14, 2009

I. A. DESCRIPTION OF CHANGES INVOLVED:

Increase the capacity of the photovoltaic system by 24kW, to a total of 724kW, in accordance with Divane Bros. proposal dated July 17, 2009.

B. REASON FOR CHANGE:

The City of Chicago has received a grant in the amount of \$250,000.00 from the Illinois Department of Commerce and Economic Opportunity to increase the size of the photovoltaic system and requested Owner authorize a Contract Change Order for the expansion. Divane Brothers proposed to furnish and install additional photovoltaic modules to produce 24 kilowatts of additional capacity at the cost of \$250,000.00 and the proposal has been accepted by the Chicago Department of Water Management.

C. REVISION IN CONTRACT PRICE:

\$250,000.00 (negotiated)

II. CHANGE ORDER CONDITIONS:

1. The Completion Date established in the Contract, as signed or as modified by previous Change Orders, is hereby extended by 0 Days, making the final Completion Date July 21, 2010.
2. Any Increased Work to be performed under this Change Order shall be provided, performed, and completed in full compliance with, and as required by or pursuant to, the Contract, including any Specifications and Contract Drawings for the Increased Work and for Work of the same type as the Increased Work, and as specified in the preceding "Description of Changes Involved."
3. Unless otherwise provided herein, all Work included in this Change Order shall be guaranteed and warranted as set forth in, and Contractor shall not be relieved from strict compliance with, the guaranty and warranty provisions of the Contract.
4. All Work included in this Change Order shall be covered under the Bonds and Required Coverages specified in the Contract. If the Contract Price, including this Change Order, exceeds the Contract Price set forth in the Contract, as signed, by twenty percent (20%), Contractor shall submit to Owner satisfactory evidence of such increased coverage under the Bonds if requested by Owner.

III. ADJUSTMENTS IN CONTRACT PRICE:

- | | | |
|----|--|------------------------|
| 1. | Original Contract Price | \$ <u>7,996,000.00</u> |
| 2. | Net (addition) (reduction) due
to all previous Change Orders
Nos. <u> </u> to <u> </u> | \$ <u>0.00</u> |
| 3. | Contract Price, not including
this Change Order | \$ <u>7,996,000.00</u> |
| 4. | (Addition) (Reduction) to Contract
Price due to this Change Order | \$ <u>250,000.00</u> |
| 5. | Contract Price including this
Change Order | \$ <u>8,246,000.00</u> |

RECOMMENDED FOR ACCEPTANCE:

CONSULTING ENGINEERS: Greeley and Hansen LLC

By: _____ (_____) _____
Signature of Authorized Date
Representative

ACCEPTED: By my authorized signature below, being first duly sworn on oath, I certify on behalf of Contractor that this Change Order does not authorize or necessitate an increase in the price of any subcontract under the Contract that is 50% or more of the original subcontract price.

CONTRACTOR: Divane Bros. Electric Co.

By: _____ (_____) _____
Signature of Authorized Date
Representative

DUPAGE WATER COMMISSION:

By: _____ (_____) _____
Signature of Authorized Date
Representative

DuPAGE WATER COMMISSION
CHANGE ORDER

SHEET 1 OF 3

PROJECT NAME: Granular Material Storage and
Vehicle Storage Buildings
DuPage Pumping Station

CHANGE ORDER NO. 2

LOCATION: Elmhurst, Illinois

CONTRACT NO. PSD-6A/08

CONTRACTOR: R. Carlson and Sons, Inc.

DATE: August 14, 2009

I. A. DESCRIPTION OF CHANGES INVOLVED:

1. Provide and install fire suppression system controls and alarms in accordance with Engineer's April 22, 2009, letter of recommendation for the wet-pipe fire suppression system mechanically installed and connected to the available water supply under Change Order No. 1.
2. Install detention basin complete with tree removal, silt fencing, surveying, construction staking, drainage swale, outlet structure, bypass, landscaping and seeding in accordance with Engineer's April 22, 2009, letter of recommendation.
3. Manhole adjustments in accordance with Engineer's April 22, 2009 letter of recommendation.

B. REASON FOR CHANGE:

1. After the Contract was signed, and during the final stages of the permit review process, the City of Elmhurst re-classified the building type of the Vehicle Storage Building to a type that requires the installation of a wet-pipe fire suppression system.
2. After the Contract was signed and during the final stages of the permit review, the City of Elmhurst required a Storm Water Pollution Prevention Plan which resulted in adding a stormwater detention basin for the site and 14 Days to the Completion Date.
3. The manhole adjustments will allow for the utilization of existing storm water access structures to collect storm water.

C. REVISION IN CONTRACT PRICE:

1. \$3,111.00 (Negotiated)

2. \$44,158.00(Negotiated)

3. \$1,433.00(Negotiated)

II. CHANGE ORDER CONDITIONS:

1. The Completion Date established in the Contract, as signed or as modified by previous Change Orders, is hereby extended by 14 Days, making the final Completion Date September 17, 2009.
2. Any Increased Work to be performed under this Change Order shall be provided, performed, and completed in full compliance with, and as required by or pursuant to, the Contract, including any Specifications and Contract Drawings for the Increased Work and for Work of the same type as the Increased Work, and as specified in the preceding "Description of Changes Involved."
3. Unless otherwise provided herein, all Work included in this Change Order shall be guaranteed and warranted as set forth in, and Contractor shall not be relieved from strict compliance with, the guaranty and warranty provisions of the Contract.
4. All Work included in this Change Order shall be covered under the Bonds and Required Coverages specified in the Contract. If the Contract Price, including this Change Order, exceeds the Contract Price set forth in the Contract, as signed, by twenty percent (20%), Contractor shall submit to Owner satisfactory evidence of such increased coverage under the Bonds if requested by Owner.

III. ADJUSTMENTS IN CONTRACT PRICE:

- | | | | |
|----|---|----|---------------------|
| 1. | Original Contract Price | \$ | <u>1,106,824.00</u> |
| 2. | Net (addition) (reduction) due
to all previous Change Orders
Nos. <u>0</u> to <u>1</u> | \$ | <u>51,446.00</u> |
| 3. | Contract Price, not including
this Change Order | \$ | <u>1,158,270.00</u> |
| 4. | (Addition) (Reduction) to Contract
Price due to this Change Order | \$ | <u>48,702.00</u> |
| 5. | Contract Price including this
Change Order | \$ | <u>1,206,972.00</u> |

RECOMMENDED FOR ACCEPTANCE:

CONSULTING ENGINEERS: AECOM USA, Inc.

By: _____ ()
Signature of Authorized Date
Representative

ACCEPTED: By my authorized signature below, being first duly sworn on oath, I certify on behalf of Contractor that this Change Order does not authorize or necessitate an increase in the price of any Subcontract under the Contract that is 50% or more of the original Subcontract price.

CONTRACTOR: R. Carlson and Sons, Inc.

By: _____ ()
Signature of Authorized Date
Representative

DUPAGE WATER COMMISSION:

By: _____ ()
Signature of Authorized Date
Representative

DUPAGE WATER COMMISSION
CHANGE ORDER

SHEET 1 OF 4

PROJECT NAME: Electric Generation Facility and
Office/Garage Expansion for the
DuPage Pumping Station

CHANGE ORDER NO. 4

LOCATION: Elmhurst, Illinois

CONTRACT NO. PSD-7/08

CONTRACTOR: Williams Brothers Construction, Inc.

DATE: August 14, 2009

I. A. DESCRIPTION OF CHANGES INVOLVED:

1. Additional electrical work requested by Owner to expedite the transfer of electrical services in conjunction with the ComEd distribution improvements necessary to add Owner's generation facilities in accordance with the Engineer's Potential Change Order Memorandum No. 6.
2. Revisions to the Butterfield Road entrance required by the Illinois Department of Transportation in accordance with the Engineer's Potential Change Order Memorandum No. 7.
3. Provision and installation of additional gypsum board in the conference room of the Office Building and re-painting of the ceiling in the converted Service Building in accordance with Option No. 1 of the Engineer's Potential Change Order Memorandum No. 11.
4. Adjustment of the height of the general office counter top knee-wall and the brick framing of the new main entrance door into the Office Building in accordance with Option No. 1 of the Engineer's Potential Change Order Memorandum No. 14.

B. REASON FOR CHANGE:

1. To provide a direct path from the existing power poles to the new transformer location in order for ComEd to reduce service outage from an estimated 96 hours down to 16 hours and enabling Owner to maintain a seamless pumping operation.

2. During the permit review process by the Illinois Department of Transportation (IDOT), IDOT required additional work in order to release the construction permit for the relocated Butterfield Road entrance. This included an additional thickness of asphalt pavement, a rumble-strip median between ingress and egress lanes, and stormwater overflow facilities to direct any high stormwater off of the IDOT right-of way back into DWC detention.
3. Gypsum board overlay of the existing face brick on the south wall of the conference/training room was unintentionally omitted from the design finish schedule and is necessary to permit the painting of the wall for its intended use as a projection screen and dry erase board. In addition, painting of the ceiling in former Service Building, which is being converted into the main electric room, was also unintentionally omitted from the room finish schedule. The ceiling has several in-filled openings and patches left from equipment demolition which require painting.
4. A dimensional discrepancy was discovered where a proposed knee-wall was scheduled to be fabricated would not perform its intended function of fully covering exposed concrete along the south wall of the general office area. Additional framing materials, gypsum board, paint and brick masonry is needed to complete the knee-wall as intended.

C. REVISION IN CONTRACT PRICE:

1. Negotiated net increase of \$4,359.00
2. Negotiated net increase of \$20,334.00
3. Negotiated net increase of \$6,256.00
4. Negotiated net increase of \$2,230.00

II. CHANGE ORDER CONDITIONS:

1. The Completion Date established in the Contract, as signed or as modified by previous Change Orders, is hereby extended by 0 Days, making the final Completion Date November 25, 2010.
2. Any Increased Work to be performed under this Change Order shall be provided, performed, and completed in full compliance with, and as required by or pursuant to, the Contract, including any Specifications and Contract Drawings for the Increased Work and for Work of the same type as the Increased Work, and as specified in the preceding "Description of Changes Involved."
3. Unless otherwise provided herein, all Work included in this Change Order shall be guaranteed and warranted as set forth in, and Contractor shall not be relieved from strict compliance with, the guaranty and warranty provisions of the Contract.
4. All Work included in this Change Order shall be covered under the Bonds and the Required Coverages specified in the Contract. If the Contract Price, including this Change Order, exceeds the Contract Price set forth in the Contract, as signed, by twenty percent (20%), Contractor shall submit to Owner satisfactory evidence of such increased coverage under the Bonds if requested by Owner.

III. ADJUSTMENTS IN CONTRACT PRICE:

- | | | |
|----|--|-------------------------|
| 1. | Original Contract Price | \$ <u>16,970,000.00</u> |
| 2. | Net (addition) (reduction) due
to all previous Change Orders
Nos. <u>1</u> to <u>3</u> | \$ <u>128,585.00</u> |
| 3. | Contract Price, not including
this Change Order | \$ <u>17,098,585.00</u> |
| 4. | (Addition) (Reduction) to Contract
Price due to this Change Order | \$ <u>33,179.00</u> |
| 5. | Contract Price including this
Change Order | \$ <u>17,131,764.00</u> |

RECOMMENDED FOR ACCEPTANCE:

CONSULTING ENGINEERS: Camp Dresser McKee, Inc.

By: _____ (_____) _____
Signature of Authorized Date
Representative

ACCEPTED: By my authorized signature below, being first duly sworn on oath, I certify on behalf of Contractor that this Change Order does not authorize or necessitate an increase in the price of any subcontract under the Contract that is 50% or more of the original subcontract price.

CONTRACTOR: Williams Brothers Construction, Inc.

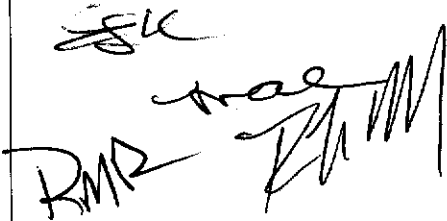
By: _____ (_____) _____
Signature of Authorized Date
Representative

DUPAGE WATER COMMISSION:

By: _____ (_____) _____
Signature of Authorized Date
Representative

DATE: August 7, 2009

REQUEST FOR BOARD ACTION

AGENDA SECTION	Omnibus Vote Requiring Super-Majority or Special Majority Vote	ORIGINATING DEPARTMENT	Pipeline
ITEM	A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Contract QR-8/08 at the August 13, 2009, DuPage Water Commission Meeting Resolution No. R-45-09	APPROVAL 	
Account Number: 01-60-6631			
<p>The Commission entered into certain agreements dated June 30, 2008, with Martam Construction Incorporated and Rossi Contractors, Inc. for quick response construction work as needed through the issuance of Work Authorization Orders. Resolution No. R-45-09 would approve the following Work Authorization Orders under the Quick Response Contracts:</p> <p>Work Authorization Order No. 0017 to Martam Construction Incorporated: This Work Authorization was issued, and the work completed, prior to board approval in response to a request made by the Village of Hinsdale regarding a potential traffic hazard resulting from a collapsing manhole frame and lid located at the intersection of Maple Ave and Garfield Ave. The work included traffic control set up and maintenance, removal of the existing pavement and manhole adjusting rings, adjusting the manhole frame and lid to existing pavement elevation using new concrete adjusting rings, replacing pavement to "in kind" condition, and miscellaneous restoration. The total cost for this work is not known but is estimated to be \$8,500.00.</p>			
MOTION: To approve Resolution No. R-45-09.			

DuPAGE WATER COMMISSION

RESOLUTION NO. R-45-09

A RESOLUTION APPROVING AND RATIFYING
CERTAIN WORK AUTHORIZATION ORDERS
UNDER QUICK RESPONSE CONTRACT QR-8/08 AT THE
AUGUST 13, 2009, DuPAGE WATER COMMISSION MEETING

WHEREAS, the DuPage Water Commission (the "Commission") entered into certain agreements dated June 30, 2008, with Martam Construction Incorporated and Rossi Contractors, Inc. for quick response construction work related to the Commission's Waterworks System (said agreements being hereinafter collectively referred to as "Contract QR-8/08"); and

WHEREAS, Contract QR-8/08 is designed to allow the Commission to direct one or more or all of the quick response contractors to perform quick response construction work, including without limitation construction, alteration, and repair related to the Commission's Waterworks System, as needed through the issuance of Work Authorization Orders; and

WHEREAS, the need for quick response construction work could not have been reasonably foreseen at the time the contracts were signed;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the DuPage Water Commission as follows:

SECTION ONE: The foregoing recitals are by this reference incorporated herein and made a part hereof as findings of the Board of Commissioners of the DuPage Water Commission.

SECTION TWO: The Work Authorization Orders attached hereto and by this reference incorporated herein and made a part hereof as Exhibit 1 shall be and hereby are

Resolution No. R-45-09

approved and, if already issued, ratified because the Board of Commissioners of the DuPage Water Commission has determined, based upon the representations of staff, that the circumstances said to necessitate the Work Authorization Orders were not reasonably foreseeable at the time the contracts were signed, the Work Authorization Orders are germane to the original contracts as signed, and/or the Work Authorization Orders are in the best interest of the DuPage Water Commission and authorized by law.

SECTION THREE: This Resolution shall constitute the written determination required by Section 33E-9 of the Criminal Code of 1961 and shall be in full force and effect from and after its adoption.

AYES:

NAYS:

ABSENT:

ADOPTED this ____ day of _____, 2009.

Chairman

ATTEST:

Clerk

Board/Resolutions/R-45-09.doc

Exhibit 1

WORK AUTHORIZATION ORDER

CONTRACT QR-8/08: QUICK RESPONSE CONTRACT

WORK AUTHORIZATION ORDER NO.: QR-8.0017

LOCATION:

At the intersection of Maple and Garfield Avenues in the Village of Hinsdale

CONTRACTOR:

Martam Construction Incorporated

DESCRIPTION OF WORK:

Provide traffic control and protection, remove existing pavement and manhole adjusting rings, adjust manhole frame and lid to existing pavement elevation using new concrete adjusting rings, replace pavement to "in kind" condition, misc restoration, and any other work that may be required or as directed by the Commission.

REASON FOR WORK:

To repair and adjust existing manhole frame and lid.

MINIMUM RESPONSE TIME:

N/A

**COMMISSION-SUPPLIED MATERIALS, EQUIPMENT
AND SUPPLIES TO BE INCORPORATED INTO THE WORK:**

N/A

THE WORK ORDERED PURSUANT TO THIS WORK AUTHORIZATION ORDER

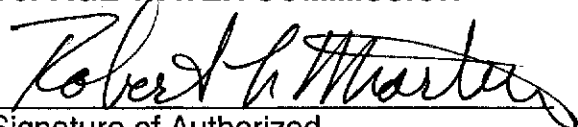
☐ IS ☒ IS NOT PRIORITY WORK

SUPPLEMENTARY NOTIFICATION OF POTENTIALLY HAZARDOUS CONDITIONS:
N/A

SUBMITTALS REQUESTED: N/A


SUPPLEMENTARY CONTRACT SPECIFICATIONS AND DRAWINGS: N/A

DUPAGE WATER COMMISSION

By: 
Signature of Authorized
Representative

DATE: 7/29/09

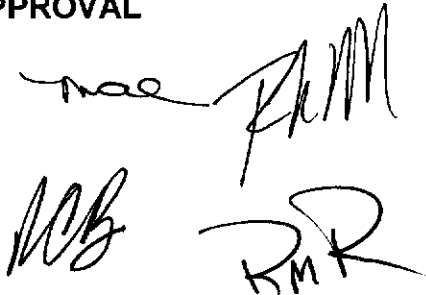
CONTRACTOR RECEIPT ACKNOWLEDGED:

By: 
Signature of Authorized
Representative

DATE: 7-28-09

DATE: August 7, 2009

REQUEST FOR BOARD ACTION

AGENDA SECTION	Omnibus Vote Requiring Super-Majority or Special Majority Vote	ORIGINATING DEPARTMENT	Facilities Construction
ITEM	A Resolution Approving and Ratifying Certain Task Orders under a Master Contract with AECOM USA, Inc. at the August 13, 2009, DuPage Water Commission Meeting Resolution No. R-46-09	APPROVAL 	
Account No.: Task Order No. 28 – 01-60-7915 (Not to Exceed \$15,000)			
<p>The Commission entered into a Master Contract with AECOM USA, Inc., formerly known as Consoer Townsend Envirodyne Engineers, Inc. (CTE), dated May 14, 2004, for professional engineering services in connection with such discrete projects as are delineated and described in Task Orders to be approved by the Commission. Resolution No. R-46-09 would approve the following Task Orders to the Master Contract:</p> <p>Task Order No. 28: Laramie Avenue Viaduct. The City of Chicago Department of Transportation (CDOT) is currently in the design phase for certain viaduct (bridge) improvements to Laramie Avenue which runs adjacent to the Lexington Pumping Station (LPS) and perpendicular to the 12 foot diameter tunnel which is the sole source water supply for the LPS extended from the City's tunnel water transmission system. CDOT has approached the Commission for temporary construction easements. The proposed bridge improvements as currently designed may permanently encroach upon Commission real property as well as impact the structural integrity of the tunnel system. Task Order 14 would authorize, at a cost not-to-exceed \$15,000.00, AECOM to review and advise the Commission as to real property and construction impacts due to the CDOT's design and construction of the Laramie Avenue Viaduct.</p>			
MOTION: To approve Resolution No. R-46-09.			

DUPAGE WATER COMMISSION

RESOLUTION NO. R-46-09

A RESOLUTION APPROVING AND RATIFYING
CERTAIN TASK ORDERS UNDER A MASTER CONTRACT
WITH AECOM USA, INC. AT THE AUGUST 13, 2009,
DUPAGE WATER COMMISSION MEETING

WHEREAS, the DuPage Water Commission (the "Commission") entered into a contract with AECOM USA, Inc., formerly known as Consoer Townsend Envirodyne Engineers, Inc. (the "Consultant"), dated May 14, 2004, to provide, from time to time, professional engineering services in connection with the design and construction of extensions and improvements to the Waterworks System and other projects of the Commission (the "Master Contract"); and

WHEREAS, the Master Contract sets forth the terms and conditions pursuant to which the Commission will obtain from time to time, and the Consultant will provide from time to time, professional engineering services for such discrete projects as are delineated and described in Task Orders to be approved by the Commission and the Consultant; and

WHEREAS, the Consultant has approved the Task Orders attached hereto and by this reference incorporated herein and made a part hereof as Exhibit 1 (the "Task Orders");

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the DuPage Water Commission as follows:

SECTION ONE: The foregoing recitals are incorporated herein and made a part hereof as findings of the Board of Commissioners of the DuPage Water Commission.

SECTION TWO: The Task Orders attached hereto as Exhibit 1 shall be and hereby are approved and, if already issued, ratified because the Board of Commissioners of the DuPage Water Commission has determined, based upon the representations of staff and Consultant, that the circumstances said to necessitate the Task Orders were not reasonably foreseeable at the time the Master Contract was signed, the Task Orders are germane to the Master Contract as signed, and/or the Task Orders are in the best interest of the DuPage Water Commission and authorized by law.

SECTION THREE: This Resolution shall constitute the written determination required by Section 33E-9 of Article 33E of the Criminal Code of 1961 and shall be in full force and effect from and after its adoption.

AYES:

NAYS:

ABSENT:

ADOPTED THIS _____ DAY OF _____, 2009.

Chairman

ATTEST:

Clerk

EXHIBIT 1

TASK ORDER NO. 28

In accordance with Section 1.1 of the Master Contract between the DuPage Water Commission ("Owner") and AECOM USA, Inc., formerly known as Consoer Townsend Envirodyne Engineers, Inc. ("Consultant"), for Professional Engineering Services dated May 14, 2004 (the "Contract"), Owner and Consultant agree as follows:

1. **Project Title:**

Laramie Avenue Viaduct

2. **Description and Scope of the Project:**

Review and advise Owner as to real property and construction impacts due to the City of Chicago's Department of Transportation (CDOT) design and construction of the Laramie Avenue Viaduct adjacent to the Lexington Pumping Station (LPS) and 12' diameter tunnel that serves the LPS.

3. **Services of Consultant:**

A. Basic Services. Upon issuance of a Notice to Proceed by Owner:

1. Review of design drawings and plans for CDOT project E-8-506 and, based upon this review, determine impacts to existing Commission facilities.
2. Provide a written report detailing potential impacts to existing Commission facilities.
3. Perform surveying services to determine extent of Commission real property adjacent to proposed CDOT construction site.
3. Represent the Commission on engineering matters related to the design and construction of the Laramie Avenue Viaduct.

B. Additional Services

None

4. **Approvals and Authorizations:** Consultant shall obtain the following approvals and authorizations:

None

5. **Commencement Date:**

Upon issuance of a Notice to Proceed by Owner

6. **Completion Date:**

None

7. **Submittal Schedule:**

None

8. **Key Project Personnel:**

As may be established by the General Manager of Owner and confirmed by an authorized officer of Consultant in writing.

9. **Contract Price:**

For providing, performing, and completing all Services, an amount equal to Consultant's Direct Labor Costs times a factor of 1.93 for all Services rendered by principals and employees engaged directly on the Project, plus an amount equal to the actual costs of all Reimbursable Expenses.

Notwithstanding the foregoing, the total Contract Price shall not exceed \$15,000.00 except as adjusted by a Change Order issued pursuant to Section 2.1 of the Contract.

10. **Payments:**

For purposes of payments to Consultant, the value of the Services under this Task Order shall be determined as follows:

Direct Labor Costs shall mean actual wages paid to those members of staff who are classified as officers, engineers, technicians, draftsmen, and field party personnel engaged directly on the Project plus state and federal taxes, social security, employment and retirement benefits as defined in the American Society of Civil Engineers (ASCE) Manual No. 45.

Reimbursable Expenses shall mean the actual expenses incurred by Consultant directly or indirectly in connection with the Project, including expenses for transportation, telephone, postage, computer time and other highly specialized equipment, reproduction and similar Project related items.

11. **Modifications to Contract:**

None

12. **Attachments:**

None

Approval and Acceptance: Acceptance and approval of this Task Order, including the attachments listed above, shall incorporate this Task Order as part of the Contract.
The Effective Date of this Task Order is August 14, 2009.

DUPAGE WATER COMMISSION

By: _____
Robert L. Martin
General Manager

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: R. Christopher Bostick
Title: Facilities Construction Supervisor
Address: 600 East Butterfield Road, Elmhurst, Illinois 60126-4642
E-mail Address: bostick@dpwc.org
Phone: (630) 834-0100
Fax: (630) 834-0120

AECOM USA, INC.

By: _____
Name: _____
Title: _____

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Michael H. Winegard
Title: Vice President
Address: 303 East Wacker Drive, Suite 600, Chicago, Illinois 60601
E-mail Address: mike.winegard@aecom.com
Phone: (312) 373-6631
Fax: (312) 373-6868

PACKET: 01365 HOLD FOR BOARD APPROVAL

VENDOR SET: 01 DUPAGE WATER COMMISSION

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

Accounts Payable

-----ID-----			GROSS	P.O. #		
POST DATE	BANK CODE	-----DESCRIPTION-----	DISCOUNT	G/L ACCOUNT	-----ACCOUNT NAME-----	DISTRIBUTION
=====						
01-1101		HOLLAND & KNIGHT LLP				
I-2412521		LEGAL SERVICES: JUNE 2009	2,158.50			
7/31/2009	IL	DUE: 7/23/2009 DISC: 7/23/2009		1099: Y		
		LEGAL SERVICES: JUNE 2009		01 60-6251	LEGAL SERVICES- GENERAL	2,158.50
=== VENDOR TOTALS ===			2,158.50			
=====						
01-1608		MARTAM CONSTRUCTION, INC.				
I-QR8-015A		REPLACE MANHOLE FRAME	6,189.68			
7/31/2009	IL	DUE: 6/13/2009 DISC: 6/13/2009		1099: N		
		REPLACE MANHOLE FRAME		01 60-6631	PIPELINE REPAIRS	6,189.68
I-QRI-009B		RESTORING DISTURBED AREAS	4,886.89			
7/31/2009	IL	DUE: 6/13/2009 DISC: 6/13/2009		1099: N		
		RESTORING DISTURBED AREAS		01 60-6631	PIPELINE REPAIRS	4,886.89
=== VENDOR TOTALS ===			11,076.57			
=====						
01-1137		ROSSI CONTRACTORS, INC.				
I-QR8-001B		VALVE BOX ADJ- 2131 HIGH ST	1,320.14			
7/31/2009	IL	DUE: 6/19/2009 DISC: 6/19/2009		1099: N		
		VALVE BOX ADJ- 2131 HIGH ST		01 60-6631	PIPELINE REPAIRS	1,320.14
I-QR8-005B		RESTORATION WORK- WOODDALE ME	4,824.85			
7/31/2009	IL	DUE: 6/19/2009 DISC: 6/19/2009		1099: N		
		RESTORATION WORK- WOODDALE MET		01 60-6633	REMOTE FACILITIES MAINTN	4,824.85
I-QR8-012A		RESTORATION WORK- NEAR ROHLWI	2,741.30			
7/31/2009	IL	DUE: 6/19/2009 DISC: 6/19/2009		1099: N		
		RESTORATION WORK- NEAR ROHLWIN		01 60-6631	PIPELINE REPAIRS	2,741.30
I-QR8-014A		REPAIR WATERMAIN @ 75TH ST.	42,707.12			
7/31/2009	IL	DUE: 6/19/2009 DISC: 6/19/2009		1099: N		
		REPAIR WATERMAIN @ 75TH ST.		01 60-6631.01	Repairs - 75th & Washing	42,707.12
=== VENDOR TOTALS ===			51,593.41			
=== PACKET TOTALS ===			64,828.48			

PACKET: 01365 HOLD FOR BOARD APPROVAL

VENDOR SET: 01 DUPAGE WATER COMMISSION

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

** T O T A L S **

INVOICE TOTALS	64,828.48
DEBIT MEMO TOTALS	0.00
CREDIT MEMO TOTALS	0.00

BATCH TOTALS	64,828.48
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** G/L ACCOUNT TOTALS **

BANK	YEAR	ACCOUNT	NAME	AMOUNT	=====LINE ITEM=====		=====GROUP BUDGET=====	
					ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG	ANNUAL BUDGET	BUDGET OVER AVAILABLE BUDG
2009-2010	01	-60-6251	LEGAL SERVICES- GENERAL	2,158.50	90,000	64,254.94		
	01	-60-6631	PIPELINE REPAIRS	15,138.01	785,000	713,541.85		
	01	-60-6631.01	Repairs - 75th & Washing	42,707.12	0	48,549.60- Y		
	01	-60-6633	REMOTE FACILITIES MAINTN	4,824.85	504,000	494,435.25		
			** 2009-2010 YEAR TOTALS	64,828.48				

8/07/2009 8:57 AM

A/P Regular Open Item Register

PAGE: 3

PACKET: 01365 HOLD FOR BOARD APPROVAL

VENDOR SET: 01 DUPAGE WATER COMMISSION

SEQUENCE : ALPHABETIC

DUE TO/FROM ACCOUNTS SUPPRESSED

** POSTING PERIOD RECAP **

FUND	PERIOD	AMOUNT
01	7/2009	64,828.48

NO ERRORS

NO WARNINGS

** END OF REPORT **

TOTAL ERRORS: 0 TOTAL WARNINGS: 0

VENDOR SET: 01 DuPage Water Commission

BANK: * ALL BANKS

DATE RANGE: 7/01/2009 THRU 7/31/2009

Items Paid

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
C-CHECK	VOID CHECK	V	7/30/2009			005638		

* * T O T A L S * *	NO	CHECK AMOUNT	DISCOUNTS	TOTAL APPLIED
REGULAR CHECKS:	0	0.00	0.00	0.00
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00

		VOID DEBITS	VOID DISCOUNTS	VOID CREDITS
VOID CHECKS:	1	0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 01	BANK: *	TOTALS:	1	0.00	0.00	0.00
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BANK: *	TOTALS:	1	0.00	0.00	0.00
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VENDOR SET: 01 DuPage Water Commission

BANK: IL ILLINOIS FUNDS

DATE RANGE: 7/01/2009 THRU 7/31/2009

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1294	ACCOUNTemps							
I-23916892	ACCOUNTemps	R	7/09/2009	1,999.20		005567		1,999.20
1294	ACCOUNTemps							
I-23957417	ACCOUNTemps	R	7/17/2009	12,480.00		005600		12,480.00
	*** VENDOR TOTALS ***					2 CHECKS		14,479.20
1460	ACRES GROUP							
I-AEI_0070611	LANDSCAPE MAINT. MAY 2009	R	7/17/2009	3,075.00		005601		
I-AEI_0070701	LANDSCAPE MAINT. MAY 2009	R	7/17/2009	800.00		005601		
I-AEI_0071735	LANDSCAPE MAINT. JUNE 2009	R	7/17/2009	3,075.00		005601		
I-AEI_0071830	LANDSCAPE MAINT. JUNE 2009	R	7/17/2009	800.00		005601		
I-AEI_0073749	REMOVE TREES - CALDWELL/HARRIS	R	7/17/2009	748.00		005601		
I-AEI_0073873	LANDSCAPE MAINT. JULY 2009	R	7/17/2009	800.00		005601		9,298.00
	*** VENDOR TOTALS ***					1 CHECKS		9,298.00
1663	AECOM							
I-60043583-06	FACILITIES - 75TH & WASHINGTON	R	7/09/2009	5,011.09		005591		
I-60092726-05	DUPAGE COUNTY - GLEN ELLYN	R	7/09/2009	7,898.48		005591		
I-60092727-05	DUPAGE COUNTY - GREENE ROAD	R	7/09/2009	10,213.15		005591		
I-60096728-01	BROKEN WATER MAIN 75TH & HOBBS	R	7/09/2009	831.39		005591		23,954.11
1663	AECOM							
I-4067551	CONCRETE RESERVOIR - JUNE 2009	R	7/17/2009	4,749.77		005602		4,749.77
	*** VENDOR TOTALS ***					2 CHECKS		28,703.88
1291	ALEXANDER CHEMICAL CORPORATION							
I-418238	SODIUM HYPOCHLORITE	R	7/17/2009	2,198.21		005603		2,198.21
	*** VENDOR TOTALS ***					1 CHECKS		2,198.21
1459	ALPHA BUILDING MAINTENANCE SER							
I-9712 DWC	JANITORIAL SUPPLIES: JULY 2009	R	7/17/2009	1,484.00		005604		
I-9713 DWC	JANITORIAL SUPPLIES: JULY 2009	R	7/17/2009	313.50		005604		1,797.50
	*** VENDOR TOTALS ***					1 CHECKS		1,797.50
1088	AMERICAN WATER WORKS ASSOCIATI							
I-7000113224	WATERNET ON CD ROM	R	7/09/2009	335.00		005547		335.00
	*** VENDOR TOTALS ***					1 CHECKS		335.00
1516	ARAMARK REFRESHMENT SERVICES							
I-522880	OFFICE SUPPLIES	R	7/17/2009	287.29		005605		287.29
	*** VENDOR TOTALS ***					1 CHECKS		287.29

VENDOR SET: 01 DuPage Water Commission

BANK: IL ILLINOIS FUNDS

DATE RANGE: 7/01/2009 THRU 7/31/2009

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1397	AT&T							
I-200906302207	PHONE SERVICE 5/17/09-6/16-09	R	7/09/2009	886.78		005573		
I-200907082237	PHONE SERVICE: 05/23-06/22/09	R	7/09/2009	439.92		005573		1,326.70
1397	AT&T							
I-200907172242	PHONE SERVICE	R	7/17/2009	22.45		005606		
I-200907172243	LONG DISTANCE SERVICE	R	7/17/2009	87.34		005606		109.79
1397	AT&T							
I-200907272255	PHONE SERVICE: 06/17 - 07/16	R	7/30/2009	905.79		005628		905.79
1397	AT&T							
I-200907312269	DPSS PHONE SERVICE 06/23-07/22	R	7/31/2009	453.27		005667		453.27
	*** VENDOR TOTALS ***					4 CHECKS		2,795.55
1015	AUTOZONE, INC.							
I-2568832968	VEHICLE MAINTENANCE	R	7/17/2009	79.99		005607		79.99
	*** VENDOR TOTALS ***					1 CHECKS		79.99
1012	BAXTER AND WOODMAN							
I-144202	PROGRAMMING INHANCEMENTS TO PL	R	7/17/2009	300.00		005608		300.00
	*** VENDOR TOTALS ***					1 CHECKS		300.00
1440	BEARING HEADQUARTERS COMPANY							
I-4143811	PUMPING SERVICES SUPPLIES	R	7/09/2009	133.96		005579		133.96
	*** VENDOR TOTALS ***					1 CHECKS		133.96
1661	BENNINGTON JR, THOMAS							
I-200906302226	COMMISSIONER SERV. JAN09-JUN09	R	7/09/2009	300.00		005589		300.00
	*** VENDOR TOTALS ***					1 CHECKS		300.00
1000	BLUE CROSS/BLUE SHIELD OF ILLI							
I-200907292261	HEALTH INSURANCE - AUG 2009	R	7/30/2009	45,008.92		005629		45,008.92
	*** VENDOR TOTALS ***					1 CHECKS		45,008.92
1461	BUSINESS CARD							
I-200906302208	MARTIN - JUNE 2009	R	7/09/2009	1,075.77		005582		
I-200906302228	RICHTER - JUNE 2009	R	7/09/2009	1,313.87		005582		
I-200907082234	MCGHEE - JUNE 2009	R	7/09/2009	912.48		005582		3,302.12
1461	BUSINESS CARD							
I-200907302266	RICHTER - JULY 2009	R	7/30/2009	752.52		005630		752.52

VENDOR SET: 01 DuPage Water Commission

BANK: IL ILLINOIS FUNDS

DATE RANGE: 7/01/2009 THRU 7/31/2009

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1461	BUSINESS CARD							
I-200907312267	MARTIN - JULY 2009	R	7/31/2009	2,094.42		005668		
I-200907312268	MCGHEE - JULY 2009	R	7/31/2009	1,515.09		005668		3,609.51
	*** VENDOR TOTALS ***					3 CHECKS		7,664.15
1049	CAMP DRESSER & MCKEE INC.							
I-80314603/47	PIPE LOOP TESTING: 02/22-04/18	R	7/17/2009	7,548.93		005609		7,548.93
	*** VENDOR TOTALS ***					1 CHECKS		7,548.93
1251	ELIZABETH M. CHAPLIN							
I-200906302220	COMMISSIONER SER. JAN09-JUN09	R	7/09/2009	300.00		005561		300.00
	*** VENDOR TOTALS ***					1 CHECKS		300.00
1134	CITY OF CHICAGO DEPARTMENT OF							
I-200906302229	LEXINGTON ELECTRIC: 0302-0331	R	7/09/2009	96,158.95		005552		96,158.95
1134	CITY OF CHICAGO DEPARTMENT OF							
I-200906302230	LEXINGTON ELECTRIC: 0331-0429	R	7/09/2009	94,643.12		005553		94,643.12
1134	CITY OF CHICAGO DEPARTMENT OF							
I-200907172244	LEX. ELECTRIC 04/29-05/31/09	R	7/17/2009	118,568.77		005610		118,568.77
1134	CITY OF CHICAGO DEPARTMENT OF							
I-200907172245	LEXINGTON LABOR: APRIL 2009	R	7/17/2009	37,404.90		005611		37,404.90
1134	CITY OF CHICAGO DEPARTMENT OF							
I-200907272252	LEX. PUMP STATION LABOR: 05/09	R	7/30/2009	39,197.98		005631		39,197.98
	*** VENDOR TOTALS ***					5 CHECKS		385,973.72
1135	CITY OF CHICAGO SUPERINTENDENT							
I-200907102241	WATER BILLING - JUNE 2009	R	7/13/2009	4,548,585.00		005596		4,548,585.00
	*** VENDOR TOTALS ***					1 CHECKS		4,548,585.00
1091	CINTAS FIRST AID & SAFETY							
I-343575301	FIRST AID SUPPLIES	R	7/09/2009	64.85		005548		64.85
1091	CINTAS FIRST AID & SAFETY							
I-0343580550	FIRST AID SUPPLIES	R	7/30/2009	76.94		005632		76.94
	*** VENDOR TOTALS ***					2 CHECKS		141.79
1640	CLS GROUP, INC.							
I-13753	DOCUMENT MANAGEMENT	R	7/09/2009	5,740.00		005588		5,740.00
	*** VENDOR TOTALS ***					1 CHECKS		5,740.00

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BANK: IL ILLINOIS FUNDS

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VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1398	COMCAST							
I-200906302210	Internet Service: 6/27-7/26/09	R	7/09/2009	99.95		005574		99.95
1398	COMCAST							
I-200907272256	INTERNET SERVICE: 07/27-08/26	R	7/30/2009	99.95		005633		99.95
	*** VENDOR TOTALS ***					2 CHECKS		199.90
1009	COMED							
I-200907272257	METER STATION ELECTRIC SERVICE	R	7/30/2009	10,054.62		005634		10,054.62
	*** VENDOR TOTALS ***					1 CHECKS		10,054.62
1262	COMSEARCH							
I-701088095	ANNUAL AGREEMENT:07/0106/30/10	R	7/30/2009	400.00		005635		400.00
	*** VENDOR TOTALS ***					1 CHECKS		400.00
1671	CONNEY SAFETY							
I-03480810	RAIN JACKET	R	7/30/2009	40.42		005636		
I-03498936	RAIN JACKET	R	7/30/2009	40.42		005636		80.84
	*** VENDOR TOTALS ***					1 CHECKS		80.84
1569	EDWARD COUGHLIN							
I-200906302209	SECURITY - 6/11/09	R	7/09/2009	75.00		005584		75.00
1569	EDWARD COUGHLIN							
I-200907172246	SECURITY - 07/09/09	R	7/17/2009	75.00		005612		75.00
	*** VENDOR TOTALS ***					2 CHECKS		150.00
1295	DLT SOLUTIONS INC.							
I-3314849A	AUTOCAD SUBSCRIPTION RENEWAL	R	7/17/2009	565.27		005613		565.27
	*** VENDOR TOTALS ***					1 CHECKS		565.27
1189	DREISILKER ELECTRIC MOTORS, IN							
I-1638527	INFRARED ANALYSIS	R	7/31/2009	1,710.00		005669		1,710.00
	*** VENDOR TOTALS ***					1 CHECKS		1,710.00
1232	DUPAGE COUNTY TREASURER							
I-200907062232	EASEMENT - GREAT WESTERN TRAIL	R	7/06/2009	450,000.00		005527		450,000.00
	*** VENDOR TOTALS ***					1 CHECKS		450,000.00
1370	COUNTY OF DUPAGE							
I-200907062231	EASEMENT - GREAT WESTERN TRAIL	V	7/06/2009	450,000.00		005526		450,000.00
1370	COUNTY OF DUPAGE							
M-CHECK	VOID CHECK	V	7/06/2009			005526		450,000.00CR

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VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1654	ELECSYS CORPORATION							
I-79762	DEFAULT CP GROUP MESSAGES	R	7/17/2009	94.75		005614		94.75
	*** VENDOR TOTALS ***					1 CHECKS		94.75
1622	TIMOTHY D. ELLIOTT							
I-200906302225	COMMISSIONER SERV. JAN09-JUN09	R	7/09/2009	300.00		005586		300.00
	*** VENDOR TOTALS ***					1 CHECKS		300.00
1567	ELMHURST FORD							
I-T48555	VEHICLE MAINTENANCE	R	7/17/2009	49.95		005615		
I-W48555	VEHICLE MAINTENANCE	R	7/17/2009	793.71		005615		843.66
	*** VENDOR TOTALS ***					1 CHECKS		843.66
1233	ELMHURST MEMORIAL HOSPITAL							
I-525C4	EMPLOYEE TEST	R	7/09/2009	140.00		005560		140.00
	*** VENDOR TOTALS ***					1 CHECKS		140.00
1097	ELMHURST PLAZA STANDARD INC.							
I-10204	GASOLINE	R	7/09/2009	29.16		005549		
I-10218	GASOLINE	R	7/09/2009	85.35		005549		
I-11141	GASOLINE	R	7/09/2009	75.43		005549		
I-11156	GASOLINE	R	7/09/2009	82.00		005549		
I-11161	GASOLINE	R	7/09/2009	52.89		005549		
I-11356	GASOLINE	R	7/09/2009	81.54		005549		
I-11754-A	GASOLINE	R	7/09/2009	41.77		005549		
I-11785	GASOLINE	R	7/09/2009	44.00		005549		
I-12442	GASOLINE	R	7/09/2009	67.04		005549		
I-12607	GASOLINE	R	7/09/2009	48.00		005549		
I-13099	GASOLINE	R	7/09/2009	42.00		005549		
I-13100	GASOLINE	R	7/09/2009	96.50		005549		
I-13243	GASOLINE	R	7/09/2009	67.01		005549		
I-13377	GASOLINE	R	7/09/2009	42.08		005549		
I-13982-A	GASOLINE	R	7/09/2009	76.78		005549		
I-14963	GASOLINE	R	7/09/2009	20.28		005549		
I-16857	GASOLINE	R	7/09/2009	78.95		005549		
I-18097	GASOLINE	R	7/09/2009	60.09		005549		
I-18739	GASOLINE	R	7/09/2009	33.33		005549		
I-18953	GASOLINE	R	7/09/2009	46.89		005549		
I-18971	GASOLINE	R	7/09/2009	82.95		005549		
I-19273	GASOLINE	R	7/09/2009	41.90		005549		
I-19570	GASOLINE	R	7/09/2009	95.02		005549		
I-32410	VEHICLE MAINTENANCE	R	7/09/2009	463.65		005549		1,854.61

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VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1097	ELMHURST PLAZA STANDARD INC.							
I-12622	GASOLINE	R	7/13/2009	60.09		005597		
I-13188	GASOLINE	R	7/13/2009	50.00		005597		
I-13581	GASOLINE	R	7/13/2009	43.64		005597		
I-13708	ELMHURST PLAZA STANDARD INC.	R	7/13/2009	47.06		005597		
I-13981-A	GASOLINE	R	7/13/2009	25.79		005597		
I-15172	GASOLINE	R	7/13/2009	17.40		005597		
I-15178	GASOLINE	R	7/13/2009	73.53		005597		
I-16192	GASOLINE	R	7/13/2009	28.69		005597		
I-16261-A	GASOLINE	R	7/13/2009	85.53		005597		
I-16268	GASOLINE	R	7/13/2009	48.02		005597		
I-16332	GASOLINE	R	7/13/2009	38.30		005597		
I-18206	GASOLINE	R	7/13/2009	46.03		005597		
I-18505	GASOLINE	R	7/13/2009	36.81		005597		
I-18766	GASOLINE	R	7/13/2009	55.50		005597		656.39
1097	ELMHURST PLAZA STANDARD INC.							
I-10131	GASOLINE	R	7/17/2009	49.55		005616		
I-10147	GASOLINE	R	7/17/2009	45.17		005616		
I-10564	GASOLINE	R	7/17/2009	36.83		005616		
I-10816	GASOLINE	R	7/17/2009	82.63		005616		
I-10817	GASOLINE	R	7/17/2009	50.65		005616		
I-11342	GASOLINE	R	7/17/2009	61.68		005616		
I-11366	GASOLINE	R	7/17/2009	42.14		005616		
I-11401	GASOLINE	R	7/17/2009	27.34		005616		
I-11420	GASOLINE	R	7/17/2009	21.00		005616		
I-11460	GASOLINE	R	7/17/2009	64.00		005616		
I-12161	GASOLINE	R	7/17/2009	55.80		005616		
I-12184	GASOLINE	R	7/17/2009	42.80		005616		
I-12637	GASOLINE	R	7/17/2009	32.59		005616		
I-12647	GASOLINE	R	7/17/2009	26.75		005616		
I-13399	GASOLINE	R	7/17/2009	10.87		005616		
I-14171	GASOLINE	R	7/17/2009	55.36		005616		
I-14765	GASOLINE	R	7/17/2009	42.25		005616		
I-15189	GASOLINE	R	7/17/2009	65.00		005616		
I-16941	GASOLINE	R	7/17/2009	63.00		005616		
I-16952	GASOLINE	R	7/17/2009	42.60		005616		
I-16985A	GASOLINE	R	7/17/2009	66.00		005616		
I-17075	GASOLINE	R	7/17/2009	100.09		005616		
I-17606	GASOLINE	R	7/17/2009	70.80		005616		
I-17836	GASOLINE	R	7/17/2009	71.54		005616		
I-18963	GASOLINE	R	7/17/2009	35.22		005616		1,261.66

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VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1097	ELMHURST PLAZA STANDARD INC.							
I-10199	GASOLINE	R	7/30/2009	33.02		005637		
I-10486	GASOLINE	R	7/30/2009	44.52		005637		
I-10503	GASOLINE	R	7/30/2009	45.99		005637		
I-11126	GASOLINE	R	7/30/2009	67.00		005637		
I-11525	GASOLINE	R	7/30/2009	93.00		005637		
I-11866	GASOLINE	R	7/30/2009	48.25		005637		
I-12542	GASOLINE	R	7/30/2009	33.19		005637		
I-12939	GASOLINE	R	7/30/2009	16.44		005637		
I-12993	GASOLINE	R	7/30/2009	33.74		005637		
I-13507-A	GASOLINE	R	7/30/2009	37.35		005637		
I-13761	GASOLINE	R	7/30/2009	68.23		005637		
I-14528	GASOLINE	R	7/30/2009	76.41		005637		
I-14529	GASOLINE	R	7/30/2009	49.58		005637		
I-14788	GASOLINE	R	7/30/2009	42.22		005637		
I-15424	GASOLINE	R	7/30/2009	83.00		005637		
I-15877	GASOLINE	R	7/30/2009	40.41		005637		
I-15889	GASOLINE	R	7/30/2009	71.07		005637		
I-16583	GASOLINE	R	7/30/2009	47.00		005637		
I-16656	GASOLINE	R	7/30/2009	42.42		005637		
I-16787	GASOLINE	R	7/30/2009	52.99		005637		
I-16794	GASOLINE	R	7/30/2009	83.22		005637		
I-16964	GASOLINE	R	7/30/2009	54.32		005637		
I-17180	GASOLINE	R	7/30/2009	44.46		005637		
I-17407	GASOLINE	R	7/30/2009	35.30		005637		
I-17448	GASOLINE	R	7/30/2009	13.21		005637		
I-17967	GASOLINE	R	7/30/2009	28.93		005637		
I-18040	GASOLINE	R	7/30/2009	12.90		005637		
I-19110	GASOLINE	R	7/30/2009	65.00		005637		
I-19269	GASOLINE	R	7/30/2009	84.00		005637		
I-19716	GASOLINE	R	7/30/2009	39.99		005637		
I-19723	GASOLINE	R	7/30/2009	26.85		005637		
I-19907	GASOLINE	R	7/30/2009	48.95		005637		1,562.96
1097	ELMHURST PLAZA STANDARD INC.							
I-10495	GASOLINE	R	7/31/2009	60.66		005670		
I-14445	GASOLINE	R	7/31/2009	29.00		005670		
I-14906	GASOLINE	R	7/31/2009	67.01		005670		
I-15130	GASOLINE	R	7/31/2009	40.30		005670		
I-15138-A	GASOLINE	R	7/31/2009	49.43		005670		
I-17281	GASOLINE	R	7/31/2009	33.10		005670		279.50
*** VENDOR TOTALS ***						5 CHECKS		5,615.12

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VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1446	EN ENGINEERING, LLC							
I-0024821	STATIC INT TST	R	7/09/2009	15,617.14		005580		
I-0024826	IND CORROSION ASSISTANCE	R	7/09/2009	11,161.06		005580		
I-0024827	CP DESIGN S TR MAIN	R	7/09/2009	419.17		005580		
I-0024828	ANNUAL TEST POINT SURVEY	R	7/09/2009	8,852.83		005580		36,050.20
	*** VENDOR TOTALS ***					1 CHECKS		36,050.20
1159	ENVISION HEALTHCARE, INC.							
I-103525	JULY 2009 ADMIN FEES	R	7/17/2009	126.00		005617		126.00
	*** VENDOR TOTALS ***					1 CHECKS		126.00
1358	EUCLID MANAGERS							
I-200907272253	DENTAL INSURANCE JUL 2009	R	7/30/2009	4,129.06		005639		4,129.06
	*** VENDOR TOTALS ***					1 CHECKS		4,129.06
1578	EXELON ENERGY INC.							
I-1554649	OPPS ELECT. SERV: 06/02-07/01	R	7/30/2009	199,317.57		005640		199,317.57
	*** VENDOR TOTALS ***					1 CHECKS		199,317.57
1065	FEDEX							
I-9-238-41416	OVERNIGHT MAIL	R	7/09/2009	772.78		005541		772.78
1065	FEDEX							
I-9-269-70283	OVERNIGHT MAIL	R	7/30/2009	996.70		005641		996.70
	*** VENDOR TOTALS ***					2 CHECKS		1,769.48
1570	FIVE STAR SAFETY EQUIPMENT, IN							
I-2431360	SCADA INSTRUMENTATION	R	7/09/2009	233.00		005585		233.00
	*** VENDOR TOTALS ***					1 CHECKS		233.00
1628	GE CONSUMER & INDUSTRIAL							
I-175-661511	PUMP REPAIRS	R	7/09/2009	3,250.00		005587		3,250.00
	*** VENDOR TOTALS ***					1 CHECKS		3,250.00
1166	GLENBARD ELECTRIC SUPPLY, INC.							
I-1075722-01	MAINTENANCE SUPPLIES	R	7/09/2009	12.27		005555		12.27
	*** VENDOR TOTALS ***					1 CHECKS		12.27
1055	GRAINGER							
I-9035785766	SUPPLIES	R	7/30/2009	1,754.20		005642		
I-9036043686	GRAINGER	R	7/30/2009	466.08		005642		
I-9036043694	MAINTENANCE SUPPLIES	R	7/30/2009	1,977.96		005642		
I-9036154244	MAINTENANCE SUPPLIES	R	7/30/2009	2,873.88		005642		
I-9036895226	MAINTENANCE SUPPLIES	R	7/30/2009	328.75		005642		
I-9041076382	METER STATION MAINTENANCE	R	7/30/2009	690.80		005642		
I-9041364234	MAINTENANCE SUPPLIES	R	7/30/2009	563.40		005642		
I-9041364242	MAINTENANCE SUPPLIES	R	7/30/2009	840.76		005642		9,495.83
	*** VENDOR TOTALS ***					1 CHECKS		9,495.83

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VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1399	GREELEY AND HANSEN							
I-284953	LEXINGTON PS	R	7/09/2009	18,899.99		005575		18,899.99
1399	GREELEY AND HANSEN							
I-291298	LEX PS GENERATION FACILITIES	R	7/17/2009	11,575.41		005618		
I-291299	LEXINGTON PS VAR FREQ DRIVES	R	7/17/2009	575.19		005618		
I-291300	LEXINGTON PS PHOTOVOLTAIC CELL	R	7/17/2009	5,536.40		005618		17,687.00
	*** VENDOR TOTALS ***					2 CHECKS		36,586.99
1264	H-O-H CHEMICALS, INC.							
I-321105	SODIUM HYDROXIDE	R	7/09/2009	464.80		005564		464.80
	*** VENDOR TOTALS ***					1 CHECKS		464.80
1008	HARRIS BANK							
I-200907082238	PAYROLL	R	7/08/2009	40,000.00		005528		40,000.00
	*** VENDOR TOTALS ***					1 CHECKS		40,000.00
1101	HOLLAND & KNIGHT LLP							
I-2387123	LEGAL SERVICES: APR 2009	R	7/13/2009	2,171.50		005598		
I-2400525	LEGAL SERVICES: MAY 2009	R	7/13/2009	3,670.50		005598		5,842.00
	*** VENDOR TOTALS ***					1 CHECKS		5,842.00
1050	HOME DEPOT CREDIT SERVICES							
I-1015258	MAINTENANCE SUPPLIES	R	7/09/2009	8.92		005535		
I-1022612	MAINTENANCE SUPPLIES	R	7/09/2009	99.23		005535		
I-2022274	MAINTENANCE SUPPLIES	R	7/09/2009	46.88		005535		
I-2022333	METER STATION MAINTENANCE	R	7/09/2009	259.21		005535		
I-2022372	MAINTENANCE SUPPLIES	R	7/09/2009	55.10		005535		
I-2033777	MAINTENANCE SUPPLIES	R	7/09/2009	34.91		005535		
I-22839	MAINTENANCE SUPPLIES	R	7/09/2009	35.48		005535		
I-22871	MAINTENANCE SUPPLIES	R	7/09/2009	8.16		005535		
I-357991	MAINTENANCE SUPPLIES	R	7/09/2009	11.34		005535		
I-4024526	MAINTENANCE SUPPLIES	R	7/09/2009	20.93		005535		
I-4055232	MAINTENANCE SUPPLIES	R	7/09/2009	65.97		005535		
I-7053748	MAINTENANCE SUPPLIES	R	7/09/2009	76.94		005535		
I-8012222	MAINTENANCE SUPPLIES	R	7/09/2009	42.83		005535		
I-8022086	MAINTENANCE SUPPLIES	R	7/09/2009	18.58		005535		
I-8022095	MAINTENANCE SUPPLIES	R	7/09/2009	7.94		005535		
I-9012020	OFFICE SUPPLIES	R	7/09/2009	71.90		005535		
I-9025848	MAINTENANCE SUPPLIES	R	7/09/2009	176.91		005535		
I-9030741	MAINTENANCE SUPPLIES	R	7/09/2009	22.96		005535		
I-9051751	PIPELINE SUPPLIES	R	7/09/2009	43.64		005535		
I-9064498	MAINTENANCE SUPPLIES	R	7/09/2009	4.31		005535		1,112.14
	*** VENDOR TOTALS ***					1 CHECKS		1,112.14

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VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1425	HR PLUS							
I-4067826	BACKGROUND CHECKS	R	7/09/2009	593.44		005578		593.44
	*** VENDOR TOTALS ***					1 CHECKS		593.44
1057	HSQ TECHNOLOGY							
I-05-2521/9548	MAINT AGREEMENT 05/09 -04/10	R	7/09/2009	6,000.00		005539		6,000.00
	*** VENDOR TOTALS ***					1 CHECKS		6,000.00
1225	IKON OFFICE SOLUTIONS							
I-5011756112	COPIER USAGE:05/31/09-06/24/09	R	7/31/2009	528.69		005671		528.69
	*** VENDOR TOTALS ***					1 CHECKS		528.69
1192	ILLINOIS DIRECTOR OF EMPLOYMEN							
I-200907292262	2ND QTR UNEMPLOYMENT TAXES	R	7/30/2009	151.94		005643		151.94
	*** VENDOR TOTALS ***					1 CHECKS		151.94
1667	ILLINOIS NOTARY "DISCOUNT" BO							
I-200907092240	NOTARY STAMP	R	7/09/2009	18.90		005595		18.90
	*** VENDOR TOTALS ***					1 CHECKS		18.90
1053	ILLINOIS PUBLIC RISK FUND							
I-200906302212	WORKERS COMPENSATION	R	7/09/2009	8,785.00		005537		8,785.00
1053	ILLINOIS PUBLIC RISK FUND							
I-200907272254	WORKERS COMPENSATION	R	7/30/2009	8,786.00		005644		8,786.00
	*** VENDOR TOTALS ***					2 CHECKS		17,571.00
1063	ILLINOIS SECTION AWWA							
I-6142	TOUR - PETERS/CASTANEDA	R	7/31/2009	70.00		005672		70.00
	*** VENDOR TOTALS ***					1 CHECKS		70.00
1443	ILLINOIS STATE POLICE - BUREAU							
I-200907172247	SECURITY BACKGROUND CHECKS	R	7/17/2009	500.00		005619		500.00
	*** VENDOR TOTALS ***					1 CHECKS		500.00
1496	INFOR GLOBAL SOLUTIONS, INC.							
I-38701-00D1	ANNUAL SOFTWARE MAINTENANCE	R	7/09/2009	3,427.44		005583		3,427.44
	*** VENDOR TOTALS ***					1 CHECKS		3,427.44
1152	INSIGHT PUBLIC SECTOR							
I-1100098401	JET-DIRECT - PRINTER	R	7/31/2009	327.88		005673		327.88
	*** VENDOR TOTALS ***					1 CHECKS		327.88

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1508	JOHNSON CONTROLS, INC.							
I-0906253630	MAINTENANCE & REPAIRS	R	7/17/2009	526.30		005620		526.30
	*** VENDOR TOTALS ***					1 CHECKS		526.30
1032	JULIE, INC.							
I-06-09-0441	UTILITY LOCATES	R	7/17/2009	5,764.00		005621		5,764.00
	*** VENDOR TOTALS ***					1 CHECKS		5,764.00
1195	LESMAN INSTRUMENT COMPANY							
I-1/563960	GEMS TILT FLOAT SWITCH	R	7/30/2009	393.32		005645		393.32
	*** VENDOR TOTALS ***					1 CHECKS		393.32
1672	LEXCO							
I-0200939-IN	MAINTENANCE SUPPLIES	R	7/30/2009	209.51		005646		209.51
	*** VENDOR TOTALS ***					1 CHECKS		209.51
1608	MARTAM CONSTRUCTION, INC.							
I-10009	INSUR & BONDS 6/30/09 -6/29/10	R	7/30/2009	30,000.00		005627		
I-QR8-013A	EXCAVATE EXISTING PIPE STUB	R	7/30/2009	5,644.18		005627		35,644.18
	*** VENDOR TOTALS ***					1 CHECKS		35,644.18
1337	GREGORY S. MATHEWS							
I-200906302221	COMMISSIONER SERV. JAN09-JUN09	R	7/09/2009	300.00		005570		300.00
	*** VENDOR TOTALS ***					1 CHECKS		300.00
1191	TERRANCE MC GHEE							
I-200906302224	TUITION REIMBURSEMENT	R	7/09/2009	2,160.00		005558		2,160.00
	*** VENDOR TOTALS ***					1 CHECKS		2,160.00
1581	MC GLADREY & PULLEN, LLP							
I-M-3164191-543	AUDIT SERVICES	R	7/30/2009	14,000.00		005647		14,000.00
	*** VENDOR TOTALS ***					1 CHECKS		14,000.00
1054	MCMASTER-CARR SUPPLY COMPANY							
I-30088984	MAINTENANCE SUPPLIES	R	7/09/2009	345.86		005538		345.86
1054	MCMASTER-CARR SUPPLY COMPANY							
C-30661417	MAINTENANCE SUPPLIES	R	7/30/2009	25.84CR		005648		
I-30883259	MAINTENANCE SUPPLIES	R	7/30/2009	25.64		005648		
I-32452665	MAINTENANCE SUPPLIES	R	7/30/2009	74.78		005648		
I-32452684	MAINTENANCE SUPPLIES	R	7/30/2009	58.28		005648		
I-32452696	MAINTENANCE SUPPLIES	R	7/30/2009	22.86		005648		155.72

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1054	MCMASTER-CARR SUPPLY COMPANY							
I-30650013	MAINTENANCE SUPPLIES	R	7/31/2009	83.71		005674		83.71
	*** VENDOR TOTALS ***					3 CHECKS		585.29
1018	MEDLIN COMMUNICATIONS, INC.							
I-S23068	MAINTENANCE & REPAIRS	R	7/17/2009	160.00		005622		160.00
	*** VENDOR TOTALS ***					1 CHECKS		160.00
1069	MEL'S ACE HARDWARE							
I-409800/4	MAINTENANCE SUPPLIES	R	7/09/2009	28.33		005542		
I-409840/4	MAINTENANCE SUPPLIES	R	7/09/2009	19.32		005542		
I-409849/4	MAINTENANCE SUPPLIES	R	7/09/2009	0.71		005542		
I-409955/4	METER STATION MAINTENANCE	R	7/09/2009	14.38		005542		
I-409961/4	MAINTENANCE SUPPLIES	R	7/09/2009	11.98		005542		
I-410011/4	PIPELINE SUPPLIES	R	7/09/2009	12.12		005542		
I-410027/4	MAINTENANCE SUPPLIES	R	7/09/2009	15.73		005542		
I-410036/4	MAINTENANCE SUPPLIES	R	7/09/2009	3.59		005542		
I-410041/4	MAINTENANCE SUPPLIES	R	7/09/2009	15.99		005542		122.15
1069	MEL'S ACE HARDWARE							
I-410098/4	MAINTENANCE SUPPLIES	R	7/30/2009	37.14		005649		
I-410130/4	MAINTENANCE SUPPLIES	R	7/30/2009	40.33		005649		
I-410140/4	MAINTENANCE SUPPLIES	R	7/30/2009	10.79		005649		
I-410192/4	MAINTENANCE SUPPLIES	R	7/30/2009	21.37		005649		
I-410203/4	MAINTENANCE SUPPLIES	R	7/30/2009	33.57		005649		
I-410275/4	MAINTENANCE SUPPLIES	R	7/30/2009	9.22		005649		
I-410333/4	METER STATION MAINTENANCE	R	7/30/2009	9.95		005649		162.37
	*** VENDOR TOTALS ***					2 CHECKS		284.52
1051	MENARDS - HILLSIDE							
I-85208	MAINTENANCE SUPPLIES	R	7/09/2009	25.94		005536		
I-85573	MAINTENANCE SUPPLIES	R	7/09/2009	15.53		005536		
I-85817	MAINTENANCE SUPPLIES	R	7/09/2009	27.86		005536		
I-86003	MAINTENANCE SUPPLIES	R	7/09/2009	35.13		005536		
I-86138	MAINTENANCE SUPPLIES	R	7/09/2009	37.47		005536		
I-86147	MAINTENANCE SUPPLIES	R	7/09/2009	37.47		005536		
I-86148	MAINTENANCE SUPPLIES	R	7/09/2009	25.47		005536		
I-87332	MAINTENANCE SUPPLIES	R	7/09/2009	14.97		005536		219.84
1051	MENARDS - HILLSIDE							
C-86147	MAINTENANCE SUPPLIES	R	7/13/2009	74.94CR		005599		
I-87407	MAINTENANCE SUPPLIES	R	7/13/2009	51.82		005599		
I-88906	MAINTENANCE SUPPLIES	R	7/13/2009	7.50		005599		
I-88991	MAINTENANCE SUPPLIES	R	7/13/2009	58.01		005599		
I-89174	MAINTENANCE SUPPLIES	R	7/13/2009	5.82		005599		48.21

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1051	MENARDS - HILLSIDE							
I-89443	MAINTENANCE SUPPLIES	R	7/30/2009	68.04		005650		
I-89627	MAINTENANCE SUPPLIES	R	7/30/2009	108.56		005650		
I-89638	MAINTENANCE SUPPLIES	R	7/30/2009	13.06		005650		
I-92751	METER STATION MAINTENANCE	R	7/30/2009	69.97		005650		
I-93110	MAINTENANCE SUPPLIES	R	7/30/2009	9.71		005650		
I-94328	METER STATION MAINTENANCE	R	7/30/2009	57.93		005650		
I-94477	MAINTENANCE SUPPLIES	R	7/30/2009	15.96		005650		343.23
	*** VENDOR TOTALS ***					3 CHECKS		611.28
1074	MICRO CENTER							
I-2016321	COMPUTER SUPPLIES	R	7/09/2009	105.97		005544		105.97
	*** VENDOR TOTALS ***					1 CHECKS		105.97
1604	MWH AMERICAS, INC.							
I-1270995	WATER CONSERVATION	R	7/30/2009	12,196.85		005651		12,196.85
	*** VENDOR TOTALS ***					1 CHECKS		12,196.85
1021	NAPERVILLE, CITY OF							
I-200906302215	METER STATION ELECTRIC	R	7/09/2009	38.03		005532		
I-200906302216	METER STATION ELECTRIC	R	7/09/2009	38.31		005532		
I-200906302217	METER STATION ELECTRIC	R	7/09/2009	34.95		005532		
I-200906302218	METER STATION ELECTRIC	R	7/09/2009	27.61		005532		
I-200907082236	METER STATION ELECTRIC SERVICE	R	7/09/2009	37.28		005532		176.18
1021	NAPERVILLE, CITY OF							
I-200907172249	METER STATION ELECTRIC	R	7/17/2009	35.61		005623		
I-200907172250	METER STATION ELECTRIC	R	7/17/2009	42.12		005623		77.73
	*** VENDOR TOTALS ***					2 CHECKS		253.91
1479	CITY OF NAPERVILLE							
I-200907302265	METER STATION ELECTRIC	R	7/30/2009	37.66		005652		37.66
	*** VENDOR TOTALS ***					1 CHECKS		37.66
1021	NAPERVILLE, CITY OF							
I-200907272258	METER STATION ELECTRIC	R	7/30/2009	26.94		005653		
I-200907272259	METER STATION ELECTRIC	R	7/30/2009	54.20		005653		
I-200907272260	METER STATION ELECTRIC	R	7/30/2009	38.96		005653		120.10
1021	NAPERVILLE, CITY OF							
I-200907312271	METER STATION ELECTRIC	R	7/31/2009	37.47		005675		37.47
	*** VENDOR TOTALS ***					2 CHECKS		157.57

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1070	NATIONAL CITY BANK							
I-740538	SAFEKEEPING FEES: MAY 2009	R	7/09/2009	975.00		005543		975.00
1070	NATIONAL CITY BANK							
I-759295	SAFEKEEPING FEES	R	7/31/2009	975.00		005676		975.00
	*** VENDOR TOTALS ***					2 CHECKS		1,950.00
1203	NATIONAL SAFETY COUNCIL							
I-2031752	PRIN OCCUPATION SAFETY/HEALTH	R	7/09/2009	2,390.00		005559		2,390.00
	*** VENDOR TOTALS ***					1 CHECKS		2,390.00
1020	NEXTEL COMMUNICATIONS							
I-648652511-088	CELL PHONE SERV: MAY 09-JUN 09	R	7/09/2009	1,997.73		005531		1,997.73
1020	NEXTEL COMMUNICATIONS							
I-648652511-089	CELL PHONE SERV. JUN 09-JUL 08	R	7/30/2009	1,963.38		005654		1,963.38
	*** VENDOR TOTALS ***					2 CHECKS		3,961.11
1673	NIABPA							
I-200907312272	BACKFLOW PREVENTION - SEMINAR	R	7/31/2009	100.00		005677		100.00
	*** VENDOR TOTALS ***					1 CHECKS		100.00
1395	OFFICE DEPOT							
I-476917073-001	OFFICE SUPPLIES	R	7/09/2009	63.14		005572		
I-477901353-001	OFFICE SUPPLIES	R	7/09/2009	236.28		005572		
I-477902506-001	OFFICE SUPPLIES	R	7/09/2009	13.72		005572		313.14
1395	OFFICE DEPOT							
I-480298139001	OFFICE SUPPLIES	R	7/30/2009	61.86		005655		
I-480456878001	OFFICE SUPPLIES	R	7/30/2009	317.04		005655		
I-480565450001	OFFICE SUPPLIES	R	7/30/2009	254.47		005655		
I-480952437001	OFFICE SUPPLIES	R	7/30/2009	169.75		005655		
I-481042201001	OFFICE SUPPLIES	R	7/30/2009	169.90		005655		
I-481791929001	OFFICE SUPPLIES	R	7/30/2009	155.55		005655		1,128.57
	*** VENDOR TOTALS ***					2 CHECKS		1,441.71
1584	OFFICE MAX INCORPORATED							
I-658189	OFFICE SUPPLIES	R	7/30/2009	25.87		005656		25.87
	*** VENDOR TOTALS ***					1 CHECKS		25.87
1520	ORKIN							
I-45697984	EXTERIOR EXTERMINATION	R	7/30/2009	250.00		005657		250.00
	*** VENDOR TOTALS ***					1 CHECKS		250.00

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1178	PADDOCK PUBLICATIONS, INC.							
I-200906302211	BID NOTICE	R	7/09/2009	21.00		005557		21.00
	*** VENDOR TOTALS ***					1 CHECKS		21.00
1081	PATRICK ENGINEERING INC.							
I-20806.003-12	GIS SUPPORT	R	7/09/2009	114.00		005546		
I-20934.003-1	ELECTRONIC BUILDING PLAN DOC	R	7/09/2009	17,445.50		005546		17,559.50
	*** VENDOR TOTALS ***					1 CHECKS		17,559.50
1279	PETERS & ASSOCIATES							
I-39764	CONSULTING SERVICE - 3 SERVERS	R	7/09/2009	2,662.50		005565		
I-39814	CONSULTING SERVICE - 3 SERVERS	R	7/09/2009	1,025.00		005565		3,687.50
	*** VENDOR TOTALS ***					1 CHECKS		3,687.50
1114	PITNEY BOWES							
I-5795233-JN09	POSTAGE METER RENTAL	R	7/09/2009	630.00		005550		630.00
	*** VENDOR TOTALS ***					1 CHECKS		630.00
1642	PORTER PIPE & SUPPLY CO.							
I-10379029-00	PUMPING OPERATIONS	R	7/31/2009	940.04		005678		940.04
	*** VENDOR TOTALS ***					1 CHECKS		940.04
1280	PRIMERA							
I-22098	COMPUTER ROOM HVAC UPGRADES	R	7/09/2009	982.41		005566		982.41
	*** VENDOR TOTALS ***					1 CHECKS		982.41
1664	PROGRAM ONE PROFESSIONAL BUILD							
I-3523	WINDOW CLEANING- 06/15/09	R	7/09/2009	150.00		005592		150.00
1664	PROGRAM ONE PROFESSIONAL BUILD							
I-4321	WINDOW CLEANING: 07/07/09	R	7/31/2009	150.00		005679		150.00
	*** VENDOR TOTALS ***					2 CHECKS		300.00
1115	PROSAFETY							
I-2/603690	BLOWER W/15' HOSE	R	7/09/2009	1,250.00		005551		1,250.00
1115	PROSAFETY							
I-2/629340	SCADA / INSTRUMENTATION	R	7/31/2009	347.00		005680		347.00
	*** VENDOR TOTALS ***					2 CHECKS		1,597.00
1636	R CARLSON AND SONS							
I-4	PSD-6A/08 PARTIAL PAYMENT #4	R	7/30/2009	111,647.01		005626		111,647.01
	*** VENDOR TOTALS ***					1 CHECKS		111,647.01

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1408	S. LOUIS RATHJE							
I-200906302219	SERV AS CHAIRMAN; JAN09-JUN09	R	7/09/2009	300.00		005577		300.00
	*** VENDOR TOTALS ***					1 CHECKS		300.00
1173	SIMPLEXGRINNELL LP							
I-64664410	MAINTENANCE SUPPLIES	R	7/09/2009	145.61		005556		145.61
	*** VENDOR TOTALS ***					1 CHECKS		145.61
1302	SIR SPEEDY							
I-52088	ADMINISTRATION EXPENSE	R	7/09/2009	679.84		005569		679.84
	*** VENDOR TOTALS ***					1 CHECKS		679.84
1662	SMART SOLUTIONS							
I-081495	DOCUMENT MANAGEMENT SOFTWARE	R	7/09/2009	58,262.50		005590		58,262.50
	*** VENDOR TOTALS ***					1 CHECKS		58,262.50
1043	SOOPER LUBE							
I-158239	VEHICLE MAINTENANCE	R	7/09/2009	32.45		005534		
I-158246	VEHICLE MAINTENANCE	R	7/09/2009	32.45		005534		
I-158358	VEHICLE MAINTENANCE	R	7/09/2009	37.45		005534		102.35
	*** VENDOR TOTALS ***					1 CHECKS		102.35
1040	SPECIALTY MAT SERVICE							
I-497766	MAT SERVICE - 060109	R	7/09/2009	55.40		005533		
I-500221	CLEANING RAGS	R	7/09/2009	405.40		005533		460.80
1040	SPECIALTY MAT SERVICE							
I-501952	MAT SERVICE: 07/02/09	R	7/30/2009	55.40		005658		
I-503610	MAT SERVICE: 07/16/09	R	7/30/2009	55.40		005658		110.80
	*** VENDOR TOTALS ***					2 CHECKS		571.60
1668	SPROVIERI'S							
I-113596	COUNTER TOPS- 50% DEPOSIT	R	7/17/2009	3,094.00		005624		3,094.00
	*** VENDOR TOTALS ***					1 CHECKS		3,094.00
1656	STORAGE POWER BATTERY, INC							
I-1972	BATTERY - EMERGENCY LIGHTS	R	7/30/2009	630.00		005659		
I-1997	BATTERY FOR CP SITES	R	7/30/2009	76.80		005659		706.80
	*** VENDOR TOTALS ***					1 CHECKS		706.80
1223	SUBURBAN LABORATORIES, INC.							
I-96251	WATER TESTING	R	7/30/2009	45.00		005660		45.00
	*** VENDOR TOTALS ***					1 CHECKS		45.00

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1379	THERMO/CENSE, INC.							
I-62614-I23417	SCADA/INSTRUMENTATION	R	7/09/2009	2,133.63		005571		2,133.63
	*** VENDOR TOTALS ***					1 CHECKS		2,133.63
1123	THOMPSON ELEVATOR INSPECTION S							
I-09-2077	ELEVATOR INSPECTION	R	7/30/2009	55.00		005661		55.00
	*** VENDOR TOTALS ***					1 CHECKS		55.00
1253	RICHARD THORN							
I-200906302223	COMMISSIONER SERV. JAN09-JUN09	R	7/09/2009	250.00		005562		250.00
	*** VENDOR TOTALS ***					1 CHECKS		250.00
1058	THYSSENKRUPP ELEVATOR CORP.							
I-164376	ELEVATOR MAINTENANCE	R	7/30/2009	792.01		005662		792.01
	*** VENDOR TOTALS ***					1 CHECKS		792.01
1666	TOOLS SAVINGS, LLC							
I-9012282-01	MAINTENANCE SUPPLIES	R	7/09/2009	89.68		005594		89.68
	*** VENDOR TOTALS ***					1 CHECKS		89.68
1046	TREE TOWNS REPRO SERVICE							
I-129920	DIGITAL BOND COPY	R	7/30/2009	10.00		005663		
I-129932	TUBE MAILING	R	7/30/2009	6.25		005663		
I-130439	DIGITAL SCAN TO DISC/CD IMPRIN	R	7/30/2009	27.00		005663		43.25
	*** VENDOR TOTALS ***					1 CHECKS		43.25
1146	TRITON ELECTRONICS, INC.							
I-6509	ALIBRATE FLUKE PROCESS METER	R	7/09/2009	336.00		005554		
I-6546	SCADA / INSTRUMENTATION	R	7/09/2009	76.00		005554		412.00
	*** VENDOR TOTALS ***					1 CHECKS		412.00
1665	TRU-LINK							
I-25670	METER STATION MAINTENANCE	R	7/09/2009	29.56		005593		29.56
	*** VENDOR TOTALS ***					1 CHECKS		29.56
1080	TYLER TECHNOLOGIES							
I-79186	MAINT AGREEMENT JUL09-JUN10	R	7/09/2009	1,433.00		005545		1,433.00
	*** VENDOR TOTALS ***					1 CHECKS		1,433.00
1404	VIKING AWARDS, INC.							
I-20834	RESIZED PLATES; TAGS	R	7/09/2009	145.25		005576		145.25
	*** VENDOR TOTALS ***					1 CHECKS		145.25

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1300	VOSS EQUIPMENT, INC.							
I-01P7148220	VOSS EQUIPMENT, INC.	R	7/09/2009	142.92		005568		142.92
	*** VENDOR TOTALS ***					1 CHECKS		142.92
1062	WASTE MANAGEMENT							
I-2061512-2008-7	REFUSE DISPOSAL	R	7/09/2009	436.61		005540		
I-2215511-2008-4	REFUSE DISPOSAL	R	7/09/2009	140.00		005540		576.61
	*** VENDOR TOTALS ***					1 CHECKS		576.61
1620	WILLIAM WEGNER							
I-200907312273	TUITION REIMBURSEMENT:WEGNER	R	7/31/2009	1,085.76		005681		1,085.76
	*** VENDOR TOTALS ***					1 CHECKS		1,085.76
1010	WEST							
I-818402670	WESTLAW MAY2009	R	7/09/2009	403.83		005530		403.83
1010	WEST							
I-818573905	IL COMP STATE BAR V1-V9	R	7/30/2009	189.00		005664		
I-818586859	WESTLAW: JUNE 2009	R	7/30/2009	403.83		005664		592.83
	*** VENDOR TOTALS ***					2 CHECKS		996.66
1453	WEST-HILL AUTO BODY							
I-10192	VEHICLE REPAIRS	R	7/09/2009	3,372.86		005581		3,372.86
	*** VENDOR TOTALS ***					1 CHECKS		3,372.86
1412	WESTIN ENGINEERING, INC.							
I-31935	ASSET MGMT BEST PRAC. PHASE 5	R	7/30/2009	1,828.72		005665		1,828.72
	*** VENDOR TOTALS ***					1 CHECKS		1,828.72
1627	WILLIAMS BROTHERS CONSTRUCTION							
I-6	PSD-7/08 PARTIAL PAYMENT #6	R	7/08/2009	770,024.88		005529		770,024.88
	*** VENDOR TOTALS ***					1 CHECKS		770,024.88
1669	WORKSHARE							
I-USINV004694	LICENSE-DOC MNGT SOFTWARE	R	7/17/2009	2,094.00		005625		2,094.00
	*** VENDOR TOTALS ***					1 CHECKS		2,094.00
1256	DONALD G. ZEILENGA							
I-200906302222	COMMISSIONER SERV. JAN09-JUN09	R	7/09/2009	300.00		005563		300.00
	*** VENDOR TOTALS ***					1 CHECKS		300.00
1048	ZIEBELL WATER SERVICE PRODUCTS							
I-204480-000	SCADA/INSTRUMENTATION	R	7/30/2009	10.02		005666		
I-205076-000	MAINTENANCE SUPPLIES	R	7/30/2009	89.01		005666		99.03
	*** VENDOR TOTALS ***					1 CHECKS		99.03

VENDOR SET: 01 DuPage Water Commission

BANK: IL ILLINOIS FUNDS

DATE RANGE: 7/01/2009 THRU 7/31/2009

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
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* * T O T A L S * *

	NO	CHECK AMOUNT	DISCOUNTS	TOTAL APPLIED
REGULAR CHECKS:	154	6,970,089.91	0.00	6,970,089.91
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00

	VOID DEBITS	VOID DISCOUNTS	VOID CREDITS
VOID CHECKS:	1	450,000.00	0.00
			450,000.00CR

TOTAL ERRORS: 0

VENDOR SET: 01	BANK: IL	TOTALS:	155	6,970,089.91	0.00	6,970,089.91
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BANK: IL	TOTALS:	155	6,970,089.91	0.00	6,970,089.91
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VENDOR SET: 01 DuPage Water Commission

BANK: VP HARRIS BANK

DATE RANGE: 7/01/2009 THRU 7/31/2009

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1008	HARRIS BANK							
I-FSA200907072233	FAMILY FLEX	D	7/10/2009	1,131.92		000000		1,131.92
1008	HARRIS BANK							
I-FSA200907202251	FAMILY FLEX	D	7/24/2009	1,131.92		000000		1,131.92
	*** VENDOR TOTALS ***					2 CHECKS		2,263.84
1007	ILLINOIS DEPARTMENT OF REVENUE							
I-T2 200907072233	STATE WITHHOLDING	D	7/10/2009	2,808.40		000000		2,808.40
1007	ILLINOIS DEPARTMENT OF REVENUE							
I-T2 200907202251	STATE WITHHOLDING	D	7/24/2009	2,836.66		000000		2,836.66
	*** VENDOR TOTALS ***					2 CHECKS		5,645.06
1006	INTERNAL REVENUE SERVICE							
I-T1 200906232203	PAYROLL DEDUCTION	D	7/01/2009	12,351.49		000000		
I-T3 200906232203	PAYROLL DEDUCTION	D	7/01/2009	13,133.82		000000		
I-T4 200906232203	PAYROLL DEDUCTION	D	7/01/2009	3,071.64		000000		28,556.95
1006	INTERNAL REVENUE SERVICE							
I-T1 200907072233	PAYROLL DEDUCTION	D	7/10/2009	11,622.91		000000		
I-T3 200907072233	PAYROLL DEDUCTION	D	7/10/2009	13,005.64		000000		
I-T4 200907072233	PAYROLL DEDUCTION	D	7/10/2009	3,041.68		000000		27,670.23
1006	INTERNAL REVENUE SERVICE							
I-T1 200907202251	PAYROLL DEDUCTION	D	7/24/2009	12,030.81		000000		
I-T3 200907202251	PAYROLL DEDUCTION	D	7/24/2009	13,110.52		000000		
I-T4 200907202251	PAYROLL DEDUCTION	D	7/24/2009	3,066.22		000000		28,207.55
	*** VENDOR TOTALS ***					3 CHECKS		84,434.73
1593	STATE DISBURSEMENT UNIT							
I-CS 200907072233	1704300/99F000111	R	7/10/2009	124.61		001851		124.61
1593	STATE DISBURSEMENT UNIT							
I-CSD200907072233	17043/2009CS000417	R	7/10/2009	384.66		001852		384.66
1593	STATE DISBURSEMENT UNIT							
I-CSD200907202251	17043/2009CS000417	R	7/24/2009	384.66		001862		384.66
1593	STATE DISBURSEMENT UNIT							
I-CS 200907202251	1704300/99F000111	R	7/24/2009	124.61		001863		124.61
	*** VENDOR TOTALS ***					4 CHECKS		1,018.54

VENDOR SET: 01 DuPage Water Commission

BANK: VP HARRIS BANK

DATE RANGE: 7/01/2009 THRU 7/31/2009

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1003	VANTAGEPOINT TRANSFER AGENTS -							
I-457200907072233	457 PLAN	D	7/10/2009	1,969.64		000000		
I-457200907072233	457 PLAN	D	7/10/2009	4,255.43		000000		6,225.07
1003	VANTAGEPOINT TRANSFER AGENTS -							
I-457200907202251	457 PLAN	D	7/24/2009	1,876.92		000000		
I-457200907202251	457 PLAN	D	7/24/2009	4,255.43		000000		6,132.35
*** VENDOR TOTALS ***						2 CHECKS		12,357.42

* * T O T A L S * *	NO	CHECK AMOUNT	DISCOUNTS	TOTAL APPLIED
REGULAR CHECKS:	4	1,018.54	0.00	1,018.54
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	9	104,701.05	0.00	104,701.05
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00

	VOID DEBITS	VOID DISCOUNTS	VOID CREDITS
VOID CHECKS:	0	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 01	BANK: VP	TOTAL	13	105,719.59	0.00	105,719.59
BANK: VP	TOTALS:		13	105,719.59	0.00	105,719.59
REPORT TOTALS:			169	7,075,809.50	0.00	7,075,809.50

SELECTION CRITERIA

VENDOR SET: 01-DUPAGE WATER COMMISSION

VENDOR: ALL

BANK CODES: All

FUNDS: All

CHECK SELECTION

CHECK RANGE: 000000 THRU 999999

DATE RANGE: 7/01/2009 THRU 7/31/2009

CHECK AMOUNT RANGE: 0.00 THRU 999,999,999.99

INCLUDE ALL VOIDS: YES

PRINT OPTIONS

SEQUENCE: VENDOR SORT KEY

PRINT TRANSACTIONS: YES

PRINT G/L: NO

UNPOSTED ONLY: NO

MANUAL ONLY: NO

STUB COMMENTS: NO

REPORT FOOTER: NO

CHECK STATUS: NO

PRINT STATUS: * - All



DuPage Water Commission

MEMORANDUM

TO: Chairman Rathje and Commissioners

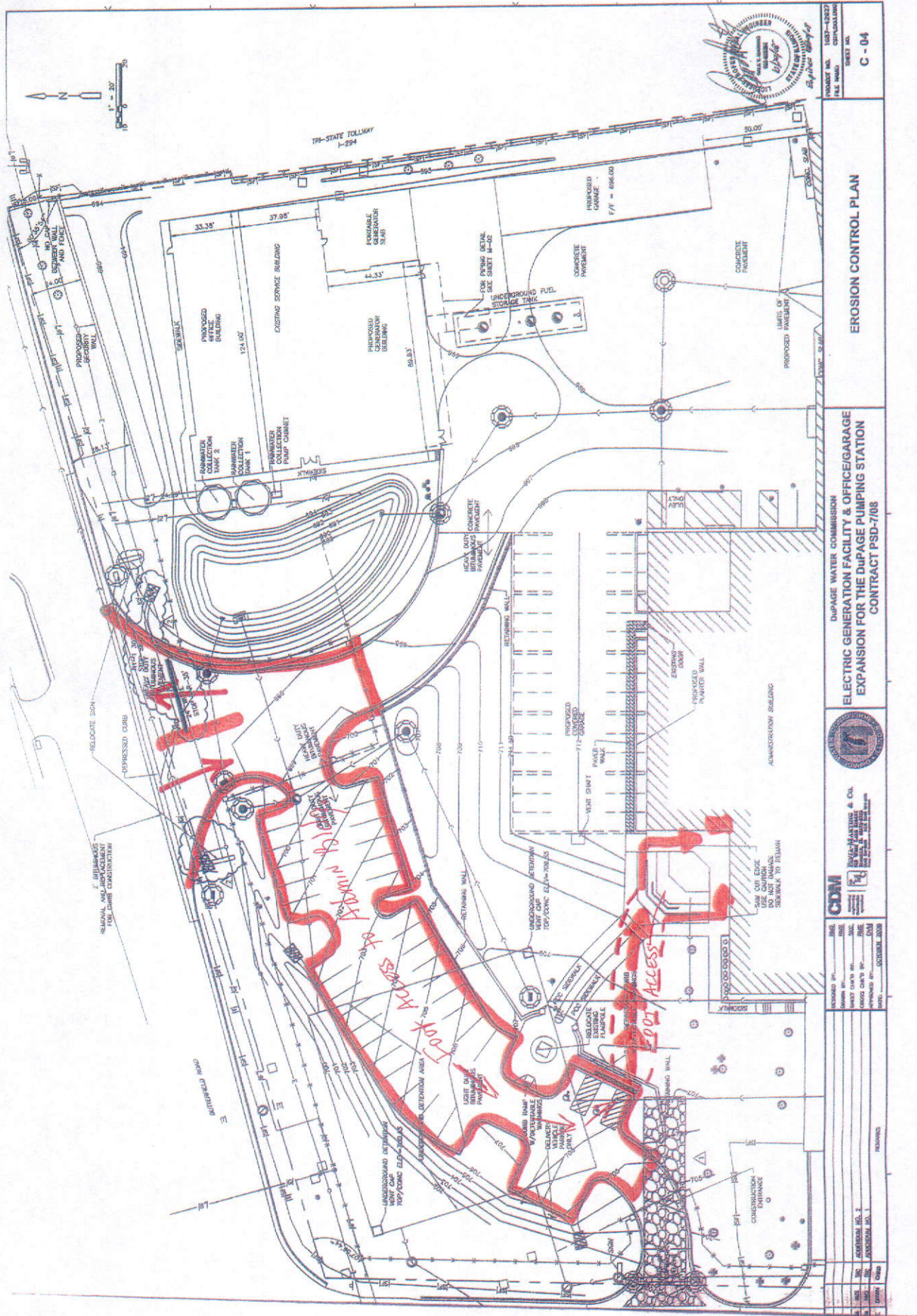
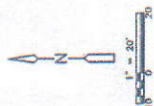
FROM: Robert L. Martin, P.E.
General Manager

DATE: August 6, 2009

SUBJECT: New Visitor Parking Area

The contractor for the DuPage Pumping Station Emergency Generation project has installed the new visitor parking lot. At the present time the access to this visitor parking lot is off of Butterfield Road. Access to the Administration Building will be through a temporary path from the handicapped spaces, crossing the old driveway up to the existing entrance plaza. See attached map.

The contractor is hoping to have the entrance off of Cadwell Avenue opened in time for the Commission meeting on August 13, 2009.



EROSION CONTROL PLAN

DUPAGE WATER COMMISSION
ELECTRIC GENERATION FACILITY & OFFICE/GARAGE
EXPANSION FOR THE DUPAGE PUMPING STATION
CONTRACT PSD-7008



CDM
J. Williams & Co.
1000 N. W. 10th St.
Fort Lauderdale, FL 33304
TEL: (305) 555-1111
FAX: (305) 555-1112

REVISION NO.	1
DATE	10/20/08
BY	J. Williams
CHECKED BY	J. Williams
APPROVED BY	J. Williams

REVISION NO.	1
DATE	10/20/08
BY	J. Williams
CHECKED BY	J. Williams
APPROVED BY	J. Williams

REVISION NO.	1
DATE	10/20/08
BY	J. Williams
CHECKED BY	J. Williams
APPROVED BY	J. Williams



DU PAGE WATER COMMISSION

600 E. BUTTERFIELD ROAD • ELMHURST, IL • 60126-4642
(630) 834-0100 • FAX: (630) 834-0120

August 5, 2009

Ms. Kristen N. Foley
Senior Assistant City Attorney
City of Naperville
100 South Eagle Street
P.O. Box 3020
Naperville, IL 60566-7020

Subject: Water Main Relocation for 75th Street and Washington

Dear Ms. Foley:

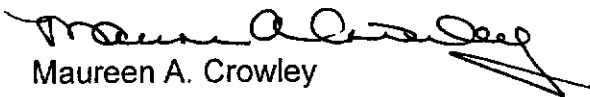
In response to your letter of July 30, 2009, and as I stated in our telephone conversation of July 29, 2009, the motion to supplement the cost of the relocation of the Commission's South Transmission Main at 75th Street and Washington Street failed for lack of an approving special-majority. See copy of April 9, 2009, minutes attached.

Further, in response to the City's request for reconsideration, the Commission responded, among other things, that there had been no indication that any Commissioner wished to change his or her position (See copy of Chairman Rathje's letter attached). That remains true today.

Finally, at the Board's meeting on July 9, 2009, the status of the relocation was unequivocally stated. See copy of *draft* minutes attached.

I trust this will satisfy your demand for additional documentation.

Very truly yours,


Maureen A. Crowley
Staff Attorney

C: Chairman Rathje and Commissioners

**MINUTES OF A MEETING OF THE
DuPAGE WATER COMMISSION
HELD ON THURSDAY, APRIL 9, 2009
600 E. BUTTERFIELD ROAD
ELMHURST, ILLINOIS**

The meeting was called to order by Chairman S. Louis Rathje at 7:36 P.M.

Commissioners in attendance: E. Chaplin, T. Elliott, L. Hartwig, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, D. Zeilenga, and L. Rathje

Commissioners Absent: T. Bennington

Also in attendance: Treasurer R. Thorn, R. Martin, R. M. Richter, M. Crowley, C. Johnson, R. C. Bostick, T. McGhee, J. Schori, E. Kazmierczak, F. Frelka, M. Weed, and J. Nesbitt

Commissioner Mueller moved to open the Charter Customer Hearing Regarding the Management Budget Ordinance for the Fiscal Year Commencing May 1, 2009 and Ending April 30, 2010. Seconded by Commissioner Maio and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

General Manager Martin advised that the hearing is for any Charter Customer to voice their comments. There being no comments, Commissioner Elliott moved to close the Charter Customer Hearing Regarding the Management Budget Ordinance for the Fiscal Year Commencing May 1, 2009 and Ending April 30, 2010. Seconded by Commissioner Saverino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

PUBLIC COMMENTS

Frank Falesch of Downers Grove, Illinois expressed his concern with the proposed recommendation for the Tuition Reimbursement Policy by stating that the current policy has not been in place that long, courses should be job related for advancement purposes, and there should be a passing grade requirement.

Dick Furstenuau of Naperville, Illinois stated that the Commission should be helping to supplement the cost of the relocation of the Commission's transmission main at 75th and Washington Streets in Naperville, Illinois.

APPROVAL OF MINUTES

Commissioner Chaplin moved to approve the Minutes of the March 12, 2009 Regular Meeting of the DuPage Water Commission. Seconded by Commissioner Elliott and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Minutes of the 4/9/09 Meeting

Commissioner Hartwig moved to approve the Minutes of the November 29, 2005 Special Sub Committee Meeting of the DuPage Water Commission. Seconded by Commission Chaplin and approved by a Voice Vote.

Majority voted aye, with Commissioners Maio, Saverino, and Zay abstaining. Motion carried.

Commissioner Hartwig moved to approve the Executive Session Minutes of the November 29, 2005 Special Sub Committee Meeting of the DuPage Water Commission. Seconded by Commissioner Poole and approved by a Voice Vote.

Majority voted aye, with Commissioners Maio, Saverino, and Zay abstaining. Motion carried.

TREASURER'S REPORT

Treasurer Thorn presented the Treasurer's Report for the month of March 2009 which showed receipts of \$6,135,887.00, disbursements of \$17,205,182.00, and a cash and investment balance of \$68,996,719.00.

Commissioner Mueller moved to accept the March 2009 Treasurer's Report. Seconded by Commissioner Saverino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

COMMITTEE REPORTS

Administration Committee

No meeting

Engineering & Construction Committee – Reported by Commissioner Maio

Commissioner Maio reported that the Engineering & Construction Committee reviewed and recommended for approval all items listed on the Engineering & Construction Committee Agenda, noting that the request for a 100 day extension on Contract PSC-4/08 (Electrical Generation Facilities, Photovoltaic System and Other Improvements at the Lexington Pumping Station) was due to delays in obtaining the necessary permit(s) for the work being performed.

General Manager Martin explained that the delay in obtaining the necessary permit(s) stemmed from issues with the City and its sister agency, the CTA, and was not due to the fault of the contractor.

Finance Committee – Reported by Commissioner Mathews

Commissioner Mathews reported that the Finance Committee reviewed and recommended for approval all items on the Finance Committee Agenda except the Holland & Knight invoice that was included in the Accounts Payable, Ordinance No. O-4-09 and Ordinance No. O-5-09. With respect to the Holland & Knight invoice, Commissioner Mathews reported that the Finance Committee requested additional information for review at the May 2009 meeting. With respect to Ordinance No. O-4-09, Commissioner Mathews reported that the Finance Committee could not reach consensus on whether the 3.5% salary pool was too high. With respect to Ordinance No. O-5-09, Commissioner Mathews reported that the Finance Committee could not reach consensus on whether rate increases should be accelerated to coincide with City of Chicago increases rather than lag behind as currently proposed.

CHAIRMAN'S REPORT

Chairman Rathje reported that a number of Commissioners had yet to submit performance evaluation forms for the General Manager but that the Board's discussion would proceed as scheduled for the May 2009 meeting.

Chairman Rathje then announced that Manager of Water Operations, Terry McGhee, will be serving as the new Chairperson for the Illinois Section of the American Water Works Association which is celebrating its 100th Anniversary.

In referring back to the Finance Committee Report, Commissioner Mathews clarified that two of the three members present voted to recommend approval of Ordinance No. O-4-09.

MAJORITY OMNIBUS VOTE AGENDA

Commissioner Chaplin requested that Ordinance No. O-4-09, Resolution No. R-23-09, and Resolution No. R-24-09 be removed from the Majority Omnibus Vote Agenda for separate consideration.

Commissioner Mathews moved to adopt Resolution No. R-22-09: A Resolution Releasing Certain Executive Session Meeting Minutes at the April 9, 2009, DuPage Water Commission Meeting. Seconded by Commissioner Murphy and unanimously approved by a Roll Call Vote:

Ayes: E. Chaplin, T. Elliott, L. Hartwig, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, D. Zeilenga, and L. Rathje

Nays: None

Absent: T. Bennington

Commissioner Hartwig moved to adopt Ordinance No. O-4-09: An Ordinance Approving and Adopting an Annual Management Budget for the Fiscal Year Commencing May 1, 2009 and Ending April 30, 2010. Seconded by Commissioner Murphy.

Before the vote was called, Commissioner Chaplin expressed several concerns relating to the FY 2009-2010 Budget, stating that staff needs to be more mindful of the struggles people are facing in the current economy and recommending that the Board remove the budget allocations for the Board holiday party, the employee holiday party, the monthly employee recognition luncheons, and the \$175,000 allocation for the water conservation program as the program seems to duplicate programs already being implemented by other civic and community organizations.

Commissioner Chaplin moved to amend Commissioner Hartwig's motion to adopt Ordinance No. O-4-09: An Ordinance Approving and Adopting an Annual Management Budget for the Fiscal Year Commencing May 1, 2009 and Ending April 30, 2010 by adding to end of the motion "as amended to eliminate the employee recognition luncheons, the employee holiday party, and the Commissioner's holiday dinner." Seconded by Commissioner Poole.

Commissioner Zay commented that he understood Commissioner Chaplin's concerns, but also noted that just because items are budgeted does not mean the money has to be spent and suggested leaving the budget "as is" and separately directing staff to adhere to any desired expenditure limitation. Commissioner Elliott agreed with Commissioner Zay, noting that the employees are the nuts and bolts of the organization. After Commissioner Chaplin, as the movant, agreed to withdraw her motion to amend Commissioner Hartwig's motion, and Commissioner Poole, as the seconder, agreed to the withdrawal of Commissioner Chaplin's motion to amend, Commissioner Zeilenga commented that DuPage County's unemployment is up 8% - 9%; the salary pool for merit increases for Commission employees during the prior year was 4.5%; Naperville's proposed salary pool for merit increases in the coming year was 1.5%; *Crane's Chicago* reports the average is 1.7% for salary pools for merit increases; and a 3.5% salary pool for merit increases during the current economic situation is too high.

At which point, Commissioner Zeilenga moved to amend Commissioner Hartwig's motion to adopt Ordinance No. O-4-09: An Ordinance Approving and Adopting an Annual Management Budget for the Fiscal Year Commencing May 1, 2009 and Ending April 30, 2010 by adding to end of the motion "as amended to reduce the proposed 3.5% salary pool for merit increases to 2%." Seconded by Commissioner Zay.

Commissioner Elliott asked what the proposed 1.5% reduction in the salary pool for merit increases would mean in terms of dollars. As Financial Administrator Richter was calculating the amount, Commissioner Murphy asked General Manager Martin to refresh the Board's recollection as to how the 3.5% salary pool for merit increases was determined. General Manager Martin explained that the 3.5% salary pool for merit

increases was determined based upon a survey conducted by staff of all of its utility customers. General Manager Martin noted that the 3.5% salary pool for merit increases was in addition to the increases approved by the Board at the July 10, 2008, meeting for implementation in Fiscal Year 2009/2010. After Financial Administrator Richter informed the Board that the proposed reduction in the salary pool for merit increases would amount to approximately \$29,500.00, Commissioner Elliott commented that staff is very lean compared to other utilities and that he is in favor of keeping the proposed 3.5% salary pool for merit increases. Commissioner Zay disagreed with Commissioner Elliott, stating that the economy has changed since the salary survey was conducted. Commissioner Mathews commented that the economy has not worsened since the budget discussions started and that the total dollar amount was not significant in relation to the total budget.

After General Manager Martin offered the suggestion of leaving the budget "as is" with the Board limiting his spending authority by separate vote, Commissioner Zeilenga as the movant, agreed to withdraw his motion to amend Commissioner Hartwig's motion, and Commissioner Zay, as the seconder, agreed to the withdrawal of Commissioner Zeilenga's motion to amend. At which point, Commissioner Hartwig's original motion to adopt Ordinance No. O-4-09: An Ordinance Approving and Adopting an Annual Management Budget for the Fiscal Year Commencing May 1, 2009 and Ending April 30, 2010 was approved by a Roll Call Vote:

Ayes: T. Elliott, L. Hartwig, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, D. Zeilenga, and L. Rathje

Nays: E. Chaplin

Absent: T. Bennington

Commissioner Zeilenga moved to direct the General Manager to distribute no more than a 2% salary pool for merit increases, to be calculated based upon the product resulting from multiplying the current base salary of the Commission's current employees by 2.0% and to be distributed at the discretion of the General Manager. Seconded by Commissioner Zay and failed by a Roll Call Vote for lack of an approving majority:

Ayes: E. Chaplin, W. Maio, A. Poole, J. Zay, and D. Zeilenga

Nays: T. Elliott, L. Hartwig, G. Mathews, W. Mueller, W. Murphy, F. Saverino, and L. Rathje

Absent: T. Bennington

Commissioner Murphy moved to adopt Resolution No. R-23-09: A Resolution Amending the Tuition Reimbursement Policy. Seconded by Commissioner Elliott.

Commissioner Chaplin commented that she felt keeping the already established cap of \$4,000.00 per employee per fiscal year for tuition reimbursement was fair considering many other companies are eliminating their programs altogether. Commissioner Hartwig inquired as to how the recommendation to eliminate the cap came about. Commissioner Murphy explained that the Administration Committee discussed the issue at its March meeting and directed the Staff Attorney to prepare Resolution R-23-09 eliminating the \$4,000.00 per employee per fiscal year limitation on tuition reimbursement, noting that Commissioner Chaplin did not in favor the proposed change nor the direction to the Staff Attorney. Commissioner Murphy further explained the reasoning behind eliminating the cap was to bolster succession planning which is very important to a small organization such as the Commission, to obtain the benefit of the education sooner, and to save money in the long run as tuition expenses increase over time.

Commissioner Maio felt that even a \$4,000.00 cap per employee per fiscal year was a little excessive compared to other governmental agencies and questioned the guaranteed benefit to the Commission. Staff Attorney Crowley advised that the current policy provides that an employee who receives tuition reimbursement must continue full-time employment with the Commission for a period of at least two years from and after the date of such tuition reimbursement in order to retain the full reimbursement amount.

Commissioner Maio stated that a written policy should be in place reflecting the \$4,000 cap. Staff Attorney Crowley explained that there was no limitation on the amount of employee tuition that was reimbursable in any given year in the Tuition Reimbursement Policy codified in the Personnel Manual that was approved by the Board at its October 2007 meeting; that the Board, by motion, amended the Commission's Tuition Reimbursement Policy to limit reimbursement to \$4,000.00 per employee per fiscal year at its April 2008 meeting; and that a Resolution to codify and incorporate the cap into the Personnel Manual failed for lack of an approving majority at the May 2008 meeting.

Commissioner Elliott stated that the Commission's organization is able to survive on a skeleton staff because its employees are highly educated and the Commission needs to continue giving its employees the tools of the job. Commissioner Elliott added that, as a small business owner, he knew that the backbone of an organization is qualified, educated, and loyal employees, and the best place for a company to invest is in its employees and that to lose employees or train them inadequately would be short-sighted.

Commissioner Zeilenga noted that the last year the Tuition Reimbursement Policy was fully reviewed, the review included survey results of the utility customers indicating most, if not all, had some type of cap established in the \$1,000 to \$2,000 range and that the \$4,000.00 per employee per fiscal year cap adopted last year was a compromise. Commissioner Zeilenga further noted that he was unaware of any business offering

Minutes of the 4/9/09 Meeting

unlimited tuition reimbursement, that some companies refuse to pay for graduate courses, and that employees always have the option of paying for their own education. Commissioner Poole agreed with Commissioner Zeilenga stating the policy should be in sync with the utility customer survey results.

Commissioner Zay questioned why customer survey results were being followed in the case of salary increases but not in the case of tuition reimbursement caps, adding that the County caps its tuition reimbursement to \$1,000 to \$2,000 and that the Commission's proposed \$4,000 per employee per fiscal year cap was very generous compared to what others are doing in these tough economic times.

After Commissioner Hartwig agreed with Commissioners Zeilenga, Poole, and Zay, noting that unless there is a special circumstance relating to a specific skill associated with the employee's position, a \$4,000 cap is very reasonable, the motion to adopt Resolution No. R-23-09: A Resolution Amending the Tuition Reimbursement Policy failed by a Roll Call Vote for lack of an approving majority:

Ayes: T. Elliott, G. Mathews, W. Murphy, and L. Rathje

Nays: E. Chaplin, L. Hartwig, W. Maio, W. Mueller, A. Poole, F. Saverino, J. Zay, and D. Zeilenga

Absent: T. Bennington

Commissioner Murphy moved to adopt Resolution No. R-24-09: A Resolution Approving and Authorizing the Execution of a Master Contract with Peters & Associates, Inc. for Computer Consulting Services. Seconded by Commissioner Zay.

Before the vote was called, Commissioner Chaplin questioned the reason the General Manager Martin was requesting Board approval even though the purchase was within the General Manager's authority to authorize. General Manager Martin explained that to avoid any appearance of impropriety arising out of his son's employment at Peters & Associates, Chairman Rathje directed him to proceed with Board approval prior to engaging their services. After Commissioner Zay expressed appreciation for General Manager Martin being upfront with the Board, the motion was unanimously approved by a Roll Call Vote:

Ayes: E. Chaplin, T. Elliott, L. Hartwig, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, D. Zeilenga, and L. Rathje

Nays: None

Absent: T. Bennington

SUPER/SPECIAL MAJORITY OMNIBUS VOTE AGENDA

Commissioner Zay requested that Resolution No. R-19-09 be removed from the Super/Special Majority Omnibus Vote Agenda for separate consideration.

Commissioner Mueller moved to adopt the items listed on the revised Super/Special Majority Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Elliott and unanimously approved by a Roll Call Vote:

Super/Special Majority Omnibus Vote

Ayes: E. Chaplin, T. Elliott, L. Hartwig, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, D. Zeilenga, and L. Rathje

Nays: None

Absent: T. Bennington

Item 1: Ordinance No. O-5-09: An Ordinance Establishing A Rate for Operation and Maintenance Costs for Fiscal Year Commencing May 1, 2009 and Ending April 30, 2010—"Super/Special Majority Omnibus Vote"

Item 2: Ordinance No. O-6-09: An Ordinance Establishing Fixed Costs to be Payable by Each Contract Customer for the Fiscal Year Commencing May 1, 2009 and Ending April 30, 2010—"Super/Special Majority Omnibus Vote"

Item 3: Resolution No. R-20-09: A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Contract QR-8/08 at the April 9, 2009, DuPage Water Commission Meeting—"Super/Special Majority Omnibus Vote"

Item 4: Resolution No. R-21-09: A Resolution Approving and Ratifying Certain Contract Change Orders at the April 9, 2009, DuPage Water Commission Meeting—"Super/Special Majority Omnibus Vote"

Commissioner Hartwig moved to adopt Resolution No. R-19-09: A Resolution Approving and Accepting the Proposal of McGladrey & Pullen, LLP for Audit Services. Seconded by Commissioner Mathews.

Commissioner Zay inquired how long the Commission had been using McGladrey & Pullen, LLP as its auditors. General Manager Martin advised that they had been used for at least the last five years through the Illinois Auditor General's Office. Commissioner Zeilenga noted that the Finance Committee discussed the audit services and recommended using McGladrey & Pullen for one more year before seeking Request for Proposals. After hearing the Finance Committee's recommendation.

Commissioner Saverino questioned whether the selection of the auditors for the next fiscal year would be qualification or price based. Commissioner Zeilenga responded that a qualification based process was anticipated. After which, the motion to adopt Resolution No. R-19-09 was unanimously approved by a Roll Call Vote:

Ayes: E. Chaplin, T. Elliott, L. Hartwig, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, D. Zeilenga, and L. Rathje

Nays: None

Absent: T. Bennington

OLD BUSINESS

Commissioner Zeilenga moved to approve the request by the County of DuPage and the City of Naperville to supplement the cost of the relocation of the Commission's South Transmission Main at 75th Street and Washington Street. Seconded by Commissioner Zay.

Before the vote was called, Commissioner Hartwig stated that even though he did not believe it was a county project, he still supported the project and could support the cost sharing proposed by the County and the City if the Commission were to adopt a policy providing for such cost sharing with all of the Commission's municipal customers whenever conflicts arise within municipal rights-of-way. Commissioner Maio stated that the Board has been listening for months about this proposal and that after all the presentations and attorney opinions, and considering the potential litigation costs and potential for precedence setting, he supports the cost sharing due to the uniqueness of the project.

Commissioner Mathews stated he wanted an engineering basis for the relocation and, in referring to the aerial picture provided, asked why the underpass ramp was not aligned to more closely tie up with the existing bike path. General Manager Martin referred to a memorandum from the Commission's Pipeline Supervisor dated October 2, 2008, which explains that the relocation of approximately 500 lineal feet of the Commission's 30" main will be necessary in order to avoid a conflict with the proposed pedestrian tunnel but that proposed underpass would have had little or no impact on Commission facilities if it had been located along an alignment the City presented to the Commission at a design meeting held several years earlier.

Commissioner Zay stated that the County of DuPage entered into an Intergovernmental Agreement with the City of Naperville in which the City of Naperville asked for a 55/45 split. Commissioner Zay further noted that there are 8 lanes of traffic at the intersection of 75th and Washington Streets which poses a pedestrian safety hazard.

Commissioner Murphy noted that the slight alignment modification raised by Commissioner Mathews was significant and would resolve the matter. In addition, Commissioner Murphy commented that though he is respectful of the opinions shared

by the other Commissioners, most of the early record on this project reflects that it is not a joint project but, rather, a Naperville project and that suggestions to the contrary appear to be subterfuge. Commissioner Poole disagreed, noting the intersection is very complex, the ramp is what causes the need for the Commission to relocate its pipeline, and the pipeline is inside the DuPage County right-of-way and the County demanded its relocation. Commissioner Poole added that he resented Commissioner Murphy's "subterfuge" comment, noting that the ramp is needed for purposes of enabling pedestrian to cross Washington Street safely. Commissioner Chaplin agreed with Commissioner Poole, stating that the Commission should be serving the public.

Commissioner Zeilenga amended his motion, with the consent of the seconder, by adding to the motion a direction to staff to prepare policy for the Board's review and approval that would provide for similar cost sharing with all of the Commission's municipal customers whenever conflicts arise within municipal rights-of-way. The amended motion failed by a Roll Call Vote for lack of an approving special-majority:

Ayes: E. Chaplin, T. Elliott, L. Hartwig, W. Maio, A. Poole, J. Zay, and D. Zeilenga

Nays: G. Mathews, W. Mueller, W. Murphy, F. Saverino, and L. Rathje

Absent: T. Bennington

NEW BUSINESS

None

ACCOUNTS PAYABLE

Commissioner Mueller moved to exclude the Holland & Knight invoice from the Accounts Payable and to approve the Accounts Payable, as so revised, in the amount of \$14,710.10 subject to submission of all contractually required documentation. Seconded by Commissioner Mathews and unanimously approved by a Roll Call Vote:

Ayes: E. Chaplin, T. Elliott, L. Hartwig, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, D. Zeilenga, and L. Rathje

Nays: None

Absent: T. Bennington

EXECUTIVE SESSION

None

Minutes of the 4/9/09 Meeting

Before the meeting was adjourned. Commissioner Zay requested staff revert back to preparing paper copies of the Board material for overnight delivery (and minimizing future Supplemental Packets), noting the material sent via electronic mail was not very clear and the packet was too voluminous to print.

Commissioner Maio moved to adjourn the meeting at 9:15 P.M. Seconded by Commissioner Zeilenga and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Board/Minutes/Commission/Rcm0904.doc



DU PAGE WATER COMMISSION

600 E. BUTTERFIELD ROAD • ELMHURST, IL • 60126-4642
(630) 834-0100 • FAX: (630) 834-0120

May 8, 2009

The Honorable A. George Pradel
Mayor
City of Naperville
400 South Eagle Street
Naperville, Illinois 60566-7020

Re: 75th Street Watermain Relocation

Dear Mayor Pradel: *George*

Thank you for your letter of April 22, 2009, requesting that the above-referenced matter be placed upon the Commission's May Agenda for reconsideration.

Before bringing the matter to a vote, the Commission thoroughly evaluated the request by the County of DuPage and the City of Naperville to supplement the cost of the relocation of the Commission's South Transmission Main at 75th Street and Washington Street.

The request was slated for discussion on at least seven Board agendas, and was discussed at length at three of them. Included in the Board's deliberations was extensive information provided by the Commission's staff as well as information provided directly by representatives of the City and the County regarding the project, its funding, and the request for the Commission to share in the cost of relocation. After being fully apprised in all of the particulars, including the results of the meeting at which you and I were in attendance, the motion to approve the request failed for lack of an approving special-majority (a majority affirmative vote of all of the Commissioners, including the affirmative votes of at least one-third of the Commissioners appointed by the County Board Chairman and 40% of the Commissioners appointed by the Mayors) as required by the Commission's By-Laws and the Charter Customer Contract.

In light of the care the Commission took to comprehensively study the matter and exhaust informative discussion, there seems to be no reason to consider the matter again. Moreover, I am not aware that any Commissioner wishes to change his or her position. Finally, Section 8, Article VI of the Commission's By-Laws provides that Commission meetings are governed by Robert's Rules of Order, and, therefore, pursuant to Rule 36 (RONR 10th ed.), the appropriate time for a motion for reconsideration would have been before adjournment of the meeting at which the motion to be reconsidered was made (April 9, 2009).

Once again, I thank you for your comments and hope this resolves your concerns.

Very truly yours,

S. Louis Rathje
S. Louis Rathje
Chairman

cc: Commissioners
Robert L. Martin, P.E.

**MINUTES OF A MEETING OF THE
DuPAGE WATER COMMISSION
HELD ON THURSDAY, JULY 9, 2009
600 E. BUTTERFIELD ROAD
ELMHURST, ILLINOIS**

The meeting was called to order by Chairman S. Louis Rathje at 7:37 P.M.

Commissioners in attendance: T. Bennington, E. Chaplin (teleconference), T. Elliott, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, and L. Rathje

Commissioners Absent: L. Hartwig and D. Zeilenga

Also in attendance: Treasurer R. Thorn, R. Martin, R. M. Richter, M. Crowley, C. Johnson, J. Nesbitt, M. Weed, T. McGhee, J. Schori, E. Kazmierczak, and F. Frelka

PUBLIC COMMENTS

None

APPROVAL OF MINUTES

Commissioner Elliott moved to approve the Minutes of the June 11, 2009 Regular Meeting of the DuPage Water Commission. Seconded by Commissioner Mueller and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

TREASURER'S REPORT

Treasurer Thorn presented the Treasurer's Report for the month of June 2009 which showed receipts of \$7,268,933.00, disbursements of \$8,114,571.00, and a cash and investment balance of \$66,007,646.00.

Commissioner Saverino moved to accept the June 2009 Treasurer's Report. Seconded by Commissioner Zay and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

COMMITTEE REPORTS

Administration Committee – Reported by Commissioner Murphy

Commissioner Murphy reported that the Administration Committee reviewed all items listed on the Administration Committee agenda and specifically the requests from Illinois American Water and the City of Aurora for water service. Commissioner Murphy explained the nature of the requests, the issues outlined by staff that need to be evaluated before a determination or recommendation can be made, and the need for additional information from Illinois American Water. After Commissioner Murphy stated

that it was the recommendation of the Administration Committee to proceed with evaluating only the request from the City of Aurora, Commissioner Murphy moved to direct staff to evaluate the issues related to providing water service to the City of Aurora. Seconded by Commissioner Zay and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Engineering & Construction Committee – Reported by Commissioner Maio

Commissioner Maio reported that the Engineering & Construction Committee reviewed and recommended for approval all items listed on the Engineering & Construction Committee Agenda. Commissioner Maio further reported that construction still continues at the DuPage Pumping Station and that staff is still waiting for the City of Chicago to finish their permitting process which is expected sometime this month.

Finance Committee – Reported by Commissioner Mathews

Commissioner Mathews reported that the Finance Committee reviewed and recommended for approval all items listed on the Finance Committee Agenda. Commissioner Mathews further reported that discussion of the City of Chicago and the DuPage Water Commission's water rate increases was discussed and recommended for further discussion at the August Committee meeting, noting the potential revenue loss during the months of January – May if the Commission's water rate increase does not coincide with the City of Chicago's.

CHAIRMAN'S REPORT

Chairman Rathje began his report by referring to the two ordinances listed on the Regular Commission Agenda for Board consideration.

Chairman Rathje reported that the County of DuPage is requesting approval of an Intergovernmental Agreement concerning the construction and operation of a joint facility for the Glen Ellyn Heights Service Area and approval of an Intergovernmental Agreement concerning the construction and operation of a joint facility for the Hobson Valley (Greene Road) Service Area. After noting that staff has been trying to complete various easement acquisitions for facilities that have already been installed by tying approvals together, Chairman Rathje informed the Board that Chairman Schillerstrom signed the easement agreement that both the County and the Commission approved in 1988 for the Northwest Transmission Main along the Great Western Trail in exchange for \$450,000.00. Chairman Rathje added that even though there were still a few outstanding items that the County needed to address (primarily relating to the sufficiency of the legal descriptions in the easement agreement to encompass all Great Western Trail facilities), the County promised to promptly address them and, as such, construction of the joint facilities would proceed in order to avoid delaying water service to the Glen Ellyn Heights Service Area and the Hobson Valley (Greene Road) Service Area.

Minutes of the 7/9/09 Meeting

Chairman Rathje then introduced Nick Kottmeyer, the representative for the County of DuPage, and thanked him for his help in fine-tuning the joint facility agreements and in resolving outstanding easement issues with General Manager Martin and Staff Attorney Crowley. With respect to the schedule for supplying water to the County to serve the Glen Ellyn Heights Service Area and the Hobson Valley (Greene Road) Service Area, Chairman Rathje then noted once both ordinances were adopted, staff would seek bids for the construction of the joint facilities by August 10, 2009, the contract(s) awarded at the September meeting, and water service available by March of 2010.

Chairman Rathje then advised the Board that the Commission would be hosting a water conservation breakfast this year and had invited author Dave Dempsey as the guest speaker to discuss his books *On the Brink: The Great Lakes in the 21st Century* and *Great Lakes for Sale: From Whitecaps to Bottlecaps*. Chairman Rathje noted that the breakfast will be held at Bobak's Signature Room on November 17, 2009 from 8:00am – 12:00pm and asked the Board to mark their calendars accordingly.

As promised at the June Commission Meeting, Chairman Rathje advised that the Executive Assistant had polled the Commissioners who did not attend the June meeting regarding the Board's annual holiday party and the consensus reached at the June meeting did not change. Thus, Chairman Rathje advised the Board that the rapport building event would proceed as budgeted on December 18, 2009, at *The Clubhouse*, but with a pay-your-own-alcoholic beverage dinner.

Chairman Rathje concluded his report by informing the Board that General Manager Martin met with the City of Naperville regarding the relocation of the Commission's transmission main in the vicinity of 75th and Washington Streets, noting that the Intergovernmental Agreement to fully reimburse the Commission's relocation costs needed to be completed within the first two weeks of August in order to stay on schedule.

MAJORITY OMNIBUS VOTE AGENDA

Commissioner Chaplin requested that Resolution No. R-38-09 be removed from the Majority Omnibus Vote Agenda for separate consideration.

Commissioner Murphy moved to adopt Resolution No. R-40-09: A Resolution Approving a First Amendment to the Landscape Maintenance Services Contract between the DuPage Water Commission and Acres Enterprises, Inc. Seconded by Commissioner Elliott and unanimously approved by a Roll Call Vote:

Ayes: T. Bennington, E. Chaplin, T. Elliott, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, and L. Rathje

Nays: None

Absent: L. Hartwig and D. Zeilenga

Minutes of the 7/9/09 Meeting

Commissioner Zay moved to adopt Resolution No. R-38-09: A Resolution Approving and Ratifying Certain Task Orders Under a Master Contract with Peters & Associates, Inc. at the July 9, 2009, DuPage Water Commission Meeting. Seconded by Commissioner Saverino.

Before the vote was called, Commissioner Chaplin asked how much more work needs to be done by Peters & Associates. After General Manager Martin explained that Peters & Associates is retained as needed for individual projects, the motion was approved by a Roll Call Vote:

Ayes: T. Bennington, T. Elliott, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, and L. Rathje

Nays: E. Chaplin

Absent: L. Hartwig and D. Zeilenga

SUPER/SPECIAL MAJORITY OMNIBUS VOTE AGENDA

Commissioner Bennington moved to adopt the items listed on the Super/Special Majority Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Mathews and unanimously approved by a Roll Call Vote:

Super/Special Majority Omnibus Vote

Ayes: T. Bennington, E. Chaplin, T. Elliott, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, and L. Rathje

Nays: None

Absent: L. Hartwig and D. Zeilenga

Item 1: Ordinance No. O-9-09: An Ordinance Amending Ordinance No. O-2-09, being "An Ordinance Approving and Authorizing the Execution of an Intergovernmental Agreement between the DuPage Water Commission and the County of DuPage Concerning the Construction and Operation of a Joint Facility for the Glen Ellyn Heights Service Area"—"Super/Special Majority Omnibus Vote"

Item 2: Ordinance No. O-10-09: An Ordinance Amending Ordinance No. O-3-09, being "An Ordinance Approving and Authorizing the Execution of an Intergovernmental Agreement between the DuPage Water Commission and the County of DuPage Concerning the Construction and Operation of a Joint Facility for the Hobson Valley (Greene Road) Service Area"—"Super/Special Majority Omnibus Vote"

Minutes of the 7/9/09 Meeting

- Item 3: Resolution No. R-36-09: A Resolution Approving and Ratifying Certain Contract Change Orders at the July 9, 2009, DuPage Water Commission Meeting—"Super/Special Majority Omnibus Vote"
- Item 4: Resolution No. R-37-09: A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Contract QR-8/08 at the July 9, 2009, DuPage Water Commission Meeting—"Super/Special Majority Omnibus Vote"
- Item 5: Resolution No. R-39-09: A Resolution Approving and Ratifying Certain Task Orders Under a Master Contract with Patrick Engineering, Inc. at the July 9, 2009, DuPage Water Commission Meeting—"Super/Special Majority Omnibus Vote"
- Item 6: Resolution No. R-41-09: A Resolution Approving a First Amendment to Task Order No. 10 Under the Master Contract with Patrick Engineering, Inc. —"Super/Special Majority Omnibus Vote"

OLD BUSINESS

Chairman Rathje referred to a memorandum regarding the Commission's Water Conservation Program and asked Water Operations Manager McGhee to give a brief summary of the program's progress. Water Operations Manager McGhee stated that the development of the program is now complete and the working group continues with developing the following:

- educational materials
- website development
- displays of rain barrels for residential landscaping use
- working with schools in DuPage County
- holding a Green Day festival like other communities

Water Operations Manager McGhee concluded his summary by stating that the Commission is trying to get the message out that we must all work together to conserve our water supply and mentioned that the official rollout will be November 17th at the Commission's Water Conservation breakfast.

Commissioner Zay commented that he thought it was a great program. Commissioner Chaplin asked whether the rain barrel equipment will be donated or sold to the various communities. Water Operations Manager McGhee replied that some of the equipment will be used in the training seminar(s) and also made available for purchase by the utility customers.

NEW BUSINESS

Before moving on to the accounts payable, Commissioner Elliott asked staff to clarify why there were two Holland & Knight invoices. Staff Attorney Crowley explained that due to the lack of a sufficient number of municipal Board members in attendance at the June meeting, review and approval of the May Holland & Knight invoice was deferred to the July meeting.

ACCOUNTS PAYABLE

Commissioner Murphy moved to approve the Accounts Payable in the amount of \$5,842.00 subject to submission of all contractually required documentation. Seconded by Commissioner Mathews and unanimously approved by a Roll Call Vote:

Ayes: T. Bennington, E. Chaplin, T. Elliott, W. Maio, G. Mathews, W. Mueller, W. Murphy, A. Poole, F. Saverino, J. Zay, and L. Rathje

Nays: None

Absent: L. Hartwig and D. Zellenga

EXECUTIVE SESSION

None

Before the meeting was adjourned, Commissioner Chaplin asked Commissioner Mathews to explain the discussion relating to the increase in water rates that took place during the Finance Committee. Commissioner Mathews reiterated that the Finance Committee discussed whether there was a more appropriate date for customer rate increases. Commissioner Mathews noted that the Board needs to take careful consideration to the loss of revenue during the months of January through March should the Board decide not to raise water rates to coincide with the City of Chicago's rate increase. Commissioner Mathews concluded by noting that the customers should be given enough fair warning of the potential upcoming increase to better plan their budgets and therefore suggested further discussion at the August meeting.

Commissioner Maio moved to adjourn the meeting at 8:05 P.M. Seconded by Commissioner Saverino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

RECEIVED

AUG - 7 2009



Naperville
Great Service - All the Time

DuPage Water Commission

RECEIVED BY
E-MAIL 11:09 AM

ERM

August 7, 2009

Mr. Robert Martin, P.E.
General Manager
DuPage Water Commission
600 E. Butterfield Road
Elmhurst, IL 60612-4642

Re: Relocation of DuPage Water Commission 30 inch Diameter Water Main
Intersection Improvement 75th Street and Washington Street
Section 98-00288-02-CH

Bob
Dear Mr. Martin:

As discussed in our recent telephone conversation, this letter formally requests the DuPage Water Commission to initiate the bidding process for the relocation of the DuPage Water Commission 30 inch diameter water main on 75th Street at Washington Street.

The scope of the 75th and Washington intersection improvements is enormous, including bridge reconstruction, roadway widening, and pedestrian and bicycle improvements. The project is causing massive inconvenience to the motorists and residents in the area. We are happy to report that, at this time, the intersection improvements are progressing on schedule. The timing of the 30 inch diameter water main relocation is critical to maintain the contract schedule. Delays would not only impair the use of the improvements by the public, but in all likelihood lead to substantial additional costs to the taxpayers.

I do want to confirm that the City of Naperville fully supports the demand by DuPage County Department of Transportation to the DuPage Water Commission to relocate the existing 30 inch diameter water main located in the 75th Street right-of-way. The 30 inch water main is in conflict with the proposed improvements at the intersection of 75th & Washington. DuPage County has written several letters the most recent of which is dated July 28, 2009, directing the relocation work to commence per their authority under 605 ILCS 5/9-113.

The Water Commission, DuPage County and City of Naperville have been working collectively to accomplish this relocation work for the past several months with the funding of the relocation work remaining as the outstanding issue. In an effort to ensure that the work is completed this fall on schedule, the City respectfully requests the Commission to put the relocation project out

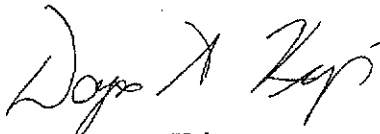
to bid. This action does not bind the Water Commission to award the bids, but will allow funding discussions to continue without jeopardizing the schedule for completing the work.

As a partner in the project, the City will be putting a resolution on the August 18th City Council agenda to allow me, as City Manager, to enter into an agreement with the Water Commission for the City to advance the full cost of the relocation, while reserving the City's right to continue to seek reimbursement from the Commission.

The city requests that the Water Commission proceed immediately to bid the relocation work while the Water Commission responds to the DuPage County letter and funding specifics are finalized. This action will serve to keep the relocation work on track as well as keeping the overall project on schedule.

If you should have any questions or comments, please do not hesitate to contract me at 630-420-6044.

Respectfully,

A handwritten signature in dark ink, appearing to read "Doug A. Krieger", written in a cursive style.

Douglas A. Krieger
City Manager

Attachment

Cc: Allan Poole, Director
Kristen Foley, Asst. City Attorney
Bill Novack, City Engineer
John Kos, DuPage County Director of Transportation and Operations
File