



AGENDA – Administration Committee

Thursday, March 16, 2023 6:15 P.M.

Committee Members

J. Broda
J. Healy – Chair
K. Rush
D. Van Vooren
J. Zay

-
- I. Roll Call
 - II. Approval of the January 19, 2023 Administration Committee Minutes

RECOMMENDED MOTION: To approve the Minutes of January 19, 2023, Administration Committee Meeting of the DuPage Water Commission.
 - III. Request for Board Action – To Authorize a Consulting Agreement with John J. Millner and Associates, Inc., in an amount not to exceed \$40,000.00.
 - IV. Resolution No. R-12-23: A Resolution Authorizing the General Manager to process FY 2024 Vehicle Replacement Purchase Orders for an amount not to exceed \$196,000.00.

RECOMMENDED MOTION: To recommend approval of Items 2 and 3 under Administration Committee portion of the Commission Agenda.
 - V. Old Business
 - VI. New Business
 - VII. Other
 - VIII. Adjournment

**Minutes of a Meeting
of the**

ADMINISTRATION COMMITTEE

DuPage Water Commission
600 E. Butterfield Road, Elmhurst, Illinois

January 19, 2023

Commissioner Healy called the meeting to order at 6:16 PM.

Commissioners in attendance: J. Broda, J. Healy, K. Rush, J. Zay (6:19PM)

Commissioners absent: None

Also in attendance: P. May, D. Mundall

Commissioner Healy called the meeting to order at 6:16PM and did a visual roll.

Commissioner Broda moved to approve the Minutes of the November 17, 2022 Administration Committee Meeting, seconded by Commissioner Rush, unanimously approved by a voice vote. All aye, motion carried.

Commissioner Rush made a motion to approve Resolution R-3-23, A Resolution suspending the purchasing procedures and authorizing the execution of a consulting Agreement with ITSavvy, LLC for IT Network Managed Services at an annual cost of \$54,298.80. Seconded by Commissioner Broda, unanimously approved by a voice vote. All aye, motion carried.

No Old Business was offered.

Under New Business, General Manager Paul May updated the committee on the new organizational chart. General Manager May provided a review of the HR Assessment Report produced by consultant, Sikich. The report provides a matrix of recommendations which were reviewed with the committee. Commissioner Rush asked for additional information regarding the priority of the recommendations and staffing capabilities to perform the recommended activities. General Manager May reported that nearly all of the high priority items were underway or complete, and that many of the lower priority items are underway as well. Staff is utilizing Sikich to assist with advancement of the recommendations, including assistance with preparing documents such as updated policies and standardized forms.

A motion to adjourn was made by Commissioner Broda, seconded by Commissioner Rush. All aye, motion carried.

The meeting was adjourned at 6:28 PM.



Resolution #: RFBA

Account: 01-60-628000 \$40,000.00

Approvals: *Author / Manager / Finance / Admin*

DM CAP CAP PDM

REQUEST FOR BOARD ACTION

Date: 3/9/2023

Description: To authorize the Execution of a Consulting Agreement with John J. Millner and Associates, Inc. in an amount not to exceed \$40,000.

Agenda Section: Administration Committee

Originating Department: Administration

To retain the consulting services of John J. Millner and Associates, Inc. Agreement between DuPage Water Commission and John J. Millner and Associates, Inc., for consulting services in an amount not to exceed \$40,000.

Recommended Motion:

To authorize the Execution of a Consulting Agreement with John J. Millner and Associates, Inc. in an amount not to exceed \$40,000.00.

CONTRACTUAL AGREEMENT

This Agreement is made on the 1st day of January 2023, between JOHN J. MILLNER AND ASSOCIATES, INC. (“JJM”) having its principal place of business, at 2700 International Drive, Suite 100, West Chicago, IL 60185 and DUPAGE WATER COMMISSION having its principal place of business at 600 E. Butterfield Rd., Elmhurst, IL 60126.

IN CONSIDERATION of DUPAGE WATER COMMISSION, retaining JJM, it is agreed as follows:

I. COMPENSATION AND TERMS

DUPAGE WATER COMMISSION retains JJM and JJM hereby agrees to represent DUPAGE WATER COMMISSION in the capacity of “consultant”, before the Illinois General Assembly and the executive levels of state and local government.

The term of this Agreement is as follows:

\$ 40,000.00
(4 quarterly payments of \$10,000.00)
January 1, 2023 – December 31, 2023

II. WARRANTIES BY JOHN J. MILLNER AND ASSOCIATES, INC.

JJM represents and warrants to DUPAGE WATER COMMISSION that it has the experience and ability to perform the services required by this Agreement; that they will perform said services, in a professional, competent and timely manner, as represented and suitable for the performance of the Agreement; and that they have the power to enter into and perform this Agreement; and that their performance of this Agreement shall not infringe upon or violate the rights of any third party or violate any federal, state and municipal laws. JJM further warrants that they have complied and will continue to comply with the Illinois Lobbyist Registration Act.

III. INDEPENDENT CONTRACTOR

JJM acknowledges that the services rendered under this Agreement shall be solely as an independent contractor. JJM shall not enter into any contract or commitment on behalf of DUPAGE WATER COMMISSION, JJM further acknowledges that they are not considered an affiliate or subsidiary of DUPAGE WATER COMMISSION, and are not entitled to any of DUPAGE WATER COMMISSION employment rights or benefits. It is expressly understood that this undertaking is not a joint venture.

IV. BUSINESS PRACTICES

JJM hereby represents and covenants that they:

- have no knowledge or information that any unlawful payments, disbursements, assignments or transfers of property of any type have been made, or promised to any governmental official or to any intermediary, broker or agent who shall in turn, directly or indirectly unlawfully pay, disburse, assign or transfer property to any governmental official, to unlawfully influence any act or decision of any governmental official;
- will take all reasonable steps to ensure that no unlawful payments, disbursements, assignments or transfers of property of any type be made to any governmental official, or to any inter-

mediary, broker or agent who shall in turn, directly or indirectly unlawfully pay, disburse, assign or transfer property to any governmental official, to unlawfully influence any act or decision of any governmental official.

V. CONFIDENTIALITY

JJM recognizes and acknowledges that this Agreement creates a confidential relationship between JJM and DUPAGE WATER COMMISSION and that information concerning DUPAGE WATER COMMISSION, or its operation, whether written or oral, is confidential in nature. All such information concerning DUPAGE WATER COMMISSION is hereinafter collectively referred to as "Confidential Information". JJM will not use, disclose to any third party, directly or indirectly, for its own benefit or the benefit of others, both during the term of the Agreement and subsequent to its termination, any Confidential Information which JJM may acquire or develop in connection with or as a result of the performance of this agreement. JJM further agrees to bind their employees and subcontractors to the terms and conditions of this Agreement.

VI. GRANT

JJM agrees that their work product produced in the performance of this Agreement shall remain the exclusive property of DUPAGE WATER COMMISSION, and that they will not sell, transfer, publish, disclose, display or otherwise make the work product available directly to third parties without DUPAGE WATER COMMISSION, prior written consent. Any rights granted to JJM under this Agreement shall not affect DUPAGE WATER COMMISSION, exclusive ownership of the work product.

VII. TERMINATION OF AGREEMENT

DUPAGE WATER COMMISSION may, with or without cause, terminate this Agreement upon the giving of thirty (30) days prior written notice to the Consultant. In the event of such termination, the Consultant shall be compensated on a pro-rata basis through the date of termination.

IN WITNESS WHEREOF, DUPAGE WATER COMMISSION, and JJM do hereby affirm that they understand the provisions contained herein. Therefore, in consideration of the mutual covenants contained herein, DUPAGE WATER COMMISSION, and JJM, have caused this contract to be executed, by witness of the signatures following, as of the day and year first written.

DUPAGE WATER COMMISSION

JOHN J. MILLNER AND ASSOCIATES, INC

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____



Resolution #: R-12-23

Account: 01-60-686000 – \$196,000.00

Approvals: *Author / Manager / Finance / Admin*

RCB RCB CAP PDM

REQUEST FOR BOARD ACTION

Date: 3/9/2023

Description: **A Resolution Authorizing the General Manager to process FY 2024 Vehicle Purchase Orders in an amount Not To Exceed \$196,000.00**

Agenda Section: Administration Committee

Originating Department: Administration

Due to lasting effects of the COVID pandemic and other global supply chain issues, vehicle manufacturers continue to experience decreased production rates which have affected delivery schedules and manufacturers have suspended new orders for certain vehicle models to fulfill current backlogs.

In addition, and not unlike other governmental entities, the Commission has experienced limited capability of purchasing cooperatives for vehicle replacements due to the shorter ordering windows and a reduction in dedicated vehicles for government sector purchase, as well as outright cancellation of vehicle Purchase Orders by the purchasing cooperatives.

Commission staff has adapted by solicitation of sealed bids directly with local new vehicle dealers and has received very limited response due to the uncertainty of the manufacturers production, as stated above.

Therefore, to ensure vehicles identified in Exhibit B scheduled for replacement under the Commission's Vehicle Replacement Policy (Exhibit A), are replaced (based on age, mileage, condition and/or mechanical assessment), staff is recommending it is in the best interest of the Commission to temporarily broaden the General Manager's purchasing authority, during FY 2024 only, to include the direct purchase of vehicles from vendors, at a fair market value, in addition to those limited vendors under contract with purchasing cooperatives.

Recommended Motion:

To adopt Resolution R-12-23

DUPAGE WATER COMMISSION

RESOLUTION NO. R-12-23

RESOLUTION AUTHORIZING THE GENERAL MANAGER TO PROCESS FY 2024 VEHICLE REPLACEMENT PURCHASE ORDERS FOR AN AMOUNT NOT TO EXCEED \$196,000.00

WHEREAS, the General Manager is responsible for the management, maintenance, repair, and procurement of vehicles for the DuPage Water Commission ("Commission"), and

WHEREAS, in accordance with the Commission By-Laws the General Manager is authorized to purchase vehicles in the approved FY 2024 Management Budget in accordance with the Commission's Vehicle Replacement Policy, attached as Exhibit 1, which takes into account age of the vehicle, mileage, condition, and mechanical assessment, and

WHEREAS, due to lasting effects of the COVID pandemic, global supply chain issues, declining vehicle inventories, and decreased production rates, delivery schedules for new vehicles are increasing and uncertain, and

WHEREAS, vehicle manufacturers have suspended new orders for certain vehicle models as manufacturers work to fulfill current backlogs, and

WHEREAS, global supply chain issues are expected to continue, and demand for vehicle replacements may continue to rise, and

WHEREAS, longer delivery schedules are projected to continue for the foreseeable future, and

WHEREAS, the Commission has experienced limited capability through purchasing cooperatives for the FY 2023 vehicle replacements due to shorter ordering windows and a reduction in the dedicated vehicles for government sector purchase along with a corresponding drop in historical discount pricing; and

WHEREAS, the Commission has been advised that outstanding purchasing cooperative purchase orders have been canceled, impacting vehicle purchases; and

WHEREAS, the Commission's direct solicitation of bids from local vehicle vendors has resulted in the lack of competitive bids, and

WHEREAS, the General Manager is recommending three (3) vehicle replacements for FY 2024 as attached as Exhibit 2, and

WHEREAS, to ensure those vehicles identified in Exhibit 2, which require replacement under the Commission's Vehicle Replacement Policy, are replaced (based on age, mileage, condition and/or mechanical assessment), it is in the best interest of the Commission to temporarily broaden the General Manager's purchasing authority during FY 2024 only to include the direct purchase of vehicles from vendors in addition to those connected with purchasing cooperatives.

NOW, THEREFORE BE IT RESOLVED, by 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 as if fully set forth.

SECTION TWO: That the purchasing procedures contained in Article VIII of the Commission By-Laws are hereby temporarily suspended during FY 2024 only to authorize the General Manager to purchase vehicles at fair market value, at a cost not-to-exceed \$196,000.00 consistent with the Commission's Vehicle Replacement Policy and FY 2024 Management Budget, and acting in the best interest of the Commission, on an as-needed basis without further act. This Resolution does not suspend Article VIII of the Commission By-Laws with respect to the purchase of any other goods or services or beyond FY 2024.

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

	Aye	Nay	Absent	Abstain
Bouckaert, D.				
Broda, J.				
Fennell, J.				
Gans, R.				
Healy, J.				
Novotny, D.				
Pruyn, J.				
Rush, K.				
Russo, D.				
Saverino, F.				
Suess, P.				
Van Vooren, D.				
Zay, J.				

ADOPTED THIS ___ DAY OF _____, 2023.

James Zay, Chairman

ATTEST:

Danna Mundall, Clerk

EXHIBIT A

EXHIBIT A



DuPage Water
Commission

30 YEARS OF SERVICE
Pure. Essential. Stewardship.

MEMORANDUM

To: Management/Supervisory Staff
From: Paul D. May, P.E., General Manager
Date: 12/2/2022
Subject: Restatement of Vehicle Replacement Policy

When vehicles are eligible for replacement, low emission vehicles (LEV) and alternative fuel vehicles including Electric Vehicles (EV) shall be given consideration as suitable replacements.

The useful life and mileage for vehicles standard is as follows:

- **Sedans and SUVs – 8 Years *and* 100,000 miles**
- **Pick-Up Trucks, Utility Trucks and Utility Vans – 6 years *and* 100,000 miles**

Useful lives may be modified based upon need or should the cost of the vehicle's maintenance become prohibitive.

If a vehicle's mileage is projected to eclipse 100,000 in the following Fiscal Year, the vehicle should be budgeted for replacement. Vehicles greater than 10 years old may be replaced at the discretion of the General Manager, regardless of mileage, based upon utilization and condition.

EXHIBIT B

EXHIBIT B

MAKE	MODEL	REPLACES	BUDGETED AMOUT
Ford	F-350 Cab/Chassis with Utility Body	2004 Ford F-350 Cab/Chassis with Utility Body	\$100,000.00
Ford	Explorer	2009 Ford Escape	\$48,000.00
Ford	Explorer	New Engineering Vehicle	\$48,000.00