



DuPage Water Commission

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

NOTICE IS HEREBY GIVEN THAT THE RESCHEDULED OCTOBER 2003 REGULAR MEETING OF THE DU PAGE WATER COMMISSION WILL BE HELD AT 10:30 A.M. ON WEDNESDAY, OCTOBER 8, 2003, AT ITS OFFICES LISTED BELOW. THE AGENDA FOR THE RESCHEDULED OCTOBER 2003 REGULAR MEETING IS AS FOLLOWS:

AGENDA

**DU PAGE WATER COMMISSION
WEDNESDAY, OCTOBER 8, 2003
10:30 A.M.**

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

- I. Roll Call
(Majority of the Commissioners then in office—minimum 7)
- II. Public Comments
- III. Approval of Minutes
(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)
 - A. Regular Meeting of September 11, 2003
 - B. Executive Session of September 11, 2003
- IV. Treasurer's Report – September 2003
(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)
- V. Committee Reports
 - A. Administration Committee
 - 1. Report of 10/8/03 Meeting
 - 2. Actions on Items Listed on 10/8/03 Administration Committee Agenda
 - B. Engineering & Construction Committee
 - 1. Report of 10/8/03 Meeting

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.

2. Actions on Items Listed on 10/8/03 Engineering & Construction Committee Agenda
- C. Finance Committee
 1. Report of 10/8/03 Meeting
 2. Actions on Items Listed on 10/8/03 Finance Committee Agenda
- D. Special Task Force on TCE
 1. Report of 10/8/03 Meeting
 2. Actions on Items Listed on 10/8/03 Special Task Force on Refunding Agenda
- VI. Chairman's Report
- VII. Omnibus Vote Requiring Majority Vote
 - A. Resolution R-39-03: A Resolution Approving Certain Contract Change Orders at the October 8, 2003 DuPage Water Commission Meeting
(Concurrence of a Majority of the Appointed Commissioners—7)
 - B. Resolution R-41-03: A Resolution Designating the Village of Lisle as the Municipality Most Appropriate for Supply Water to Woodridge Estates
(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)
 - C. Resolution R-42-03: A Resolution Approving, Ratifying, and Accepting Private Grants of Easement for the Outer Belt Feeder Main
(Concurrence of a Majority of the Appointed Commissioners—7)
 - D. Resolution R-43-03: A Resolution Approving and Authorizing the Execution of an Interim Agreement with West Shore Pipe Line Company
(Concurrence of a Majority of the Appointed Commissioners—7)
 - E. Resolution R-44-03: A Amending Resolution No. R-44-02, Being a Resolution Authorizing the Execution of an Intergovernmental Agreement Concerning the Implementation of Water Service to the Suburban Estates Service Area in Unincorporated DuPage County
(Concurrence of a Majority of the Appointed Commissioners—7)

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

- A. Resolution R-40-03: A Resolution Approving a First Amendment to Task Order No. 11 Under the Master Engineering Agreement with Alvord, Burdick & Howson, L.L.C.

(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—2 County + 3 Muni+2=7)

- B. Resolution R-45-03: A Resolution Concerning the General Counsel Services

(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—2 County + 3 Muni+2=7)

IX. Old Business

- Summary of Action Taken Since Previous Meeting

X. New Business

- Ordinance O-10-03: An Ordinance Amending the By-Laws of the DuPage Water Commission (Amending Section 7 of Article II)

(TO WAIVE FIRST READING: 2/3 Majority of the Commissioners Present, provided there is a quorum—minimum 5)

(TO ADOPT: 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—2 County + 3 Muni+2=7)

XI. Accounts Payable

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

XII. Public Comments**XIII. Executive Session**

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

XIV. Adjournment

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

**MINUTES OF A MEETING OF THE
DU PAGE WATER COMMISSION
HELD ON THURSDAY, SEPTEMBER 11, 2003
600 E. BUTTERFIELD ROAD
ELMHURST, ILLINOIS**

The meeting was called to order by Chairman Vondra at 7:34 P.M.

Commissioners in attendance: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, A. Poole, R. Thorn, R. Tolentino, G. Wilcox, D. Zeilenga and M. Vondra

Also in attendance: J. Holzwart, R. Martin, E. Nawrocki, R. Skiba, D. Eckmann, (AB&H), W. Green (AB&H) and M. Crowley (H&K).

PUBLIC COMMENTS - No comments

Commissioner Thorn moved to approve the Minutes of the August 14, 2003 meeting of the DuPage Water Commission as revised to reflect that Commissioner Wilcox (not Commissioner Hartwig) moved to approve the pick-up of the employee share of the cost of converting into IMRF creditable service up to two years of prior service in the armed forces of the United States. Seconded by Commissioner Benson and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Thorn moved to approve the Minutes of the First and Second August 14, 2003 Executive Session meetings of the DuPage Water Commission. Seconded by Commissioner Wilcox and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

The Treasurer's Report for the month of August 2003 showed receipts of \$9,077,519.01, disbursements of \$20,004,925.44 and a cash and investment balance of \$187,095,680.70.

Commissioner Wilcox moved to accept the August 2003 Treasurer's Report. Seconded by Commissioner Tolentino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

COMMITTEE REPORTS

Administration Committee – Report by Commissioner Thorn

Commissioner Thorn reported the Administration Committee discussed personnel matters, which will be discussed further in Executive Session.

Minutes of the 9/11/03 Meeting

Commissioner Wilcox moved to go into Executive Session to discuss matters related to personnel pursuant to 5 ILCS 120/2(c)(1) and (2). Seconded by Commissioner Chaplin and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, A. Poole, R. Thorn, R. Tolentino, G. Wilcox, D. Zeilenga and M. Vondra

Nays: None

The Commission went into Executive Session at 7:39 P.M.

Commissioner Wilcox moved to come out of Executive Session at 8:35 P.M. Seconded by Commissioner Benson and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Wilcox moved to hire Attorney Michael Roth to research and draft appropriate documentation as discussed in Executive Session. Seconded by Commissioner Benson and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, A. Poole, R. Thorn, R. Tolentino, G. Wilcox, D. Zeilenga and M. Vondra

Nays: None

Engineering Committee – Report by Commissioner Wilcox

The Engineering Committee reviewed the change order in the amount of \$4,387.50 and recommended approval of Resolution R-38-03 during the Omnibus Vote Agenda.

The Engineering Committee reviewed progress payments in the amount of \$256,595.87 and recommended approval as part of the Accounts Payable, subject to submission of all contractually required documentation.

The Engineering Committee reviewed the final payment for Maxcor Inc. in the amount of \$50,682.10 and recommended approval as part of the Accounts Payable, subject to submission of all contractually required documentation.

The Engineering Committee recommended approval during the Omnibus Vote Agenda of Resolution R-33-03, being A Resolution Awarding Contract TIB-1, subject to review of the financial impact the escalated cost of the project will have on the Five Year Capital Improvement Plan and fund balances. The Commissioners reviewed the data prepared by the Financial Administrator regarding such impact and concluded the impact was within acceptable levels.

The Engineering Committee recommended approval during the Omnibus Vote Agenda of Resolution R-36-03, being A Resolution Authorizing the Execution of a Contract

Minutes of the 9/11/03 Meeting

Between the DuPage Water Commission and Consoer Townsend Envirodyne Engineers, Inc. for the Evaluation and Design of Additional Reservoir Storage.

The Engineering Committee recommended approval during the Omnibus Vote Agenda of Resolution R-37-03, being A Resolution Authorizing the Execution of a Contract Between the DuPage Water Commission and Camp Dresser & McKee Inc. for the Evaluation of Electrical Generation Supply Alternatives.

Finance Committee – Report by Commissioner Poole

The Finance Committee reviewed the Treasurer's Report, the August financial statements and the Accounts Payable. It was noted the audit report should be submitted to the Commission at the next meeting.

It was also reported that the Series 2003 Revenue Refunding Bond issue resulted in a net present value savings of \$6,897,770. Commissioner Janicik moved to exercise the Commission's option with Ambac Assurance Corporation to replace cash in the Debt Service Reserve for the Series 2003 Revenue Refunding Bonds with a financial guaranty insurance policy. Seconded by Commissioner Wilcox and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, A. Poole, R. Thorn, R. Tolentino, G. Wilcox, D. Zeilenga and M. Vondra

Nays: None

Commissioner Mueller arrived at 8:49 P.M.

Commissioner Janicik moved to accept the \$15 million umbrella coverage from Lexington Insurance (A.M. Best rating A++ XV) for \$106,300. Seconded by Commissioner Wilcox and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, W. Mueller, A. Poole, R. Thorn, R. Tolentino, G. Wilcox, D. Zeilenga and M. Vondra

Nays: None

Special Task Force on TCE – Report by Chairman Vondra

The Special Task Force reviewed the letter received from the Village of Woodridge requesting the Commission finalize its loan commitment to Woodridge in connection with the delivery of water to the residents of Suburban Estates. Chairman Vondra summarized the two options available for finalizing the Commission's loan commitment to Woodridge: Eliminating the requirement for the consent of DuPage County, resulting in a ten year annexation prohibition, or the County designating the well water supply in the area as tainted or contaminated under the recent amendments to the Water Commission Act of 1985, resulting in an annexation prohibition until a change in

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ownership occurs. Chairman Vondra concluded his report by noting he had written a letter to the County requesting the County's position on this matter.

Teresa Lohse, 6312 Walnut Avenue, Downers Grove, IL, stated that the highest level of TCE contamination in Suburban Estates is 1.5 ppb, and her concerns with the two options for finalizing the Commission's were that the loan commitment is not good for the residents and the new law is unclear regarding the definition of a change in ownership. Chairman Vondra offered Ms. Lohse the opportunity for the attorney representing Suburban Estates to submit their proposed motion regarding this matter for consideration at the October Commission meeting.

Commissioner Mueller moved to direct staff to prepare two resolutions for the October Commission meeting: One resolution finalizing the Commission's loan commitment to Woodridge based on the County designating the well water supply in the area as tainted or contaminated under the recent amendments to the Water Commission Act of 1985, and the second resolution finalizing the Commission's loan commitment to Woodridge without the consent of the County of DuPage. Seconded by Commissioner Wilcox and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

OMNIBUS VOTE AGENDA

Commissioner Poole requested that Resolutions R-33-03, R-36-03 and R-37-03 be removed from the Omnibus Vote Agenda for separate consideration.

Commissioner Mueller requested that Resolution R-35-03 be removed from the Omnibus Vote Agenda for separate consideration.

Commissioner Wilcox moved to adopt the items listed on the revised Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Tolentino and unanimously approved by a Roll Call Vote:

Omnibus Vote

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, W. Mueller, A. Poole, R. Thorn, R. Tolentino, G. Wilcox, D. Zeilenga and M. Vondra

Nays: None

Item 1. Resolution R-34-03: A Resolution Approving, Ratifying, and Accepting the Pick-up of Employee Contributions to the Illinois Municipal Retirement Fund for Prior Military Service Credit – "Omnibus Vote"

Item 2. Resolution R-38-03: A Resolution Approving Certain Contract Change Orders at the September 11, 2003 DuPage Water Commission Meeting – "Omnibus Vote"

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Commissioner Wilcox moved to approve Resolution R-33-03: A Resolution Awarding Contract TIB-1. Seconded by Commissioner Chaplin and approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, W. Mueller, A. Poole, R. Thorn, R. Tolentino, G. Wilcox and D. Zeilenga

Nays: None

Abstain: M. Vondra

Commissioner Wilcox moved to approve Resolution R-35-03: A Resolution Approving and Authorizing the Execution of a Retirement and Consulting Agreement with the General Manager. Seconded by Commissioner Thorn and approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, A. Poole, R. Thorn, R. Tolentino, G. Wilcox, D. Zeilenga and M. Vondra

Nays: W. Mueller

Commissioner Wilcox moved to approve Resolution R-36-03: A Resolution Authorizing the Execution of a Contract Between the DuPage Water Commission and Consoer Townsend Envirodyne Engineers, Inc. for the Evaluation and Design of Additional Reservoir Storage. Seconded by Commissioner Chaplin and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, W. Mueller, A. Poole, R. Thorn, R. Tolentino, G. Wilcox, D. Zeilenga and M. Vondra

Nays: None

Commissioner Wilcox moved to approve Resolution R-37-03: A Resolution Authorizing the Execution of a Contract Between the DuPage Water Commission and Camp Dresser & McKee Inc. for the Evaluation of Electrical Generation Supply Alternatives. Seconded by Commissioner Chaplin and approved by a Roll Call Vote:

Ayes: E. Chaplin, J. Janicik, B. Krajewski, A. Poole, R. Thorn, G. Wilcox, D. Zeilenga and M. Vondra

Nays: R. Benson, W. Mueller and R. Tolentino

OLD BUSINESS

Commissioner Benson reiterated his concern that some Commissioners are compensated for their service as Commissioners while others are not, and requested that staff prepare an ordinance amending the Commission's By-Laws to prohibit

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Commissioners from receiving any compensation for serving as Commissioner other than reimbursement of expenses actually incurred in connection with Commission business. Without reaching unanimity on the desirability of such an amendment, the Commissioners concurred with Commissioner Benson's request that a draft ordinance be prepared for consideration at the October Commission meeting.

NEW BUSINESS

Commissioner Thorn moved to take a three minutes recess at 9:27 P.M. Seconded by Commissioner Benson and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

The meeting reconvened at 9:30 P.M.

Commissioners discussed changing the October Commission meeting from Thursday October 9, 2003 to Wednesday October 8, 2003, in the morning.

The Commission discussed the memorandum dated September 8, 2003, and revised on September 10, 2003, regarding the request for service by Highland Hills Sanitary District.

William Lichter, Village Manager of Lombard, informed the Commission that the Highland Hills Sanitary District serves approximately 400 people and the Village of Lombard has been in discussion with representatives of the Sanitary District regarding the Village providing service to the District.

Phil Modaff, Director of Public Works of Woodridge, commented that even though any policy developed for pricing Commission service to the Highland Hills Sanitary District needs to fall within the legislative intent of the recent amendments to the Water Commission Act of 1985, such policy should benefit the Commission to the greatest extent possible within the confines of that legislative intent.

Commissioner Mueller moved to suspend the purchasing procedures of the Commission's By-Laws and approve Purchase Order No. 7682 in the amount of \$23,830.00 to Exelon Services, Inc. Integrated Technology Group. Seconded by Commissioner Wilcox and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, W. Mueller, A. Poole, R. Thorn, R. Tolentino, G. Wilcox, D. Zeilenga and M. Vondra

Nays: None

ACCOUNTS PAYABLE

Commissioner Mueller moved to approve the Accounts Payable in the amount of \$3,947,386.49 subject to submission of all contractually required documentation. Seconded by Commissioner Chaplin and unanimously approved by a Roll Call Vote:

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Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, W. Mueller, A. Poole, R. Thorn, R. Tolentino, G. Wilcox and M. Vondra

Nays: None

Commissioner Krajewski moved to approve the legal invoices from Greenberg Traurig subject to review by the Commission's legal counsel. Seconded by Commissioner Mueller and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, W. Mueller, A. Poole, R. Thorn, R. Tolentino and M. Vondra

Nays: None

PUBLIC COMMENTS

Commissioner Janicik moved to go into Executive Session to discuss matters related to pending, probable or imminent litigation pursuant to 5 ILCS 120/2(c)(11). Seconded by Commissioner Mueller and unanimously approved by a Roll Call Vote:

Ayes: R. Benson, E. Chaplin, J. Janicik, B. Krajewski, W. Mueller, A. Poole, R. Thorn, R. Tolentino and M. Vondra

Nays: None

The Commission went into Executive Session at 10:50 P.M.

Commissioner Chaplin moved to come out of Executive Session at 11:00 P.M. Seconded by Commissioner Tolentino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Wilcox moved to adjourn the meeting at 11:00 P.M. Seconded by Commissioner Tolentino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

DU PAGE WATER COMMISSION
WATER FUND
CASH BASIS GENERAL LEDGER
STATEMENT OF REVENUES & EXPENDITURES
September 30, 2003

REVENUE	CURRENT MONTH ACTUAL	Y-T-D ACTUAL
BOND ISSUE PROCEEDS	145,211,098.56	145,211,098.56
WATER SALES	4,335,913.23	23,029,414.03
SALES TAXES	2,814,856.88	13,044,483.88
INVESTMENT INCOME	243,844.24	1,773,338.23
OTHER INCOME	74,306.34	178,094.21
TOTAL REVENUE	152,680,019.25	183,236,428.91
EXPENSES		
PERSONAL SERVICES	281,313.93	2,484,294.06
PROFESSIONAL SERVICES	25,790.96	183,214.30
CONTRACTUAL SERVICES	20,410.69	205,795.01
INSURANCE	118,002.00	275,787.00
ADMINISTRATIVE COSTS	5,691.71	41,535.75
WATER SUPPLY COSTS	3,786,368.01	17,645,753.28
BOND PRINCIPAL & INTEREST	153,926,094.35	167,645,071.10
LAND AND RIGHT OF WAY	0.00	2,995.00
CAPITAL OUTLAY	0.00	6,452.31
TOTAL OPERATING EXPENSES	158,163,671.65	188,490,897.81
CONSTRUCTION EXPENDITURES	103,630.92	1,343,887.96
TRANSFERS TO OTHER GOVERNMENTS	0.00	15,250,000.00
TOTAL EXPENSES	158,267,302.57	205,084,785.77
NET FUND TRANSACTIONS	(5,587,283.32)	(21,848,356.86)
BEGINNING BALANCE		203,356,754.24
ENDING BALANCE		181,508,397.38
FUNDS CONSIST OF:		
PETTY CASH		500.00
CASH AT BANK ONE		12,676.91
CASH AT OAK BROOK BANK LOCK BOX		1,000.00
CASH AT VILLA PARK TRUST & SAVINGS		1,167.67
TOTAL CASH		15,344.58
ILLINOIS FUNDS MONEY MARKET	16.4%	29,765,127.45
ILLINOIS FUNDS PRIME FUND	9.2%	16,680,074.65
GOVERNMENT MONEY MARKET FUNDS	0.0%	48,991.45
U. S. TREASURY INVESTMENTS	24.6%	44,727,692.11
U. S. AGENCY INVESTMENTS	36.0%	65,271,167.14
CERTIFICATES OF DEPOSIT	13.8%	25,000,000.00
COMMERCIAL PAPER	0.0%	0.00
TOTAL INVESTMENTS	100.0%	181,493,052.80
TOTAL FUNDS		181,508,397.38

DU PAGE WATER COMMISSION**RESOLUTION NO. R-39-03****A RESOLUTION APPROVING CERTAIN
CONTRACT CHANGE ORDER AT THE
OCTOBER 8, 2003 DU PAGE WATER COMMISSION MEETING**

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

SECTION ONE: The Change Order set forth on Exhibit 1, attached hereto and by this reference incorporated herein and made a part hereof, shall be and hereby is approved 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 contract was signed, the Change Order is germane to the original contract as signed and/or the Change Order is 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 _____, 2003.

Chairman

ATTEST:

Clerk

Exhibit 1

Resolution R-39-03

1. Change Order No. 4: Contract BOV-1 (Blow Off Valve Improvements) in the amount of \$81,100.00
2. Change Order No. 5: Contract BOV-1 (Blow Off Valve Improvements) in the amount of \$4,841.30
3. Change Order No. 6: Contract BOV-1 (Blow Off Valve Improvements) in the credit amount of \$24,689.20

Total amount of the Change Order is \$61,252.10.

DUPAGE WATER COMMISSION

RESOLUTION NO. R-41-03

A RESOLUTION DESIGNATING THE VILLAGE OF LISLE AS THE MUNICIPALITY
MOST APPROPRIATE FOR SUPPLYING WATER TO WOODRIDGE ESTATES

WHEREAS, the DuPage Water Commission (the "Commission") is a public corporation created under the Water Commission Act of 1985, 70 ILCS 3720/1 *et seq.*, and Division 135 of Article 11 of the Illinois Municipal Code, 65 ILCS 5/11-135-1 *et seq.*, and is authorized to enter into contracts and agreements relating to the purchase and supply of water pursuant to the laws of the State of Illinois; and

WHEREAS, certain areas of DuPage County have been affected by contaminated well water, which contamination poses a significant threat to the health and safety of numerous individuals; and

WHEREAS, to carry out their duties and responsibilities, and desiring to create a method of providing an adequate supply of Lake Michigan water to areas of DuPage County affected by contaminated well water, the Commission, the County of DuPage (the "County"), and the Village of Lisle, among others, entered into that certain Intergovernmental Agreement for the Provision of Lake Michigan Water to Areas of DuPage County Affected By Contamination, effective as of October 14, 2002; and

WHEREAS, pursuant to Resolution EN-0010-03, the County officially found and determined that the well water supply in the area described in Resolution EN-0010-03 (the "Designated Territory") is tainted or contaminated for purposes of Section 0.01 of the Water Commission Act of 1985, 70 ILCS 3720/0.01; and

WHEREAS, the Designated Territory is adjacent to the Village of Lisle and the Village of Lisle is in the process of extending its water distribution system to serve the Designated Territory;

NOW, THEREFORE, BE IT RESOLVED 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: In accordance with Section 0.01 of the Water Commission Act of 1985, 70 ILCS 3720/0.01, the Board of Commissioners of the DuPage Water Commission hereby finds and determines that the Village of Lisle is the municipality most appropriate for supplying water to the Designated Territory.

SECTION THREE: This Resolution shall be in full force and effect from and after its adoption.

AYES:

NAYS:

ABSENT:

ADOPTED this _____ day of _____, 2003.

Chairman

ATTEST:

Clerk

DUPAGE WATER COMMISSION

RESOLUTION NO. R-42-03

A RESOLUTION APPROVING, RATIFYING, AND ACCEPTING
PRIVATE GRANTS OF EASEMENT FOR THE OUTER BELT FEEDER MAIN

WHEREAS, the DuPage Water Commission (the “Commission”) is a county water commission and as such a political subdivision and unit of local government organized and existing under the laws of the State of Illinois for the public purpose of acquiring and operating a common source of supply of Lake Michigan water (the “Waterworks System”); and

WHEREAS, the Commission has the power to acquire and hold real property, or any interest therein, as it deems appropriate in the exercise of its powers for its lawful purposes; and

WHEREAS, in furtherance of its statutory purposes, the Commission obtained easements for the construction and installation of its Outer Belt Feeder Main serving Meter Station 15E pursuant to an Easement Agreement dated as May 4, 1989, and recorded in the office of the DuPage County Recorder of Deeds as Document Number R89-084294, a Metering Station Easement Agreement dated as of June 19, 1989, and recorded in the office of the DuPage County Recorder of Deeds as Document Number R89-0891671, and an Assignment of Easement Rights dated as of December 19, 1989, and recorded in the office of the DuPage County Recorder of Deeds as Document Number R90-017705 (collectively, the “Original Easement Agreements”); and

WHEREAS, the current owner of the property encumbered by the Original Easement Agreements desires to subdivide the property encumbered by the Original Easement Agreements and its adjoining property while at the same time assuring the

Commission has sufficient property interests for the Outer Belt Feeder Main serving Meter Station 15E as such Outer Belt Feeder Main was installed; and

WHEREAS, the owner is willing to grant to the Commission permanent easements for such purposes on the Final Plat of Subdivision for the Lauterbach & Amen Subdivision, being a subdivision of part of the Southwest Quarter of Section 36, Township 39 North, Range 9 East of the Third Principal Meridian, together with that part of the Northwest Quarter and that part of the Northeast Quarter of Section 1, Township 38 North, Range 9 East of the Third Principal Meridian, in the County of DuPage, State of Illinois, which permanent easements comprise (i) a strip of land ten feet in width abutting to the west the west line of the easements designated as Easement No. 1 and Easement No. 2 in the Original Easement Agreements and (ii) a strip of land five feet in width abutting to the east the east line of the easements designated as Easement No. 1 and Easement No. 2 in the Original Easement Agreements (collectively, the "Easement Premises"); and

WHEREAS, the Commission has determined that it will be necessary and convenient for it to use, occupy, and improve the Easement Premises for the aforesaid public purpose of acquiring and operating its Waterworks System, and, in particular, to furnish, install, own, operate, maintain, repair, and replace a portion of its Outer Belt Feeder Main;

NOW, THEREFORE, BE IT RESOLVED 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: The grants of easement for the Easement Premises on the Final Plat of Subdivision for the Lauterbach & Amen Subdivision attached hereto and by this reference incorporated herein and made a part hereof as Exhibit 1, and all things provided for in the grants of easement for the Easement Premises on the attached Final Plat of Subdivision for the Lauterbach & Amen Subdivision, shall be and hereby are approved and accepted by the Commission without further act; the Board of Commissioners of the DuPage Water Commission hereby ratifying, affirming, approving, and accepting all actions of the Commission related thereto.

SECTION THREE: This Resolution shall be in full force and effect from and after its adoption.

AYES:

NAYS:

ABSENT:

ADOPTED this _____ day of _____, 2003.

Chairman

ATTEST:

Clerk

Resolution No. R-42-03

Exhibit 1

FINAL PLAT OF SUBDIVISION LAUTERBACH & AMEN SUBDIVISION

PART OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH THAT PART OF THE NORTHWEST QUARTER AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DUPAGE COUNTY, ILLINOIS.

CITY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS

I, _____, CITY CLERK OF THE CITY OF WARRENVILLE, ILLINOIS HEREBY CERTIFY THAT THE PLAT WAS PRESENTED TO AND BY RESOLUTION DULY APPROVED BY THE CITY COUNCIL OF SAID CITY AT ITS MEETING HELD ON _____, 20____, AND THAT THE REQUIRED BOND OR OTHER GUARANTEE HAS BEEN POSTED FOR THE COMPLETION OF THE IMPROVEMENTS REQUIRED BY THE REGULATIONS OF SAID CITY.

IN WITNESS WHEREOF, I HAVE HERETO SET MY HAND AND SEAL OF THE CITY OF WARRENVILLE, ILLINOIS, THE _____ DAY OF _____, 20____.

CITY CLERK

DUPAGE COUNTY WATER COMMISSION EASEMENT GRANT AND PROVISIONS

PERMANENT AND PERPETUAL EASEMENTS ARE HEREBY GRANTED TO THE DUPAGE WATER COMMISSION (GRANTEE), A PUBLIC CORPORATION, IN, UPON, UNDER, ALONG, OVER AND ACROSS THE "EASEMENT PREMISES" AS SHOWN FOR PURPOSE OF FURNISHING, INSTALLING, CHANGING, OPERATING, MAINTAINING, REPAIRING AND REPLACING GRANTEE'S WATERMAIN, THE GRANTEE, AND ITS SUCCESSORS AND ASSIGNS SHALL EXERCISE THE EASEMENT RIGHTS HEREBY GRANTED WITH DUE CARE, AND SHALL NOT UNREASONABLY INTERFERE WITH, DAMAGE OR HARM GRANTORS PROPERTY LOCATED UPON OR ADJACENT TO THE "EASEMENT PREMISES" EXCEPT AS SHALL BE RESTORED TO FORMER CONDITION. THE GRANTORS HEREBY RESERVE THE RIGHT TO USE THE "EASEMENT PREMISES" IN ANY MANNER THAT WILL NOT PREJUDICE OR INTERFERE WITH THE RIGHTS GRANTED HEREUNDER; PROVIDED, HOWEVER, THAT GRANTORS SHALL NOT IN ANY MANNER DISTURB, DAMAGE, DESTROY, INJURE, OBSTRUCT OR PERMIT TO BE OBSTRUCTED GRANTEE'S WATERMAIN WITHOUT THE EXPRESS PRIOR WRITTEN CONSENT OF GRANTEE, NOR SHALL GRANTORS PERMANENTLY OR TEMPORARILY IMPROVE, DAMAGE OR OBSTRUCT THE "EASEMENT PREMISES" IN ANY MANNER THAT WOULD IMPAIR THE EXERCISE BY THE GRANTEE OF THE RIGHTS HEREBY GRANTED. ALL RIGHTS, TITLE AND PROBLEMS 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 OR ASSIGNS; PROVIDED, HOWEVER, THAT NOTHING CONTAINED IN THIS AGREEMENT SHALL IMPAIR, MODIFY, CHANGE OR TERMINATE THE EASEMENT RIGHTS OBTAINED BY GRANTEE PURSUANT TO DOCUMENT NOS. R89-084294, R89-081671 AND R90-017705.

IN WITNESS WHEREOF, THE PARTIES HAVE CAUSED THIS AGREEMENT TO BE EXECUTED BY THEIR PROPER OFFICERS, DULY AUTHORIZED TO EXECUTE THE SAME.

DUPAGE WATER COMMISSION

ATTEST:

GENERAL MANAGER

CLERK

USE BLACK INK ONLY

DRWN BY: JAW	PARTY CHIEF:	DATE:	BY:
CHECKED BY: SK	BOOK:	04-10-03	JAW
DATE: 01-28-03	PAGE:	04-17-03	JAW
SCALE: 1" = 30'		08-05-03	JAW
PROJECT NO: 666111			

REVISIONS	DATE	BY
REVISED PER CLIENT COMMENTS	04-10-03	JAW
PER LETTER DATED 03-18-03	04-17-03	JAW
PER LETTER DATED 04-22-03	08-05-03	JAW
PER 41-10056 REVIEW		

Prepared For: COMMERCIAL REALTY & DEVELOPMENT, INC. 203 N. LaSalle Chicago, IL 60601	LAUTERBACH & AMEN SUBDIVISION
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COMPASS Land Surveying and Mapping 2631 Ganger Woods Parkway, Suite 100 Aurora, IL 60004 Phone: 800/820-9100 FAX: 630/820-7030
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Prepared By:	
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3 of 3

DUPAGE WATER COMMISSION

RESOLUTION NO. R-43-03

A RESOLUTION APPROVING AND AUTHORIZING
THE EXECUTION OF AN INTERIM AGREEMENT
WITH WEST SHORE PIPE LINE COMPANY

WHEREAS, the DuPage Water Commission (the “Commission”) is a county water commission and as such a political subdivision and unit of local government organized and existing under the laws of the State of Illinois for the public purpose of acquiring and operating a common source of supply of Lake Michigan water; and

WHEREAS, the Commission is empowered to extend its water mains along, upon, under and across any highway, street, alley or public ground in the state, including highways within a municipality, without payment of a fee, and as a proper use of highways; and

WHEREAS, in furtherance of its statutory purpose, the Commission is proceeding with the construction of a 72” transmission main to connect, along the Route 83 corridor, the Commission’s existing 72” Southwest Transmission Main on Butterfield Road in the City of Elmhurst with its existing 72” Northwest Transmission Main on the Illinois Prairie Path just South of Randolph Street (the “TIB-1/03 Inner Belt Transmission Main”); and

WHEREAS, pursuant to a permit dated March 9, 1961, executed and delivered by the State of Illinois Department of Public Works and Buildings, Division of Highways, West Shore Pipe Line Company (“West Shore”) installed a 16” gas pipeline along the Route 83 corridor that is, in some areas, in apparent conflict with the TIB-1/03 Inner Belt Transmission Main (the “Conflicting Facilities”); and

WHEREAS, disputes have arisen between West Shore and the Commission concerning the Commission's right to require relocation of the Conflicting Facilities at no cost to the Commission; and

WHEREAS, to cooperate in serving the public interest and assure that inconvenience to each others operations is avoided to the greatest extent possible, the Commission and West Shore desire to enter into an interim agreement whereby West Shore will relocate the Conflicting Facilities without delay, and the Commission will pay, in advance but under protest, the estimated cost of such relocation, without either party having to acknowledge or acquiesce in the other's assertion of superior rights to use the property in question; and

WHEREAS, it is in the best interests of the Commission and the public that such an interim arrangement be agreed to on terms and conditions substantially similar to those set forth in the draft letter agreement attached hereto and by this reference incorporated herein and made a part hereof as Exhibit 1;

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

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

SECTION TWO: A letter agreement, in substantially the form of the draft attached hereto as Exhibit 1, shall be and it hereby is approved with such changes and revisions as may be approved or deemed necessary or desirable by the General Manager of the Commission (the "Interim Agreement").

SECTION THREE: The General Manager of the DuPage Water Commission shall be and hereby is authorized and directed to execute the Interim Agreement, in substantially the form of the draft attached hereto as Exhibit 1 or with such changes and revisions as may be approved or deemed necessary or desirable by the General Manager of the Commission.

SECTION FOUR: Upon execution by the General Manager, the Interim Agreement, and all things provided for therein, shall be deemed approved and accepted by the DuPage Water Commission without further act.

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

AYES:

NAYS:

ABSENT:

ADOPTED THIS _____ DAY OF _____, 2003.

Chairman

ATTEST:

Clerk

EXHIBIT 1

Dear _____:

Pursuant to a permit dated March 9, 1961, executed and delivered by the State of Illinois Department of Public Works and Buildings, Division of Highways, West Shore Pipe Line Company ("West Shore") installed a 16" gas pipeline along the Route 83 corridor, which pipeline is referred to as the "Bell Jct. to Des Plaines Line."

The DuPage Water Commission (the "Commission") was formed and exists pursuant to the Water Commission Act of 1985, 70 ILCS 3720/1 *et seq.*, and Division 135 of Article 11 of the Illinois Municipal Code, 65 ILCS 5/11-135-1 *et seq.*, with all rights, power, and authority as therein set forth. The Commission was created and operates for the purpose of providing a continuing, available and adequate source and supply of water on an economically reasonable basis within the Commission's territory. To carry out its duties and responsibilities, the Commission was empowered to extend its water mains along, upon, under and across any highway, street, alley or public ground in the state, including highways within a municipality, without payment of a fee, and as a proper use of highways. 65 ILCS 5/11-135-7.

In furtherance of its statutory purpose, the Commission is proceeding with the construction of a 72" transmission main to connect, along the Route 83 corridor, the Commission's existing 72" Southwest Transmission Main on Butterfield Road in the City of Elmhurst with its existing 72" Northwest Transmission Main on the Illinois Prairie Path just South of Randolph Street (the "TIB-1/03 Inner Belt Transmission Main"). There are areas of apparent conflict between West Shore's Bell Jct. to Des Plaines Line and the Commission's Inner Belt Transmission Main that need to be eliminated.

The Commission and West Shore have each obtained permission, whether by legislative enactment or highway permit, to construct, install, use, maintain, and repair their respective facilities in, under, along, and across the Route 83 frontage road right-of-way. Without determining which party's right to use said property is superior, if at all, the Commission and West Shore have determined that it is in their respective best interests to set forth the salient points of their understanding regarding the relocation of West Shore's Bell Jct. to Des Plaines Line in the areas of apparent conflict with the Commission's Inner Belt Transmission Main, as follows:

1. West Shore shall promptly protect and relocate such portions of West Shore's Bell Jct. to Des Plaines Line as may be reasonably required due to the construction and installation of the Inner Belt Transmission Main (the "Relocation Work").

2. West Shore shall provide, perform, and complete the Relocation Work in a proper and workmanlike manner, consistent with the highest standards of professional and construction practices and in full compliance with, and as required by or pursuant to, applicable law.
3. West Shore shall remove and properly dispose of, or abandon in place in accordance with best engineering practices, any obsolete pipe and fittings.
4. The Commission shall make payment to West Shore in accordance with Paragraph 5 below but, and West Shore expressly acknowledges and agrees that, the Commission disputes that it is obligated to pay any portion of the cost of the Relocation Work, the Commission is making payment to West Shore under duress due to the necessity of the Commission's vital public improvement project, and the Commission has no alternative other than to make payment to West Shore in accordance with Paragraph 5 below and, therefore, the Commission is making payment made under protest.
5. The Commission shall deposit, under protest, the sum of \$869,375.00, being West Shore's estimate of the cost of the Relocation Work, with _____ of West Shore (the "Cash Deposit"). Within 10 days following any assessment of costs against or reduction of the Cash Deposit, West Shore shall provide copies to the Commission of all pay requests and supporting documents related to said assessment or reduction. If, after completion of the Relocation Work, the funds remaining in the Cash Deposit are not sufficient to pay, under protest but in full, the remaining unpaid cost of the Relocation Work, then, within 10 days following a demand by the West Shore, the Commission shall increase the amount of the Cash Deposit to an amount reasonably determined by West Shore to be sufficient to pay such unpaid costs; provided, however, the Commission shall have no obligation to increase the amount of the Cash Deposit in the event a judicial proceeding is pending in a court of competent jurisdiction between the Commission and West Shore. If, after completion of the Relocation Work, there are funds remaining in the Cash Deposit, West Shore shall release any amounts remaining in the Cash Deposit to the Commission. The Commission shall be entitled to interest on the Cash Deposit.
6. West Shore hereby acknowledges and agrees that the Commission's payment of the cost of the Relocation Work under protest, and funding of the Cash Deposit, shall in no way prejudice the Commission's right to challenge West Shore's entitlement to such payment and funds. West Shore further waives the benefit or right to assert any voluntary payment or similar defense in any civil action or proceeding that is filed by West Shore or the Commission related to the Relocation Work and/or reimbursement therefor.

It is the intention of this letter agreement that neither party is acknowledging or acquiescing in the others assertion of superior rights to use the property in question, but, rather, to cooperate in serving the public interest and assuring that inconvenience to each others operations is avoided to the greatest extent possible.

Please evidence your assent to this letter agreement by signing in the space provided and returning one copy of this letter to the undersigned.

Very truly yours,

[DWC/WSPL]

ACCEPTED THIS ____ DAY OF
OCTOBER, 2003.

[DWC/WSPL]

By: _____
Its: _____

By: _____
Its: _____

DUPAGE WATER COMMISSION

RESOLUTION NO. R-44-03

A RESOLUTION AMENDING RESOLUTION NO. R-44-02,
BEING A RESOLUTION AUTHORIZING THE EXECUTION OF AN
INTERGOVERNMENTAL AGREEMENT CONCERNING THE IMPLEMENTATION OF
WATER SERVICE TO THE SUBURBAN ESTATES SERVICE AREA IN
UNINCORPORATED DUPAGE COUNTY

WHEREAS, the DuPage Water Commission (the "Commission") is a public corporation created under the Water Commission Act of 1985, 70 ILCS 3720/1 *et seq.*, and Division 135 of Article 11 of the Illinois Municipal Code, 65 ILCS 5/11-135-1 *et seq.*, and is authorized to enter into contracts and agreements relating to the purchase and supply of water pursuant to the laws of the State of Illinois; and

WHEREAS, certain areas of DuPage County have been affected by contaminated well water, which contamination poses a significant threat to the health and safety of numerous individuals; and

WHEREAS, to carry out their duties and responsibilities, and desiring to create a method of providing an adequate supply of Lake Michigan water to areas of DuPage County affected by contaminated well water, the Commission, the County of DuPage (the "County"), and the Village of Woodridge, among others, entered into that certain Intergovernmental Agreement for the Provision of Lake Michigan Water to Areas of DuPage County Affected By Contamination, effective as of October 14, 2002 (the "Enabling Agreement"); and

WHEREAS, pursuant to Resolution No. R-44-02, being "A Resolution Authorizing the Execution of an Intergovernmental Agreement Concerning the Implementation of Water Service to the Suburban Estates Service Area in Unincorporated DuPage County," the Commission conditionally approved an agreement with the Village of

Woodridge to coordinate and implement the supply of Lake Michigan water to the Suburban Estates Service Area in accordance with the Enabling Agreement (the "Implementing Agreement"); and

WHEREAS, the Commission's approval of the Implementing Agreement was subject to receipt of written confirmation from the County that the Implementing Agreement was consistent with the intent of the Enabling Agreement and that the County had no objections thereto; and

WHEREAS, the Commission has subsequently determined that confirmation from the County is not required;

NOW, THEREFORE, BE IT RESOLVED 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: Section Three of Resolution No. R-44-02 shall be, and it hereby is, amended in its entirety so that said Section Three shall hereafter be and read as follows:

"SECTION THREE: The Chairman shall be and hereby is authorized and directed to execute, and the Clerk shall be and hereby is authorized and directed to attest, an Intergovernmental Agreement Concerning the Implementation of Water Service to the Suburban Estates Service Area in Unincorporated DuPage County, in substantially the form attached hereto as Exhibit 1 or with such modifications as may be required or approved by the Chairman; provided, however, that the Agreement shall not be so executed on behalf of the Commission unless and until the Chairman shall have been presented with copies of the Agreement executed by the Village of Woodridge. Upon execution by the Chairman, the Intergovernmental Agreement Concerning the Implementation of Water Service to the Suburban Estates Service Area in Unincorporated DuPage County, and all things provided for therein, shall be deemed accepted by the DuPage Water Commission without further act."

SECTION THREE: This Resolution shall be in full force and effect from and after its adoption.

AYES:

NAYS:

ABSENT:

ADOPTED this _____ day of _____, 2003.

Chairman

ATTEST:

Clerk

Board/Resolutions/R-44-03 Option A.doc

DUPAGE WATER COMMISSION

RESOLUTION NO. R-44-03

A RESOLUTION AMENDING RESOLUTION NO. R-44-02,
BEING A RESOLUTION AUTHORIZING THE EXECUTION OF AN
INTERGOVERNMENTAL AGREEMENT CONCERNING THE IMPLEMENTATION OF
WATER SERVICE TO THE SUBURBAN ESTATES SERVICE AREA IN
UNINCORPORATED DUPAGE COUNTY

WHEREAS, the DuPage Water Commission (the "Commission") is a public corporation created under the Water Commission Act of 1985, 70 ILCS 3720/1 *et seq.*, and Division 135 of Article 11 of the Illinois Municipal Code, 65 ILCS 5/11-135-1 *et seq.*, and is authorized to enter into contracts and agreements relating to the purchase and supply of water pursuant to the laws of the State of Illinois; and

WHEREAS, certain areas of DuPage County have been affected by contaminated well water, which contamination poses a significant threat to the health and safety of numerous individuals; and

WHEREAS, to carry out their duties and responsibilities, and desiring to create a method of providing an adequate supply of Lake Michigan water to areas of DuPage County affected by contaminated well water, the Commission, the County of DuPage (the "County"), and the Village of Woodridge, among others, entered into that certain Intergovernmental Agreement for the Provision of Lake Michigan Water to Areas of DuPage County Affected By Contamination, effective as of October 14, 2002 (the "Enabling Agreement"); and

WHEREAS, pursuant to Resolution No. R-44-02, being "A Resolution Authorizing the Execution of an Intergovernmental Agreement Concerning the Implementation of Water Service to the Suburban Estates Service Area in Unincorporated DuPage County," the Commission conditionally approved an agreement with the Village of

Woodridge to coordinate and implement the supply of Lake Michigan water to the Suburban Estates Service Area in accordance with the Enabling Agreement (the “Implementing Agreement”); and

WHEREAS, the Commission’s approval of the Implementing Agreement was subject to receipt of written confirmation from the County that the Implementing Agreement was consistent with the intent of the Enabling Agreement and that the County had no objections thereto; and

WHEREAS, pursuant to Resolution _____, the County officially found and determined that the well water supply in the area described in Resolution _____ (the “Designated Territory”), which Designated Territory includes the Suburban Estates Service Area designated in the Implementing Agreement, is tainted or contaminated for purposes of Section 0.01 of the Water Commission Act of 1985, 70 ILCS 3720/0.01;

NOW, THEREFORE, BE IT RESOLVED 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: In accordance with Section 0.01 of the Water Commission Act of 1985, 70 ILCS 3720/0.01, the Board of Commissioners of the DuPage Water Commission hereby finds and determines that the Village of Woodridge is the municipality most appropriate for supplying water to the Designated Territory.

SECTION THREE: Section Three of Resolution No. R-44-02 shall be, and it hereby is, amended in its entirety so that said Section Three shall hereafter be and read as follows:

“SECTION THREE: The Chairman shall be and hereby is authorized and directed to execute, and the Clerk shall be and hereby is authorized and directed to attest, an Intergovernmental Agreement Concerning the Implementation of Water Service to the Suburban Estates Service Area in Unincorporated DuPage County, in substantially the form attached hereto as Exhibit 1 or with such modifications as may be required or approved by the Chairman; provided, however, that the Agreement shall not be so executed on behalf of the Commission unless and until the Chairman shall have been presented with copies of the Agreement executed by the Village of Woodridge. Upon execution by the Chairman, the Intergovernmental Agreement Concerning the Implementation of Water Service to the Suburban Estates Service Area in Unincorporated DuPage County, and all things provided for therein, shall be deemed accepted by the DuPage Water Commission without further act.”

SECTION FOUR: This Resolution shall be in full force and effect from and after its adoption.

AYES:

NAYS:

ABSENT:

ADOPTED this _____ day of _____, 2003.

Chairman

ATTEST:

Clerk

DUPAGE WATER COMMISSION

RESOLUTION NO. R-40-03

A RESOLUTION APPROVING A FIRST AMENDMENT TO
TASK ORDER NO. 11 UNDER THE MASTER ENGINEERING
AGREEMENT WITH ALVORD, BURDICK & HOWSON, L.L.C

WHEREAS, the DuPage Water Commission (the "Commission") entered into an agreement with Alvord, Burdick & Howson, L.L.C. (the "Engineers") dated April 13, 2000, 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 Agreement"); and

WHEREAS, the Master Agreement sets forth the terms and conditions pursuant to which the Commission will obtain from time to time, and the Engineers 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 Engineers; and

WHEREAS, pursuant to Resolution No. R-25-02 adopted on July 10, 2002, the Commission approved Task Order No. 11 to the Master Agreement for design and bidding services in connection with the Contract TIB Inner Belt Transmission Main; and

WHEREAS, the Commission and the Engineers desire to amend Task Order No. 11 to the Master Agreement to add construction services to the scope of services, the Board of Commissioners of the DuPage Water Commission hereby finding and determining that the circumstances said to necessitate the changes were not reasonably foreseeable at the time the Task Order was signed, the changes are germane to the Task Order as signed, and/or the changes are in the best interest of the DuPage Water Commission and authorized by law; and

WHEREAS, the Engineers have approved the First Amendment to Task Order No. 11 attached hereto and by this reference incorporated herein and made a part hereof as Exhibit 1;

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 First Amendment to Task Order No. 11 attached hereto as Exhibit 1 shall be and it hereby is approved.

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 _____, 2003.

Chairman

ATTEST:

Clerk

EXHIBIT 1

FIRST AMENDMENT TO TASK ORDER NO. 11

In accordance with Section 1 of the Agreement for Engineering Services between the DuPage Water Commission (the "Commission") and Alvord, Burdick & Howson, L.L.C. (the "Engineers"), dated April 13, 2000 (the "Agreement"), the Commission and the Engineers agree to amend Task Order No. 11 to the Agreement for the Contract TIB-1 Project ("Task Order No. 11"), as follows:

1. Specific Project Data

Subsection 1B, entitled "Description and Scope of the Project," of Section 1 entitled "Specific Project Data," shall be, and it hereby is, amended in its entirety so that said Subsection 1B shall hereafter be and read as follows:

"B. Description and Scope of the Project:

Design, bidding, outside support and construction services in connection with a single construction contract for approximately 12,000 ft. of 72" Transmission Main, connecting the Commission's existing Northwest Transmission Main with the Commission's existing Southwest Transmission Main along the Route 83 corridor."

2. Services of Engineer

A. Paragraph 2A2, entitled "Outside Support Services," of Subsection 2A, entitled "Basic Services," of Section 2, entitled "Services of Engineer," shall be, and it hereby is, amended in its entirety so that said Paragraph 2A2 shall hereafter be and read as follows:

- "(i) An independent cathodic protection engineering firm to test, design and recommend a cathodic protection system for the Project and to inspect and test, as the work progresses, the cathodic protection system selected from Section 6 of the Specifications for the Contract TIB-1/03 construction contract.
- (ii) A construction specialist to assist the Engineers in providing liaison between the Commission and entities affected by the construction of Contract TIB-1/03 Inner Belt Transmission Main, witnessing offsite tests required by the Contract TIB-1/03 construction contract, and determining whether, as the work progresses, the work to be performed by the Contract TIB-1/03 construction contractor is being performed in compliance with, and as required by or pursuant to, the final design plans, specifications, general conditions, special conditions, and special technical requirements of the Contract TIB-1/03 construction contract.

- (iii) Paragraphs II(a) through and including II(e) of Exhibit 1 to the Agreement.”

B. Add a new Paragraph 2A3, entitled “Construction Services,” of Subsection 2A, entitled “Basic Services,” of Section 2, entitled “Services of Engineer,” which new Paragraph 2A3 shall hereafter be and read as follows:

“3) Construction Services

Paragraphs III(a) through and including III(s) of Exhibit I to the Agreement.”

3. Approximate Construction Period

Section 4, entitled “Approximate Construction Period,” shall be, and it hereby is, amended by deleting the words “Not Applicable” from said Section 4 and substituting the following approximate construction period in its place:

“2003-2005 (627 days)”

4. Not to Exceed Costs

Section 6, entitled “Not to Exceed Costs,” shall be, and it hereby is, amended by (a) deleting the words “Not Applicable” from the Not to Exceed Cost for Construction Services in said Section 6 and substituting the dollar amount of “\$1,042,000, footnoted to provide that if more than 627 calendar days occur between the bid date and the date of approval by the Commission of final payment under the contract, then the Engineers may request a renegotiation of the Not to Exceed Cost for Construction Services and, if the Commission and the Engineers are unable to agree upon an increase in the Not to Exceed Cost for Construction Services, the Commission or the Engineers may terminate this Task Order in the manner set forth in the Agreement” in its place; and (b) deleting the dollar amount of “\$99,000” from the Not to Exceed Cost for Outside Support Services in said Section 6 and substituting the dollar amount “\$440,000” in its place.

In all other respects, Task Order No. 11 to the Agreement shall remain in full force and effect, and Task Order No. 11 to the Agreement shall be binding on both parties as hereinabove amended.

DUPAGE WATER COMMISSION

BY: _____
James J. Holzwart
General Manager

ALVORD, BURDICK & HOWSON, L.L.C.

BY: _____
Donald E. Eckmann
Partner

DUPAGE WATER COMMISSION

ORDINANCE NO. O-10-03

AN ORDINANCE AMENDING THE
BY-LAWS OF THE DUPAGE WATER COMMISSION
(Amending Section 7 of Article II)

WHEREAS, the Board of Commissioners of the DuPage Water Commission has determined that it is appropriate and in the best interests of the Commission to amend the Commission's By-Laws, as restated in Ordinance No. O-5-92 and amended by Ordinance Nos. O-1-93, O-1-94, O-14-94, O-10-99, O-7-00, and O-11-02 to prohibit Commissioners from receiving any compensation for serving as Commissioner other than reimbursement of expenses actually incurred in connection with Commission business;

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

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

SECTION TWO: Amendment. Section 7, entitled "Compensation," of Article II, entitled "Commission and Commissioners," of the Commission's By-Laws shall be, and it hereby is, amended in its entirety so that said Section 7 shall hereafter be and read as follows:

"Section 7. Compensation. No Commissioner shall receive any compensation for his or her services as a Commissioner. A Commissioner may be reimbursed for actual expenses incurred in connection with Commission business."

Ordinance No. O-10-03

SECTION THREE: Effective Date. This Ordinance shall be in full force and effect from and after its adoption, the Board of Commissioners of the DuPage Water Commissioner having determined, by a two-thirds majority vote, to waive the amendment provisions of the By-Laws.

AYES:

NAYS:

ABSENT:

ADOPTED this _____ day of _____, 2003.

Chairman

ATTEST:

Clerk

Board/Ordinances/O-10-03.doc



DuPage Water Commission

MEMORANDUM

TO: Chairman & Commissioners

FROM: General Manager

DATE: October 8, 2003

SUBJECT: Summary of Action Since Previous Meeting

1. Commissioner Neil Pollock submitted his resignation to DuPage County Board Chairman. Commissioner Pollock has been the Commissioner for District 4 since April 1996.

DU PAGE WATER COMMISSION - ACCOUNTS PAYABLE 05-Sep-03 TO 02-Oct-03

ACPA0310
ACCOUNTS PAYABLE SPREADSHEET

MEETING OF

10/08/03

- a - Subject to submission of all contractually required documentation.
b - Subject to satisfactory completion of all DuPage Water Commission contract closeout procedures and requirements.
c - Construction items are coded with account numbers in the 7000 series.

VENDOR	INVOICE #	DATE	DESCRIPTION	ACCT# (c)	FUNDING SOURCE	INVOICE AMOUNT	VENDOR AMOUNT
A to Z All Purpose Rental	12339	08/29/03	Movie Screen for Engineering Presentation	WF-6625	WR	60.00	60.00
Acres Group, Inc.	16379	10/01/03	Landscape Mgmt Serv: October 2003	WF-6622	WR	4,373.80	4,373.80
Admiral Mechanical Services	20521	07/27/03	Repairs to HVAC System	WF-6622	WR	1,810.82	1,810.82
ADT Security Services, Inc.	55394299	10/01/03	Fire & Security Services: 10/01/03-12/31/03	WF-6622	WR	109.10	109.10
Aerex Pest Control	602934	09/18/03	Exterminator - Service Building: September 2003	WF-6622	WR	45.00	
Aerex Pest Control	602940	09/18/03	Exterminator - Pump & Motor Rooms: September 2003	WF-6622	WR	45.00	
Aerex Pest Control	603139	09/18/03	Exterminator - DPPS: September 2003	WF-6622	WR	48.00	138.00
Alternative Business Suppliers Incorporated	39388	09/26/03	Serv. Contract - Copiers & Fax Machine: 10/14/03-10/13/04	WF-6550	WR	2,390.00	2,390.00
Alvord, Burdick & Howson	74	09/30/03	Naperville Rd. to Diehl Rd.: 08/25/03-09/24/03	WF-7913	ST	5,875.52	
Alvord, Burdick & Howson	74	09/30/03	Diehl Rd. to 75th: 08/25/03-09/24/03	WF-7913	ST	9,034.63	
Alvord, Burdick & Howson	74	09/30/03	Butterfield Rd. to Prairie Path: 08/25/03-09/24/03	WF-7913	ST	23,904.61	
Alvord, Burdick & Howson	2003-299	09/30/03	Blow-Off Valve Improvement Tsk Odr. #9: 08/25/03-09/24/03	WF-6389	WR	1,423.68	
Alvord, Burdick & Howson	2003-301	09/30/03	48" West Transmission Main - TW-3: 08/25/03-09/24/03	WF-7913	ST	40,474.52	
Alvord, Burdick & Howson	2003-308	09/30/03	72" Along Rt. 83 (TIB-1) Task Order # 11: 08/25/03-09/24/03	WF-7913	ST	7,247.00	87,959.96
American Water Works Association	90014972	08/14/03	Operator Training: C. Townsend	WF-6132	WR	84.95	84.95
American Water Works Association	2000268802	06/03/03	Membership Renewal: R. Martin, E. Nawrocki	WF-6540	WR	1,348.00	1,348.00
AT&T	6308340100	09/25/03	Long Dist. Serv. DPPS: 08/25/03-09/25/03	WF-6514	WR	443.80	443.80
Avalon Petroleum Company	386325	09/12/03	Gasoline	WF-6642	WR	1,358.00	1,358.00
Bank One	4135061	09/25/03	2003 Revenue Bond Trustee Services: 09/30/03-08/31/04	WF-6233	WR	5,000.00	
Bank One	4135061	09/25/03	2003 Revenue Bond Trustee Acceptance Fee	WF-3150	WR	5,000.00	
Bank One	4135062	09/25/03	1993 Revenue Bond Trustee Final Services	WF-6233	WR	7,317.50	17,317.50

DU PAGE WATER COMMISSION - ACCOUNTS PAYABLE 05-Sep-03 TO 02-Oct-03

ACPA0310
ACCOUNTS PAYABLE SPREADSHEET

MEETING OF

10/08/03

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VENDOR	INVOICE #	DATE	DESCRIPTION	ACCT# (c)	FUNDING SOURCE	INVOICE AMOUNT	VENDOR AMOUNT
Basic Chemical Solutions, LLC	SI378876	09/04/03	Sodium Hypochlorite	WF-6613	WR	2,520.00	
Basic Chemical Solutions, LLC	SI383634	09/19/03	Sodium Hypochlorite	WF-6613	WR	2,250.00	4,770.00
Cardmember Services (First USA Bank)	311806002470	09/03/03	Replenish I-PASS: M-79697, M-76785, M-63637	WF-6131	WR	170.00	170.00
Central Parts Warehouse	45622A	09/26/03	Vehicle Maintenance	WF-6641	WR	212.38	212.38
Chicago Tribune	572625001	08/01/03	Invitation to Bid: TIB-1	WF-7958	ST	1,671.20	1,671.20
Chicago, City of: Dept. of Water	Ltr.	08/28/03	Operation Costs Lex. Sta.:07/01/03-07/31/03	WF-6611	WR	36,046.23	
Chicago, City of: Dept. of Water	Ltr.	09/17/03	Operation Costs Lex. Sta.:08/01/03-08/31/03	WF-6611	WR	36,038.73	72,084.96
Chicago, City of: Dept. of Water	Ltr.	09/22/03	Outside Contractors Maint. & Repairs : 03/31/03-08/24/03	WF-6611	WR	14,939.25	14,939.25
Chicago, City of: Supt. of Wtr. Coll.	Ltr.	10/01/03	Water Supply: 09/01/03-09/30/03	WF-1910	WR	(695,231.82)	
Chicago, City of: Supt. of Wtr. Coll.	Ltr.	10/01/03	Water Supply: 09/01/03-09/30/03	WF-6611	WR	3,476,159.11	2,780,927.29
Cintas First Aid & Safety	343181005	09/17/03	First Aid Supplies	WF-6622	WR	70.45	70.45
Commonwealth Edison	Various	09/03/03	Remote Opr. Valve: 08/04/03-09/03/03	WF-6612	WR	553.03	
Commonwealth Edison	Various	09/17/03	CP Stations: 08/15/03-09/17/03	WF-6612	WR	135.70	
Commonwealth Edison	Various	09/25/03	Tank Site Serv: 08/25/03-09/25/03	WF-6612	WR	1,313.42	
Commonwealth Edison	Various	09/04/03	Meter Sta. Serv.: 08/05/03-09/04/03	WF-6612	WR	2,190.26	4,192.41
Concept Commercial Communications, Inc.	91368	09/09/03	Vehicle Battery Chargers for Mobile Phones	WF-6514	WR	74.67	74.67
Constellation NewEnergy, Inc.	0297187001	09/08/03	DPPS Electric Service: 07/24/03-08/22/03	WF-6612	WR	137,238.24	
Constellation NewEnergy, Inc.	0297187001	09/29/03	DPPS Electric Service: 08/22/03-09/23/03	WF-6612	WR	155,297.42	292,535.66
CTE Engineers, Inc.	44140599.2000-4	09/10/03	Eng. Serv. - Emergency Operations Plan: 04/26/03-05/23/03	WF-1398	WR	901.68	
CTE Engineers, Inc.	44140599.2000-4	09/10/03	Eng. Serv. - Emergency Operations Plan: 04/26/03-05/23/03	WF-6389	WR	901.68	
CTE Engineers, Inc.	44140599.2000-4	09/10/03	Eng. Serv. - Emergency Operations Plan: 04/26/03-05/23/03	WF-5900	WR	(901.68)	901.68

DU PAGE WATER COMMISSION - ACCOUNTS PAYABLE 05-Sep-03 TO 02-Oct-03

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Discount Tire Co. Inc.	7836839	09/17/03	Vehicle Maintenance: M-76785	WF-6641	WR	13.00	13.00
Divane Bros. Electric Co.	QRE1-006A	09/30/03	Electric Repair at Meter Stations	WF-6633	WR	310.33	310.33
Downers Grove, Village of		09/24/03	Water Quality Loan - Draw # 2	WF-1932	ST	250,000.00	250,000.00
Elmhurst Plaza Standard Inc.	24778	09/04/03	Vehicle Maintenance: M-78556	WF-6641	WR	166.90	
Elmhurst Plaza Standard Inc.	24875	09/24/03	Vehicle Maintenance: M-66159	WF-6641	WR	261.95	428.85
Errand Boy	72422	10/01/03	Messenger Service	WF-6532	WR	54.99	54.99
Federal Express Corp.	4-879-38473	09/24/03	Messenger Service	WF-6532	WR	324.84	324.84
Gallagher, AJ Risk Mgmt Svcs PR	195337	09/09/03	Excess Umbrella: 09/08/03-09/08/04	WF-1551	WR	38,047.27	
Gallagher, AJ Risk Mgmt Svcs PR	195337	09/09/03	Excess Umbrella: 09/08/03-09/08/04	WF-6416	WR	68,252.73	106,300.00
Grainger	Various	09/15/03	Maintenance Supplies	WF-6622	WR	2,023.66	2,023.66
Hach Company	3583344	09/10/03	Water Testing Supplies	WF-6614	WR	2,088.83	2,088.83
Herbst Lazar Bell Inc.	15259	09/19/03	Repairs to Educational Model	WF-6550	WR	1,890.00	1,890.00
Holland & Knight		09/22/03	Legal Services: August 2003	WF-7951	ST	8,741.30	
Holland & Knight		09/22/03	Legal Services: August 2003	WF-6251	WR	39,347.41	48,088.71
Home Depot	4040383	09/10/03	Pipeline Supplies	WF-6637	WR	59.50	
Home Depot	Various	09/05/03	Maintenance Supplies	WF-6622	WR	176.69	236.19
HSQ Technology	5756	09/29/03	SCADA Support Service: 09/01/03-09/30/03	WF-6624	WR	450.00	450.00
Illinois State Police		09/03/03	Radio Communication Service: October - December 2003	WF-6641	WR	1,282.50	1,282.50
J.U.L.I.E.	08-03-0424	09/02/03	Utility Locates: August 2003	WF-6634	WR	4,401.00	4,401.00

DU PAGE WATER COMMISSION - ACCOUNTS PAYABLE 05-Sep-03 TO 02-Oct-03

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JM Process Systems, Inc.	92203 A	09/22/03	Pumping Operations	WF-6621	WR	94.16	94.16
Joliet Junior College	354233F03	09/26/03	Professional Development: M. Weed, L. Sharp	WF-6133	WR	683.00	683.00
Kingsbury, Inc.	17503	09/24/03	Anodes Heat Exchanger Highlift Pumps	WF-6621	WR	2,107.61	2,107.61
Lanac Technology	200308046	08/31/03	Payroll Software Service	WF-6550	WR	165.00	
Lanac Technology	200309009	09/15/03	Payroll Software Service	WF-6550	WR	82.50	
Lanac Technology	S11417	09/16/03	Payroll Software Upgrade	WF-6550	WR	1,163.20	
Lanac Technology	S11417	09/16/03	Payroll Software Upgrade	WF-1398	WR	532.80	1,943.50
Lesman Instrument Company	1/558811	09/15/03	SCADA System Parts	WF-6633	WR	257.66	
Lesman Instrument Company	1/634871	09/23/03	SCADA System Parts	WF-6633	WR	132.16	
Lesman Instrument Company	1/634871	09/23/03	SCADA System Parts	WF-6633	WR	722.27	1,112.09
McGladrey & Pullen, LLP	M-1525415-050	08/28/03	Audit - FY '03	WF-6310	WR	6,000.00	6,000.00
McGladrey, RSM inc.	R-1525406-050	08/28/03	Review & Analysis of Public Act 93-0226	WF-6310	WR	1,600.00	1,600.00
McMaster-Carr Supply Company	76074464	09/02/03	Meter Station Maintenance	WF-6633	WR	205.48	
McMaster-Carr Supply Company	Various	09/05/03	Maintenance Supplies	WF-6622	WR	330.83	
McMaster-Carr Supply Company	77139391	09/22/03	Hoist for Meter Shop	WF-6623	WR	1,903.76	2,440.07
Mel's Ace Hardware	01155716 76	09/09/03	Locator Batteries	WF-6634	WR	23.37	
Mel's Ace Hardware	Various	09/13/03	Vehicle Maintenance	WF-6641	WR	91.82	
Mel's Ace Hardware	01161359 76	09/24/03	Pumping Operations	WF-6621	WR	23.18	
Mel's Ace Hardware	Various	09/30/03	Maintenance Supplies	WF-6622	WR	150.11	288.48
Menards - Hillside	Various	09/27/03	Maintenance Supplies	WF-6622	WR	48.00	48.00
Mettler-Toledo, Inc.	157-00035768	09/19/03	Calibration of Meter Testing Tank	WF-6623	WR	587.50	587.50

DU PAGE WATER COMMISSION - ACCOUNTS PAYABLE 05-Sep-03 TO 02-Oct-03

ACPA0310
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Midas Auto Systems Experts	592672	05/13/02	Vehicle Maintenance: M-80328	WF-6641	WR	97.15	
Midas Auto Systems Experts	594986	10/18/02	Vehicle Maintenance: M-63636	WF-6641	WR	112.99	
Midas Auto Systems Experts	599431	07/19/03	Vehicle Maintenance: M-63636	WF-6641	WR	944.88	1,155.02
Naperville, City of	Various	09/22/03	Meter Sta. Service: 08/14/03-09/15/03	WF-6612	WR	253.32	253.32
National City Bank	8020171001	09/16/03	Safekeeping Fees: 08/01/03-08/31/03	WF-6233	WR	971.30	971.30
National Waterworks, Inc.	9587617	09/16/03	Meter Testing	WF-6623	WR	11,194.00	
National Waterworks, Inc.	9736157	09/16/03	Pipeline Supplies	WF-6637	WR	165.00	
National Waterworks, Inc.	9738565	09/12/03	Meter Testing	WF-6623	WR	2,333.00	
National Waterworks, Inc.	9739622	09/16/03	Pipeline Supplies	WF-6637	WR	60.00	13,752.00
Network Technologies Group, LLC	15727	09/09/03	Corrosion Telemetry: 07/23/03-09/01/03	WF-6514	WR	96.00	96.00
New Pig Corporation	2908534-00	09/09/03	Maintenance Supplies	WF-6622	WR	250.84	
New Pig Corporation	2908535-00	09/11/03	Maintenance Supplies	WF-6622	WR	185.62	436.46
Nextel Communications	648652511	09/13/03	Cellular Phone Serv.: 08/09/03-09/08/03	WF-6514	WR	314.48	314.48
NICOR	2-38-82-32429	09/19/03	DPPS Service: 08/12/03-09/12/03	WF-6513	WR	104.60	104.60
Oakfield Ford	363996	09/08/03	Vehicle Maintenance: M-127481	WF-6641	WR	22.95	
Oakfield Ford	364047	09/03/03	Vehicle Maintenance: M-63638	WF-6641	WR	32.10	55.05
Pitney Bowes	5795233-SP03	09/13/03	Postage Meter Rental: 06/30/03-09/30/03	WF-6550	WR	330.00	330.00
Praxair Distribution Inc.	358753	08/29/03	Yearly Cylinder Lease - Oxygen, Acetylene	WF-6622	WR	165.24	165.24
Program Professional Service, Inc.	67489	09/13/03	Window Washing DPPS: September 2003	WF-6622	WR	167.00	167.00
Quill	3777918	09/17/03	Office Supplies	WF-6521	WR	80.21	
Quill	3822330	09/19/03	Office Supplies	WF-6521	WR	14.38	94.59

DU PAGE WATER COMMISSION - ACCOUNTS PAYABLE 05-Sep-03 TO 02-Oct-03

ACPA0310
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Red Wing Shoe Store	450000000007	09/11/03	Safety Shoes: R. Nolan	WF-6626	WR	119.99	
Red Wing Shoe Store	450000000021	09/18/03	Safety Shoes: R. Moore	WF-6636	WR	155.99	275.98
Rossi Contractors, Inc.	BOV-1	09/30/03	Cont. BOV-1: Partial Invoice No. 14	WF-6631	WR	398,572.44 (a)	
Rossi Contractors, Inc.	BOV-1	09/30/03	Cont. BOV-1: Partial Invoice No. 14	WF-3520	WR	(39,857.25) (a)	
Rossi Contractors, Inc.	BOV-1	09/30/03	Cont. BOV-1: Partial Invoice No. 14	WF-3530	WR	(2,460.00) (a)	356,255.19
Royal Office Products	966547	09/18/03	Office Supplies	WF-6521	WR	71.94	71.94
SBC	6303070865	09/01/03	Tank Site #1: 08/01/03-08/12/03	WF-6514	WR	7.84	
SBC	6308940725	09/04/03	Tank Site #1: 09/04/03-10/03/03	WF-6514	WR	22.75	
SBC	708Z096241	09/16/03	Backup Telemetry Serv: 09/16/03-10/15/03	WF-6514	WR	694.97	725.56
Seeco Consultants, Inc.	11349	09/22/03	Material Testing - BOV-1: 08/16/03-09/15/03	WF-6389	WR	1,454.25 (a)	
Seeco Consultants, Inc.	11349	09/22/03	Material Testing - TW-2: 08/16/03-09/15/03	WF-7962	ST	1,350.50 (a)	2,804.75
Sooper Lube	Various	09/24/03	Vehicle Maintenance: M-79697, M-76785, M-99818, M-6615	WF-6641	WR	155.70	155.70
Specialty Mat Service	214064	09/08/03	Floor Mat Service: 09/08/03	WF-6622	WR	58.40	
Specialty Mat Service	215811	09/22/03	Floor Mat Service: 09/22/03	WF-6622	WR	58.40	116.80
Standard & Poor's	10013543	09/02/03	2003 Water Revenue Bonds Rating	WF-3150	WR	40,000.00	40,000.00
Suburban Laboratories, Inc.	61268	09/29/03	Water Testing	WF-6614	WR	50.00	50.00
ThyssenKrupp Elevator Company	411198	10/01/03	Elevator Maintenance: 10/01/03-10/31/03	WF-6622	WR	218.42	218.42
Total Facility Maintenance, Inc.	112890	10/01/03	DPPS Cleaning Services: October 2003	WF-6622	WR	1,925.83	
Total Facility Maintenance, Inc.	112944	09/22/03	Maintenance Supplies	WF-6622	WR	41.70	1,967.53
Tree Towns Repro Service	683655	09/03/03	Plans for New Reservoir Design	WF-7912	ST	70.20	
Tree Towns Repro Service	683733	09/10/03	Plan Sheet Reproduction for Electric Generation Study	WF-7912	ST	172.40	
Tree Towns Repro Service	684038	09/23/03	Reduced Set Plan Reproduction	WF-6634	WR	59.95	302.55

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VENDOR	INVOICE #	DATE	DESCRIPTION	ACCT# (c)	FUNDING SOURCE	INVOICE AMOUNT	VENDOR AMOUNT
United Radio Communications	Various	09/26/03	Portable Radio Repairs	WF-6641	WR	1,628.95	1,628.95
Verizon Wireless	504932116	09/18/03	Cellular Phone Serv.: 09/19/03-10/18/03	WF-6514	WR	68.55	
Verizon Wireless	504932118	08/28/03	Cellular Phone Serv.: 08/29/03-09/28/03	WF-6514	WR	90.68	
Verizon Wireless	504976418	09/08/03	Cellular Phone Serv.: 09/09/03-10/08/03	WF-6514	WR	84.48	
Verizon Wireless	505077564	09/11/03	Cellular Phone Serv.: 09/12/03-10/11/03	WF-6514	WR	30.27	273.98
Video Master	40610	09/10/03	Video Card Reader	WF-6622	WR	600.00	600.00
Viking Office Products	552366	09/18/03	Office Supplies	WF-6521	WR	154.77	154.77
Waste Management North	1999505-2008-0	10/01/03	Refuse Disposal	WF-6622	WR	150.28	150.28
Wold Printing Services, Ltd.	4891	09/18/03	Revenue Rfndg Bonds Series 2003 Official Statement	WF-3150	WR	4,557.44	4,557.44
Total Accounts Payable							4,152,946.09 =====

DU PAGE WATER COMMISSION - ACCOUNTS PAYABLE 05-Sep-03 TO 02-Oct-03

VENDOR VOLUME
ACCOUNTS PAYABLE SPREADSHEET
10/08/03

VENDOR	DESCRIPTION	VENDOR AMOUNT	CUMULATIVE VENDOR AMOUNT	CUMULATIVE VENDOR AMOUNT %
Chicago, City of: Supt. of Wtr. Coll.	Water Supply: 09/01/03-09/30/03	2,780,927.29	2,780,927.29	66.963%
Rossi Contractors, Inc.	Cont. BOV-1: Partial Invoice No. 14	356,255.19	3,137,182.48	75.541%
Constellation NewEnergy, Inc.	DPPS Electric Service: 07/24/03-09/23/03	292,535.66	3,429,718.14	82.585%
Downers Grove, Village of	Water Quality Loan - Draw # 2	250,000.00	3,679,718.14	88.605%
Gallagher, AJ Risk Mgmt Svcs PR	Excess Umbrella: 09/08/03-09/08/04	106,300.00	3,786,018.14	91.165%
Alvord, Burdick & Howson	Engineering Services	87,959.96	3,873,978.10	93.283%
Chicago, City of: Dept. of Water	Operation Costs Lex. Sta.: 07/01/03-08/31/03	72,084.96	3,946,063.06	95.018%
Holland & Knight	Legal Services: August 2003	48,088.71	3,994,151.77	96.176%
Standard & Poor's	2003 Water Revenue Bonds Rating	40,000.00	4,034,151.77	97.140%
Bank One	Revenue Bond Trustee Services, & Acceptance Fee	17,317.50	4,051,469.27	97.557%
Chicago, City of: Dept. of Water	Outside Contractors Maint. & Repairs : 03/31/03-08/24/03	14,939.25	4,066,408.52	97.916%
National Waterworks, Inc.	Pipeline Supplies, Meter Testing	13,752.00	4,080,160.52	98.247%
McGladrey & Pullen, LLP	Audit - FY '03	6,000.00	4,086,160.52	98.392%
Basic Chemical Solutions, LLC	Sodium Hypochlorite	4,770.00	4,090,930.52	98.507%
Wold Printing Services, Ltd.	Revenue Rfndg Bonds Series 2003 Official Statement	4,557.44	4,095,487.96	98.616%
J.U.L.I.E.	Utility Locates: August 2003	4,401.00	4,099,888.96	98.722%

DU PAGE WATER COMMISSION - ACCOUNTS PAYABLE 05-Sep-03 TO 02-Oct-03

VENDOR VOLUME
ACCOUNTS PAYABLE SPREADSHEET
10/08/03

VENDOR	DESCRIPTION	VENDOR AMOUNT	CUMULATIVE VENDOR AMOUNT	CUMULATIVE VENDOR AMOUNT %
Acres Group, Inc.	Landscape Mgmt Serv: October 2003	4,373.80	4,104,262.76	98.828%
Commonwealth Edison	Meter Station, ROV, CP, Tank Site Electric Service	4,192.41	4,108,455.17	98.929%
Seeco Consultants, Inc.	Material Testing - TW-2 & BOV-1: 08/16/03-09/15/03	2,804.75	4,111,259.92	98.996%
McMaster-Carr Supply Company	Hoist for Meter Shop, Maint. Supplies, Meter Station Maint.	2,440.07	4,113,699.99	99.055%
Alternative Business Suppliers Incorporated	Serv. Contract - Copiers & Fax Machine: 10/14/03-10/13/04	2,390.00	4,116,089.99	99.113%
Kingsbury, Inc.	Anodes Heat Exchanger Highlift Pumps	2,107.61	4,118,197.60	99.163%
Hach Company	Water Testing Supplies	2,088.83	4,120,286.43	99.214%
Grainger	Maintenance Supplies	2,023.66	4,122,310.09	99.262%
Total Facility Maintenance, Inc.	DPPS Cleaning Services: October 2003, Maint. Supplies	1,967.53	4,124,277.62	99.310%
Lanac Technology	Payroll Software Service & Upgrade	1,943.50	4,126,221.12	99.356%
Herbst Lazar Bell Inc.	Repairs to Educational Model	1,890.00	4,128,111.12	99.402%
Admiral Mechanical Services	Repairs to HVAC System	1,810.82	4,129,921.94	99.446%
Chicago Tribune	Invitation to Bid: TIB-1	1,671.20	4,131,593.14	99.486%
United Radio Communications	Portable Radio Repairs	1,628.95	4,133,222.09	99.525%
McGladrey, RSM inc.	Review & Analysis of Public Act 93-0226	1,600.00	4,134,822.09	99.564%
Avalon Petroleum Company	Gasoline	1,358.00	4,136,180.09	99.596%
American Water Works Association	Membership Renewal: R. Martin, E. Nawrocki	1,348.00	4,137,528.09	99.629%

DU PAGE WATER COMMISSION - ACCOUNTS PAYABLE 05-Sep-03 TO 02-Oct-03

VENDOR VOLUME
ACCOUNTS PAYABLE SPREADSHEET
10/08/03

VENDOR	DESCRIPTION	VENDOR AMOUNT	CUMULATIVE VENDOR AMOUNT	CUMULATIVE VENDOR AMOUNT %
Illinois State Police	Radio Communication Service: October - December 2003	1,282.50	4,138,810.59	99.660%
Midas Auto Systems Experts	Vehicle Maintenance	1,155.02	4,139,965.61	99.687%
Lesman Instrument Company	SCADA System Parts	1,112.09	4,141,077.70	99.714%
National City Bank	Safekeeping Fees: 08/01/03-08/31/03	971.30	4,142,049.00	99.738%
CTE Engineers, Inc.	Eng. Serv. - Emergency Operations Plan: 04/26/03-05/23/03	901.68	4,142,950.68	99.759%
SBC	Backup Telemetry, DPPS, Tank Site #1 Service	725.56	4,143,676.24	99.777%
Joliet Junior College	Professional Development: M. Weed, L. Sharp	683.00	4,144,359.24	99.793%
Video Master	Video Card Reader	600.00	4,144,959.24	99.808%
Mettler-Toledo, Inc.	Calibration of Meter Testing Tank	587.50	4,145,546.74	99.822%
HSQ Technology	SCADA Support Service: 09/01/03-09/30/03	450.00	4,145,996.74	99.833%
AT&T	Long Dist. Serv. DPPS: 08/25/03-09/25/03	443.80	4,146,440.54	99.843%
New Pig Corporation	Maintenance Supplies	436.46	4,146,877.00	99.854%
Elmhurst Plaza Standard Inc.	Vehicle Maintenance	428.85	4,147,305.85	99.864%
Pitney Bowes	Postage Meter Rental: 06/30/03-09/30/03	330.00	4,147,635.85	99.872%
Federal Express Corp.	Messenger Service	324.84	4,147,960.69	99.880%
Nextel Communications	Cellular Phone Serv.: 08/09/03-09/08/03	314.48	4,148,275.17	99.888%

DU PAGE WATER COMMISSION - ACCOUNTS PAYABLE 05-Sep-03 TO 02-Oct-03

VENDOR VOLUME
ACCOUNTS PAYABLE SPREADSHEET
10/08/03

VENDOR	DESCRIPTION	VENDOR AMOUNT	CUMULATIVE VENDOR AMOUNT	CUMULATIVE VENDOR AMOUNT %
Divane Bros. Electric Co.	Electric Repair at Meter Stations	310.33	4,148,585.50	99.895%
Tree Towns Repro Service	Reduced Set Plan Repro., Plans for Reservoir & Generator	302.55	4,148,888.05	99.902%
Mel's Ace Hardware	Maint. Supplies, Locator Bat., Veh. Maint., Pumping Oper.	288.48	4,149,176.53	99.909%
Red Wing Shoe Store	Safety Shoes	275.98	4,149,452.51	99.916%
Verizon Wireless	Cellular Phone Serv.: 09/12/03-10/11/03	273.98	4,149,726.49	99.922%
Naperville, City of	Meter Sta. Service: 08/14/03-09/15/03	253.32	4,149,979.81	99.929%
Home Depot	Maintenance & Pipeline Supplies	236.19	4,150,216.00	99.934%
ThyssenKrupp Elevator Company	Elevator Maintenance: 10/01/03-10/31/03	218.42	4,150,434.42	99.940%
Central Parts Warehouse	Vehicle Maintenance	212.38	4,150,646.80	99.945%
Cardmember Services (First USA Bank)	Replenish I-PASS: M-79697, M-76785, M-63637	170.00	4,150,816.80	99.949%
Program Professional Service, Inc.	Window Washing DPPS: September 2003	167.00	4,150,983.80	99.953%
Praxair Distribution Inc.	Yearly Cylinder Lease - Oxygen, Acetylene	165.24	4,151,149.04	99.957%
Soooper Lube	Vehicle Maintenance	155.70	4,151,304.74	99.960%
Viking Office Products	Office Supplies	154.77	4,151,459.51	99.964%
Waste Management North	Refuse Disposal	150.28	4,151,609.79	99.968%
Aerex Pest Control	Exterminator - DPPS, Serv. Bldg, Pump & Motor Rm: Sep. '0	138.00	4,151,747.79	99.971%
Specialty Mat Service	Floor Mat Service: September 2003	116.80	4,151,864.59	99.974%

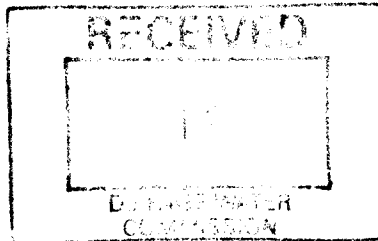
DU PAGE WATER COMMISSION - ACCOUNTS PAYABLE 05-Sep-03 TO 02-Oct-03

VENDOR VOLUME
ACCOUNTS PAYABLE SPREADSHEET
10/08/03

VENDOR	DESCRIPTION	VENDOR AMOUNT	CUMULATIVE VENDOR AMOUNT	CUMULATIVE VENDOR AMOUNT %
ADT Security Services, Inc.	Fire & Security Services: 10/01/03-12/31/03	109.10	4,151,973.69	99.977%
NICOR	DPPS Service: 08/12/03-09/12/03	104.60	4,152,078.29	99.979%
Network Technologies Group, LLC	Corrosion Telemetry: 07/23/03-09/01/03	96.00	4,152,174.29	99.981%
Quill	Office Supplies	94.59	4,152,268.88	99.984%
JM Process Systems, Inc.	Pumping Operations	94.16	4,152,363.04	99.986%
American Water Works Association	Operator Training: C. Townsend	84.95	4,152,447.99	99.988%
Concept Commercial Communications, Inc.	Vehicle Battery Chargers for Mobile Phones	74.67	4,152,522.66	99.990%
Royal Office Products	Office Supplies	71.94	4,152,594.60	99.992%
Cintas First Aid & Safety	First Aid Supplies	70.45	4,152,665.05	99.993%
A to Z All Purpose Rental	Movie Screen for Engineering Presentation	60.00	4,152,725.05	99.995%
Oakfield Ford	Vehicle Maintenance	55.05	4,152,780.10	99.996%
Errand Boy	Messenger Service	54.99	4,152,835.09	99.997%
Suburban Laboratories, Inc.	Water Testing	50.00	4,152,885.09	99.999%
Menards - Hillside	Maintenance Supplies	48.00	4,152,933.09	100.000%
Discount Tire Co. Inc.	Vehicle Maintenance: M-76785	13.00	4,152,946.09	100.000%
Total Accounts Payable		4,152,946.09		

Public Finance
Mail Code 0826
1 Bank One Plaza
Chicago, IL 60670-0826

Banc One
Capital Markets, Inc.



August 27, 2003

Mr. James Holzwart, General Manager
Mr. Richard Skiba, Financial Administrator
DuPage Water Commission
600 East Butterfield Road
Elmhurst, Illinois 60126-4642

RE: Report of Financial Advisor for Series 2003 Refunding Bond Issue

Gentlemen:

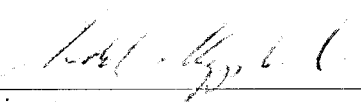
Banc One Capital Markets, Inc., the Financial Advisor to the DuPage Water Commission, in connection with the sale by the Commission of its \$135,995,000 principal amount of Water Revenue Refunding Bonds, Series 2003 (the "Bonds") hereby makes the following findings and determinations with respect to the sale of the Bonds:

1. The terms of the Bonds are fair and reasonable in view of current conditions in the bond markets.
2. The refunding of the Commission's outstanding Water Refunding Revenue Bonds, Series 1993 (the "Series 1993 Bonds") by the issuance of the Bonds will provide to the Commission, all of the following: (i) \$6,000,000 or more of gross debt service savings; (ii) \$3,000,000 or more of present value debt service savings and (iii) present value debt service savings equal to three percent (3%) or more of the principal amount of Series 1993 Bonds to be refunded. For this purpose, present value debt service savings are determined by using as the discount rate, the yield on the Series 2003 Bonds calculated without regard to the Municipal Bond Insurance Policy premium.

Attached to this Report of Financial Advisor are schedules supporting the findings and determinations set forth in this Report and said schedules are hereby made a part of this Report of Financial Advisor.

IN WITNESS WHEREOF, Banc One Capital Markets, Inc., Financial Advisor as aforesaid, has caused this Report of Financial Advisor to be signed by one of its Directors and filed with the DuPage Water Commission, all as of this 27th day of August, 2003.

BANC ONE CAPITAL MARKETS, INC.

By: 
Director

PROOF OF ARBITRAGE YIELD

DuPage Water Commission
Water Revenue Refunding Bonds, Series 2003
Banc One Capital Markets, Inc. Verification of Final Cashflows

Date	Debt Service	Present Value to 09/30/2003 @ 3.8145277%
05/01/2004	14,292,838.78	13,979,777.07
11/01/2004	3,203,968.75	3,075,139.92
05/01/2005	11,083,968.75	10,439,189.01
11/01/2005	3,006,968.75	2,779,042.84
05/01/2006	11,281,968.75	10,231,659.49
11/01/2006	2,800,093.75	2,491,888.56
05/01/2007	11,490,093.75	10,034,008.75
11/01/2007	2,582,843.75	2,213,318.41
05/01/2008	11,707,843.75	9,845,041.21
11/01/2008	2,354,718.75	1,943,007.70
05/01/2009	11,934,718.75	9,663,679.70
11/01/2009	2,115,218.75	1,680,662.40
05/01/2010	12,175,218.75	9,492,854.59
11/01/2010	1,863,718.75	1,425,920.42
05/01/2011	12,428,718.75	9,331,170.68
11/01/2011	1,599,593.75	1,178,458.60
05/01/2012	12,689,593.75	9,173,756.51
11/01/2012	1,322,343.75	938,077.49
05/01/2013	51,697,343.75	35,987,977.23
	181,631,776.28	145,904,630.60

Proceeds Summary

Delivery date	09/30/2003
Par Value	135,995,000.00
Premium (Discount)	9,909,630.60
Target for yield calculation	145,904,630.60

PROOF OF ARBITRAGE YIELD

DuPage Water Commission
 Water Revenue Refunding Bonds, Series 2003
 Banc One Capital Markets, Inc. Verification of Final Cashflows

Assumed Call/Computation Dates for Premium Bonds

Bond Component	Maturity Date	Call Date	Call Price	Net Present Value (NPV) to 09/30/2003 @ 3.8145277%
INSURED	05/01/2014	05/01/2013	100.000	434,599.22
INSURED	05/01/2015	05/01/2013	100.000	562,478.87
INSURED	05/01/2016	05/01/2013	100.000	690,465.40

Rejected Call/Computation Dates for Premium Bonds

Bond Component	Maturity Date	Call Date	Call Price	Net Present Value (NPV) to 09/30/2003 @ 3.8145277%	Increase to NPV
INSURED	05/01/2014			553,643.63	119,044.41
INSURED	05/01/2015			808,452.04	245,973.17
INSURED	05/01/2016			1,071,577.87	381,112.47

SUMMARY OF REFUNDING RESULTS

DuPage Water Commission
Water Revenue Refunding Bonds, Series 2003
Banc One Capital Markets, Inc. Verification of Final Cashflows

Dated Date	09/30/2003
Delivery Date	09/30/2003
Arbitrage yield	3.814528%
Escrow yield	
Bond Par Amount	135,995,000.00
True Interest Cost	3.982710%
Net Interest Cost	4.152815%
Average Coupon	5.132277%
Average Life	7.131
Par amount of refunded bonds	145,655,000.00
Average coupon of refunded bonds	5.318733%
Average life of refunded bonds	6.106
PV of prior debt to 09/30/2003 @ 3.814528%	160,387,221.10
Net PV Savings	6,884,289.67
Percentage savings of refunded bonds	4.726436%
Percentage savings of refunding bonds	5.062164%

SAVINGS

DuPage Water Commission
Water Revenue Refunding Bonds, Series 2003
Banc One Capital Markets, Inc. Verification of Final Cashflows

Date	Prior Debt Service	Refunding Debt Service	Savings	Annual Savings	Present Value to 09/30/2003 @ 3.8145277%
11/01/2003	3,873,828.75		3,873,828.75		3,861,244.57
05/01/2004	13,958,828.75	14,292,838.78	-334,010.03	3,539,818.72	-326,694.08
11/01/2004	3,616,661.25	3,203,968.75	412,692.50		396,098.49
05/01/2005	14,216,661.25	11,083,968.75	3,132,692.50	3,545,385.00	2,950,456.63
11/01/2005	3,341,061.25	3,006,968.75	334,092.50		308,768.55
05/01/2006	14,491,061.25	11,281,968.75	3,209,092.50	3,543,185.00	2,910,337.94
11/01/2006	3,045,586.25	2,800,093.75	245,492.50		218,471.24
05/01/2007	14,785,586.25	11,490,093.75	3,295,492.50	3,540,985.00	2,877,870.39
11/01/2007	2,728,606.25	2,582,843.75	145,762.50		124,908.38
05/01/2008	15,108,606.25	11,707,843.75	3,400,762.50	3,546,525.00	2,859,676.61
11/01/2008	2,388,156.25	2,354,718.75	33,437.50		27,591.12
05/01/2009	15,443,156.25	11,934,718.75	3,508,437.50	3,541,875.00	2,840,822.39
11/01/2009	2,029,143.75	2,115,218.75	-86,075.00		-68,391.52
05/01/2010	15,799,143.75	12,175,218.75	3,623,925.00	3,537,850.00	2,825,525.67
11/01/2010	1,650,468.75	1,863,718.75	-213,250.00		-163,156.34
05/01/2011	16,185,468.75	12,428,718.75	3,756,750.00	3,543,500.00	2,820,473.79
11/01/2011	1,268,925.00	1,599,593.75	-330,668.75		-243,611.50
05/01/2012	16,563,925.00	12,689,593.75	3,874,331.25	3,543,662.50	2,800,891.21
11/01/2012	867,431.25	1,322,343.75	-454,912.50		-322,717.28
05/01/2013	16,967,431.25	12,967,343.75	4,000,087.50	3,545,175.00	2,784,573.59
11/01/2013	444,806.25	1,016,662.50	-571,856.25		-390,634.81
05/01/2014	17,389,806.25	13,271,662.50	4,118,143.75	3,546,287.50	2,760,453.45
11/01/2014		694,968.75	-694,968.75		-457,129.30
05/01/2015		13,594,968.75	-13,594,968.75	-14,289,937.50	-8,774,994.57
11/01/2015		356,343.75	-356,343.75		-225,700.57
05/01/2016		13,931,343.75	-13,931,343.75	-14,287,687.50	-8,658,673.59
	196,164,350.00	185,767,726.28	10,396,623.72	10,396,623.72	13,736,460.46

Savings Summary

PV of savings from cash flow	13,736,460.46
Less: Prior funds on hand	-21,147,964.06
Plus: Refunding funds on hand	14,295,793.27
Net PV Savings	6,884,289.67