



# 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 SEPTEMBER 2010 REGULAR MEETING OF THE DUPAGE WATER COMMISSION WILL BE HELD AT 6:00 P.M. ON THURSDAY, SEPTEMBER 9, 2010, AT 600 EAST BUTTERFIELD ROAD, ELMHURST, ILLINOIS 60126 OR IMMEDIATELY FOLLOWING THE END OF THE SPECIAL MEETING OF THE COMMISSION THAT WILL COMMENCE AT 5:00 P.M. THE AGENDA FOR THE RESCHEDULED SEPTEMBER 2010 REGULAR MEETING IS AS FOLLOWS:

## AGENDA

### DUPAGE WATER COMMISSION

THURSDAY, SEPTEMBER 9, 2010  
6:00 P.M.

600 EAST BUTTERFIELD ROAD  
ELMHURST, IL 60126

- I. Call to Order and Pledge of Allegiance
- II. Roll Call  
(Majority of the Commissioners then in office—minimum 7)
- III. Public Comments (limited to 5 minutes per person)
- IV. Approval of Minutes
  - A. Special Committee of the Whole of August 12, 2010  
(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)

**RECOMMENDED MOTION: To approve the Minutes of the August 12, 2010 Special Committee of the Whole Meeting of the DuPage Water Commission (Voice Vote).**

- B. Regular Meeting of August 12, 2010  
(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)

**RECOMMENDED MOTION: To approve the Minutes of the August 12, 2010 Regular Meeting of the DuPage Water Commission (Voice Vote).**

- C. Executive Session of August 12, 2010  
(Concurrence of a Majority of those Commissioners Present, provided there is a quorum—minimum 4)

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

**RECOMMENDED MOTION: To approve the Executive Session Minutes of the August 12, 2010 Regular Meeting of the DuPage Water Commission (Voice Vote).**

D. Special Meeting of August 18, 2010

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

**RECOMMENDED MOTION: To approve the Minutes of the August 18, 2010 Special Meeting of the DuPage Water Commission (Voice Vote).**

E. Executive Session of August 18, 2010

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

**RECOMMENDED MOTION: To approve the Executive Session Minutes of the August 18, 2010 Special Meeting of the DuPage Water Commission (Voice Vote).**

F. Special Meeting of August 26, 2010

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

**RECOMMENDED MOTION: To approve the Minutes of the August 26, 2010 Special Meeting of the DuPage Water Commission (Voice Vote).**

G. Executive Session of August 26, 2010

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

**RECOMMENDED MOTION: To approve the Executive Session Minutes of the August 26, 2010 Special Meeting of the DuPage Water Commission (Voice Vote).**

V. Treasurer's Report

A. Treasurer's Report – August 2010

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

**RECOMMENDED MOTION: To accept the August 2010 Treasurer's Report (Voice Vote).**

B. Financial Report

C. Refinancing of \$30 MM CD

VI. Committee Reports

A. Administration Committee

- Meeting Cancelled

B. Engineering & Construction Committee

- Meeting Cancelled

## C. Finance Committee

- Meeting Cancelled

## VII. Chairman's Report

## VIII. Omnibus Vote Requiring Majority Vote

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

## A. Resolution No. R-38-10: A Resolution Directing Advertisement for Bids on a Contract for Quick Response Electrical Work (Contract QRE-5/10)

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

## B. Resolution No. R-39-10: A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Contract QR-8/08 at the September 9, 2010, DuPage Water Commission Meeting

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

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

## X. Old Business

- Recommendations From Ad Hoc Committee

## XI. New Business

- Updated 15 year financial model

## XII. Accounts Payable

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

**RECOMMENDED MOTION: To approve the Accounts Payable in the amount of \$XXX, subject to submission of all contractually required documentation, for invoices that have been received (Roll Call).**

**RECOMMENDED MOTION: To approve the Accounts Payable in the amount of \$XXX, subject to submission of all contractually required documentation, for invoices that have not yet been received but have been estimated (Roll Call).**

## XIII. Executive Session

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

**RECOMMENDED MOTION: To go into Executive Session to discuss security procedures pursuant to 5 ILCS 120/2(c)(8), to discuss matters related to**

**personnel pursuant to 5 ILCS 120/2(c)(1) and (2), to discuss acquisition of real estate pursuant to 5 ILCS 120/2(c)(5), to discuss pending, probable, or imminent litigation pursuant to 5 ILCS 120/2(c)(11), and/or to discuss minutes of closed meetings pursuant to 5 ILCS 120/2(c)(21) (Roll Call).**

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

**XIV. General Manager Appointment**

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

**XV. Adjournment**

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

**MINUTES OF A SPECIAL COMMITTEE OF THE WHOLE  
MEETING OF THE DUPAGE WATER COMMISSION  
HELD ON THURSDAY, AUGUST 12, 2010  
600 E. BUTTERFIELD ROAD  
ELMHURST, ILLINOIS**

The meeting was called to order by Chairman Rathje at 6:30 P.M.

Commissioners in attendance: T. Bennington (arrived at 6:40 P.M.), T. Elliott, R. Furstenau, L. Hartwig, J. Loper, W. Maio, W. Mueller, W. Murphy, F. Saverino, P. Suess, and L. Rathje

Commissioners Absent: J. Zay and D. Zeilenga

Also in attendance: R. Skiba, M. Crowley, C. Johnson, R. C. Bostick, J. Schori, J. Nesbitt, F. Frelka, and E. Kazmierczak

Chairman Rathje recognized the two newly appointed Commissioners and noted that they will be taking their Oath of Office during the Regular Commission Meeting.

#### **APPROVAL OF MINUTES**

After Commissioner Elliott noted a correction on Page 3, Paragraph 3, of the July 14, 2010 Committee of the Whole minutes so that the comment he made during the Engineering Report will be recorded as noting that the Commission does not have a contract with the laborers but only with the general contractors, Commissioner Furstenau moved to approve the Minutes of the July 14, 2010 Special Committee of the Whole Meeting of the DuPage Water Commission as revised. Seconded by Commissioner Murphy and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

#### **RECOMMENDATIONS FROM AD HOC COMMITTEE**

In an effort to bring the new Commissioners up to speed, Commissioner Murphy provided a brief summary of how the Ad Hoc Committee was formed and then referred to a handout recently provided to Commissioners Loper and Suess, and previously provided to the other Board members, entitled "Staff Responses (4/15/10)—Structural and Procedural Recommendations to Avoid Future Accounting Issues as Recommended by Jenner & Block," noting that most of the recommendations had been implemented with the exception of those the Board desired to have input from the new permanent General Manager and/or Financial Administrator before implementation. Commissioner Murphy concluded his remarks by noting that it was the consensus of the Board to focus first on hiring a General Manager and then have the new General Manager be part of the hiring process for a new Financial Administrator.

#### **FINANCE REPORT**

Former Financial Administrator Skiba reported that:

## Minutes of the 8/12/10 Committee of the Whole Meeting

- Commission net revenues were a negative \$1.9 million in the first fiscal quarter but, when the contractual construction grant to the City of Chicago was excluded (\$3.5 million), net revenues were a positive \$1.6 million.
- During July, \$5.2 million of debt certificate proceeds were used to fund on-going construction projects and water purchased from Chicago was paid from operating revenues with no adverse effect on required bond reserves.
- Water sales to Commission customers for July were 89.2 million gallons (3.1%) more than July 2009 and, through the first three months of the fiscal year, water sales were 2.4 million gallons (0.0%) less than the same period last fiscal year.
- July sales tax collections (April sales) were \$131,000 (5.7%) more than the same period last fiscal year, with the \$7.1 million year-to-date sales tax collections \$416,000 (6.3%) more than last fiscal year.
- The Operations and Maintenance Account was fully funded as of July 31, 2010, the Operations and Maintenance Reserve Account and the Depreciation Account were over funded, and an additional \$2.0 million was transferred to the General Account of the Water Fund for a balance of \$3.6 million.
- While the revenue bond account requirements have been met, the Water Fund had an unrestricted deficit of \$12.5 million due to the amount of debt certificate proceeds that had been used to fund operations.
- The uncommitted Sales Tax balance at July 31, 2010 was \$6.4 million.
- The remaining construction obligations for uncompleted work at July 31, 2010 were \$9.0 million.

Commissioner Bennington arrived at 6:40 P.M.

In referring to the Status of Operation Report, specifically the Water Sales Analysis, Commissioner Furstenau questioned the difference between water sales and water purchases. Former Financial Administrator Skiba stated that the Commission's total water rate is \$2.08/per 1,000 gallons, the cost from the City of Chicago is \$2.01/per 1,000 gallons, and that only the \$1.84 Operations and Maintenance portion of the Commission's total water rate is reflected in the report.

In response to questions raised by Commissioner Elliott, Former Financial Administrator Skiba noted certain errors in the Treasurer's Report that he would correct before the regular meeting.

Commissioner Furstenau noted his frustration with the Financial Reports saying that they were delivered on different dates, are located in different portions of the Board packet of materials, and they are not easy to follow. As such, Commissioner Furstenau

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requested that there be one stapled set of financial reports with sequential page numbering to assist Commissioners in following along with the Treasurer's and Former Financial Administrator Skiba's oral reports.

### **BUDGET REVIEW**

Former Financial Administrator Skiba advised that Section 10.23 of the Revenue Bond Ordinance requires a quarterly budget review by the Commission, with variances between 15% favorable and 5% unfavorable to be addressed with rate and/or budget adjustments. At which point, Former Financial Administrator Skiba highlighted the following variances noted:

- The various elements of water revenue vary less than 5% from budget other than emergency water services and that item represents less than 0.1% of total water revenues.
- Sales tax and investment income are within required budgetary range.
- Other income relates to customer meter station construction and will match reimbursable construction costs so that this item not being within the required budgetary range is not indicative of a problem.
- Most expense item variations outside of the 15% favorable and 5% unfavorable range are not significant this early in the fiscal year, with the following exceptions noted and included in proposed Ordinance O-11-10:
  - Bond Issue Advisory Services (6232) and Bond Counsel (6252) for the \$40 million debt certificate which was issued after the start of FY2010-11 but not budgeted based on the assumption that this debt certificate would be issued in the prior fiscal year.
  - Special Legal Services (6253) for disclosure counsel which are presently not expected to exceed the annual budget.
  - Contractual Services (6290) for temporary employees continuing to fill vacancies in permanent employee staffing.
  - General Liability Insurance (6411) for premiums which were budgeted in error by being \$80,000 short because it ignored premium costs to be charged for November 2010 through April 2011.
  - Telephone (6514.01) due to an annual maintenance contract which was fully charged in the first fiscal quarter and is not presently expected to exceed the annual budget.
  - Pipeline Repairs (6631) which were budgeted based upon the history of utilization but four Quick Response repairs in first fiscal quarter necessary to

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protect public health and safety and the Commission's infrastructure cost \$127,000.

- Other Administrative Expense (6591) for background checks on construction contract employees working inside the Commission's facilities which are presently not expected to exceed the annual budget.
- General Obligation Bonds Interest (6721) for a ten month period which is not expected to exceed the annual budget.
- Construction and Construction Grants (7000's and 8000's) for projects that will be completed in less than a full fiscal year and proceed in a non-linear manner.

With respect to Pipeline Repairs (6631), and Quick Response Work Authorization Order No. 21 which appears in Resolution No. R-35-10 for approval, Commissioner Bennington directed the Acting General Manager to obtain reimbursement from the responsible party.

With respect to Repairs and Maintenance of Buildings (6560), and Purchase Order No. 12338 which appears on the regular meeting agenda for approval, Commissioner Furstenau questioned the need for that item.

### **ENGINEERING REPORT**

Facilities Construction Supervisor/Safety Coordinator Bostick reviewed the Status of Operations Report, noting that the generator testing at the DuPage Pumping Station is going well and near completion. With regard to Contract PSC-4 Lexington Pump Station Electrical Generation/Variable Frequency Drives, Facilities Construction Supervisor/Safety Coordinator Bostick noted an oversight on ComEd's part in that the contract design did not include the necessary wiring work which specifically relates to the security fire alarm system. Facilities Construction Supervisor/Safety Coordinator Bostick then noted that ComEd would be submitting an itemized invoice for approximately \$22,515.00 for work performed which would be reviewed for approval at the September Board meeting.

Commissioner Elliott inquired about the progress of the various construction projects and the accuracy of the various completion dates, noting his desire to leave the new Board with as little in outstanding construction projects as possible. Facilities Construction Supervisor/Safety Coordinator Bostick assured the Board that the various projects are largely on track, with the Lexington Pumping Station projects at 82% completion and the DuPage Pumping Station project at 95% completion.

Commissioner Furstenau requested that percentage of completion be reported for the prior month, in addition to the current month, so that the Board could better monitor rate of progress.

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Chairman Rathje then confirmed with Staff Attorney Crowley that the Commission was utilizing sales tax proceeds in full compliance with the 1987 Revenue Bond ordinance.

In reference to legal fees, Commissioner Furstenau inquired whether the Labor Counsel could be used for general and routine personnel matters, in addition to handling the labor union matters, considering the very reasonable hourly rates. Staff Attorney Crowley confirmed that Labor Counsel services would be, and recently had been, used where possible.

Commissioner Murphy moved to adjourn the meeting at 7:12 P.M. Seconded by Commissioner Bennington and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

**MINUTES OF A MEETING OF THE  
DuPAGE WATER COMMISSION  
HELD ON THURSDAY AUGUST 12, 2010  
600 E. BUTTERFIELD ROAD  
ELMHURST, ILLINOIS**

The meeting was called to order by Chairman Rathje at 7:20 P.M.

Commissioners in attendance: T. Bennington, T. Elliott, R. Furstenau, L. Hartwig, J. Loper, W. Maio, W. Mueller, W. Murphy, F. Saverino, P. Suess, and L. Rathje

Commissioners Absent: J. Zay and D. Zeilenga

Also in attendance: R. Skiba, M. Crowley, C. Johnson, J. Nesbitt, R. C. Bostick, F. Frelka, J. Schori, and E. Kazmierczak

**ADMINISTERING OFFICIAL OATH**

Commissioner Suess took his oath of office.

Commissioner Loper took his oath of office.

**PUBLIC COMMENTS**

Harriet Rose, Lisle, Illinois and a member of DuPage United, read from a prepared statement expressing concerns with the misuse of tax dollars in Illinois and urging the Commission to adopt stronger reforms such as retaining the County Auditor to provide greater financial accountability.

Jim Honig, Glen Ellyn, Illinois, Pastor of Faith Lutheran Church, and a member of DuPage United, read from a prepared statement urging the Board to immediately plan for gradual water rate increases and to allow the Commission's sales tax authority to lapse in 2016.

Don Darrow, Naperville, Illinois and a member of DuPage United, read from a prepared statement addressing the reorganization of the Water Commission and urging that new Commissioners be appointed and the County Auditor be retained for greater financial transparency and accountability.

**APPROVAL OF MINUTES**

After Staff Attorney Crowley noted that July 14, 2010, meeting minutes had been revised to incorporate (1) two separate votes on the failed motion to approve Resolution No. R-20-10 with a stated Target Fund Balance of \$7MM and (2) the \$50,000 cap on Labor Counsel fees, Commissioner Murphy moved to approve the Minutes of the July 14, 2010 Special Meeting of the DuPage Water Commission as revised. Seconded by Commissioner Furstenau and approved by a Voice Vote.

All voted aye except Commissioner Hartwig abstained. Motion carried.

## Minutes of the 8/12/10 Meeting

Commissioner Elliott moved to approve the Minutes of the July 14, 2010 Special Executive Session Meeting of the DuPage Water Commission as revised to change the word "complainant" to "complaint." Seconded by Commissioner Furstenau and approved by a Voice Vote.

All voted aye except Commissioners Bennington and Hartwig abstained. Motion carried.

### **TREASURER'S REPORT**

Former Financial Administrator Skiba reported on the revised July 2010 Treasurer's Report, which consisted of three pages designated Reports A (revised), B, and C (revised). With respect to Report A, Former Financial Administrator Skiba noted a positive cash flow for the month of July, adding that the May 1<sup>st</sup> water rate increase took effect.

With respect to Report B, Former Financial Administrator Skiba reported that the reduction in the operating cash contingency was \$3.87MM, which is above the Commission's bond ordinance and policy requirements.

With respect to Report C, Former Financial Administrator Skiba noted \$74.8MM of cash and investments.

In referring to Report B, Commissioner Furstenau asked for an explanation of Line I. Former Financial Administrator Skiba explained that that is the remaining revenue bond debt and when the final payment is made on May 1, 2016, then approximately \$31MM of reserves required by the revenue bond ordinance will become available to the Commission which could be used, if the Commission desires, towards payment of either of the remaining \$70MM of debt certificates issued in December 2009 and in May 2010.

Commissioner Bennington requested that footnotes be added to each report identifying whether the report was prepared on a cash or on an accounting basis and where the deviations occur.

Commissioner Murphy moved to accept the July 2010 Treasurer's Report as revised. Seconded by Commissioner Mueller and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

### **COMMITTEE REPORTS**

#### **Administration Committee**

Meeting Canceled

#### **Engineering & Construction Committee**

Meeting Canceled

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## **Finance Committee**

Meeting Canceled

### **CHAIRMAN'S REPORT**

None

### **MAJORITY OMNIBUS VOTE AGENDA**

Commissioner Mueller moved to adopt the items listed on the Majority Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Murphy.

Commissioner Hartwig asked for an explanation of each item.

With regard to Ordinance No. O-11-10, Former Financial Administrator Skiba explained the following request for additional funds which were not included in the budget process:

- 01-60-7210 Construction of DuPage pumping station: Proposed increase of \$300,000 for enhancement of security system.
- 01-60-6723 Note interest - certificates of debt: Proposed increase of \$200,000 for interest rate 0.5% higher than budgeted.
- 01-60-6110 Salaries of commission personnel: Proposed reduction of \$127,500 in anticipation of mid-fiscal year employment of General Manager and Financial Administrator.
- 01-60-6290 Contractual services: Proposed increase of \$177,500 for 1,000 hours of financial administration split between two contract employees and 1,500 hours of additional contracted accounting clerical assistance due to timing of employment of regular personnel.
- 01-60-6253 Cost of special counsel services: Proposed increase of \$20,000 for continuing disclosure legal advice.
- 01-60-6232 Cost of bond issue advisory services: Proposed increase of \$22,500 for continuing disclosure financial advisor services and related expenses.
- 01-60-6412 Cost of public official's liability insurance: Proposed increase of \$30,000 for treasurer's and general manager's bond premium adjustments.
- 01-60-6411 Cost of general liability insurance: Proposed increase of \$80,000 in light of premiums paid of \$136,000.

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- 01-60-6630 Cost of repairs and maintenance of pipelines: Proposed increase of \$250,000 based upon four Quick Response repairs in first fiscal quarter cost \$127,000.
- 01-60-6560 Cost of repairs and maintenance of buildings: Proposed increase of \$15,000 for tree removal that will be completed as part of the security upgrade at the Commission's pumping station in addition to the replacement of planter box materials located in front of the pumping station.

In referring to 01-60-6412 Cost of public official's liability insurance: Proposed increase of \$30,000 for treasurer's and general manager's bond premium adjustments, Commissioner Bennington questioned whether, and Former Financial Administrator Skiba confirmed that, the Commissioners' bonds were in place.

With regard to Resolution No. R-33-10, Facilities Construction Supervisor/Safety Coordinator Bostick explained that approval of this resolution would allow the Commission to dispose of various equipment that is no longer useful. Commissioner Furstenau inquired as to how the equipment will be disposed and Instrumentation/Remote Facilities Supervisor Schori responded that all computer hard drives are removed and physically destroyed before the computer equipment is dropped off for recycling. Commissioner Furstenau suggested donating, if possible, the equipment to a non-profit organization and Facilities Construction Supervisor/Safety Coordinator Bostick noted that the Commission had done that in the past, but the receiving organization did not always have the funds needed to upgrade the operating software. Commissioner Hartwig asked for a written report describing the Commission's general property disposition process and the precise disposition of the equipment listed in Resolution No. R-33-10.

In referring back to Ordinance No. O-11-10 and, specifically, line item 01-60-6232 for \$22,500, Commissioner Elliott questioned whether the item related to the request made by Phil Peloquin for additional fees and expenses associated with the Northern Trust Bank Certificate of Debt and whether the additional data requested by former Commissioner Mathews had been provided. Staff Attorney Crowley advised that the \$22,500 related to a different project—continuing disclosure services—and that no supporting documentation had been received with respect to Mr. Peloquin's request for additional funds on the Certificate of Debt project.

Commissioner Bennington suggested appropriating the funds when needed as opposed to transferring funds in advance.

After Commissioner Furstenau questioned line item 01-60-6560 for \$15,000, noting that that amount seemed high for landscaping materials and the supporting documentation was insufficient and inaccurate, and after Commissioner Furstenau requested that more detail be provided in the future, the motion to adopt the items listed on the Majority Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote Procedures failed by a Roll Call Vote for lack of an approving majority:

Minutes of the 8/12/10 Meeting

**Majority Omnibus Vote**

- Ayes: W. Mueller, W. Murphy, and L. Rathje
- Nays: T. Bennington, T. Elliott, R. Furstenau, L. Hartwig, J. Loper, W. Maio, F. Saverino, and P. Suess
- Absent: J. Zay and D. Zeilenga
- Item 1: Ordinance No. O-11-10: An Ordinance Transferring Appropriations Within Certain Funds for the Fiscal Year Commencing May 1, 2010 and Ending April 30, 2011—"Majority Omnibus Vote"
- Item 2: Resolution No. R-33-10: A Resolution Authorizing and Ratifying the Disposal of Certain Personal Property Owned by the DuPage Water Commission—"Majority Omnibus Vote"

After Commissioner Hartwig suggested the Ordinance be amended and re-voted on, Commissioner Bennington moved to reconsider the items listed on the Majority Omnibus Vote Agenda. Seconded by Commissioner Hartwig and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Hartwig moved to amend Ordinance No. O-11-10: An Ordinance Transferring Appropriations Within Certain Funds for the Fiscal Year Commencing May 1, 2010 and Ending April 30, 2011 by eliminating the transfer of appropriation for line item 01-60-6232 Cost of bond issue advisory services. Seconded by Commissioner Murphy and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Hartwig moved to adopt Ordinance No. O-11-10: An Ordinance Transferring Appropriations Within Certain Funds for the Fiscal Year Commencing May 1, 2010 and Ending April 30, 2011 as amended. Seconded by Commissioner Elliott and unanimously approved by a Roll Call Vote:

- Ayes: T. Bennington, T. Elliott, R. Furstenau, L. Hartwig, J. Loper, W. Maio, W. Mueller, W. Murphy, F. Saverino, P. Suess, and L. Rathje
- Nays: None
- Absent: J. Zay and D. Zeilenga

Commissioner Bennington moved to adopt Resolution No. R-33-10: A Resolution Authorizing and Ratifying the Disposal of Certain Personal Property Owned by the DuPage Water Commission. Seconded by Commissioner Murphy and unanimously approved by a Roll Call Vote:

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Ayes: T. Bennington, T. Elliott, R. Furstenau, L. Hartwig, J. Loper, W. Maio, W. Mueller, W. Murphy, F. Saverino, P. Suess, and L. Rathje

Nays: None

Absent: J. Zay and D. Zeilenga

**SUPER/SPECIAL MAJORITY OMNIBUS VOTE AGENDA**

Commissioner Murphy moved to adopt the items listed on the Super/Special Majority Omnibus Vote Agenda in a single group pursuant to the Omnibus Vote Procedures. Seconded by Commissioner Elliott.

With regard to Resolution No. R-34-10, Commissioner Furstenau inquired as to how the estimated cost was determined. After Facilities Construction Supervisor/Safety Coordinator Bostick explained that each Task Order under the Master Contract with EN Engineering was negotiated individually, and Pipeline Supervisor Kazmierczak added that the Commission followed a Request for Qualifications process in selecting EN Engineering for a Master Contract, the motion was unanimously approved by a Roll Call Vote:

**Super/Special Majority Omnibus Vote**

Ayes: T. Bennington, T. Elliott, R. Furstenau, L. Hartwig, J. Loper, W. Maio, W. Mueller, W. Murphy, F. Saverino, P. Suess, and L. Rathje

Nays: None

Absent: J. Zay and D. Zeilenga

Item 1: Resolution No. R-34-10: A Resolution Approving and Ratifying Certain Task Orders Under a Master Contract with EN Engineering, LLC at the August 12, 2010, DuPage Water Commission Meeting—"Super/Special Majority Omnibus Vote"

Item 2: Resolution No. R-35-10: A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Contract QR-8/08 at the August 12, 2010, DuPage Water Commission Meeting—"Super/Special Majority Omnibus Vote"

Item 3: Resolution No. R-36-10: A Resolution Approving and Ratifying Certain Task Orders under a Master Contract with AECOM Technical Services, Inc. at the August 12, 2010, DuPage Water Commission Meeting—"Super/Special Majority Omnibus Vote"

Item 4: Resolution No. R-37-10: A Resolution Approving and Ratifying Certain Contract PSD-7/08 Change Orders at the August 12, 2010, DuPage Water Commission Meeting—"Super/Special Majority Omnibus Vote"

**OLD BUSINESS**

**Recommendations From Ad Hoc Committee**

Commissioner Murphy reported that there was nothing new to discuss other than evaluating the candidates for the General Manager position in Executive Session.

With respect to the earlier suggestion by DuPage United representatives that the Commission should retain the County Auditor, various Commissioners questioned the authority for, and the wisdom of, having an officer of a Commission customer serve as the Commission's independent auditor and/or Treasurer. After the Staff Attorney indicated that she would verify whether the Commission's revenue bond ordinance established standards of qualification to serve as the Commission's auditors such as having to be from a nationally recognized firm, Commissioners Maio and Mueller commented that they would only consider retaining the services of the County Auditor as an additional, but not the sole, auditor of the Commission's financial statements and Commissioner Bennington commented that the entire discussion was premature as he doubted the County Auditor had expressed any interest in auditing the Commission's books or becoming the Commission's Treasurer.

**NEW BUSINESS**

**Authorizing Negotiations for Extending Short Term Financing**

At 8:30 P.M., and to avoid possible or perceived conflicts of interest, Commissioner Mueller left the meeting because he maintains certain bank accounts with West Suburban Bank and Commissioner Bennington left the meeting because West Suburban Bank is a client of his law firm.

Commissioner Murphy moved to authorize Treasurer Zeilenga, Former Financial Administrator Skiba, and Staff Attorney Crowley to negotiate, for recommendation to the Board, an extension of the \$30MM Certificate of Debt issued to West Suburban Bank. Seconded by Commissioner Maio.

Commissioner Furstenau asked if the interest rate would increase from 1.25% to almost 2.5% and, if so, whether staff looked into other cost saving options. Former Financial Administrator Skiba explained that the 2.5% was an estimate and Commissioner Suess noted that the interest rate should not be any higher than 2% and suggested bidding for a more favorable interest rate or, at least, providing the Board with evidence as to the reasonableness of any proposed rate by informally soliciting interest rate quotes from various banks. Former Financial Administrator Skiba explained that Treasurer/Commissioner Zeilenga would like to begin with West Suburban Bank, as a starting point, but if terms were unfavorable, then other financial institutions would be considered.

There being no further discussion, the motion was unanimously approved by a Voice Vote.

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All voted aye. Motion carried.

Commissioners Bennington and Mueller returned to the meeting at 8:35 P.M.

Commissioner Furstenau move to approve Purchase Order No. 12338 in the amount of \$9,967.10 to Acres Group. Seconded by Commissioner Loper and unanimously approved by a Roll Call Vote.

Ayes: T. Bennington, T. Elliott, R. Furstenau, L. Hartwig, J. Loper, W. Maio, W. Mueller, W. Murphy, F. Saverino, P. Suess, and L. Rathje

Nays: None

Absent: J. Zay and D. Zeilenga

**ACCOUNTS PAYABLE**

Commissioner Furstenau moved to approve the Accounts Payable in the amount of \$7,532,322.48, subject to submission of all contractually required documentation, for invoices that have been received. Seconded by Commissioner Loper and unanimously approved by a Roll Call Vote:

Ayes: T. Bennington, T. Elliott, R. Furstenau, L. Hartwig, J. Loper, W. Maio, W. Mueller, W. Murphy, F. Saverino, P. Suess, and L. Rathje

Nays: None

Absent: J. Zay and D. Zeilenga

Commissioner Furstenau moved to approve the Accounts Payable in the amount of \$527,600.00, subject to submission of all contractually required documentation, for invoices that have not yet been received but have been estimated. Seconded by Commissioner Elliott and unanimously approved by a Roll Call Vote:

Ayes: T. Bennington, T. Elliott, R. Furstenau, L. Hartwig, J. Loper, W. Maio, W. Mueller, W. Murphy, F. Saverino, P. Suess, and L. Rathje

Nays: None

Absent: J. Zay and D. Zeilenga

Before moving onto the next item, Commissioner Elliott commented on the Commission's Water Conservation Program, noting that at first he was skeptical but has since had a change of heart after attending a water conservation conference and reading the report prepared by the Regional Water Supply Planning Group on the Water Supply/Demand Plan. Commissioner Elliott expressed the importance of promoting water conservation to all communities and, in referring to the water supply/demand plan and, specifically, the thirteen steps on managing the use of water, Commissioner Elliott

## Minutes of the 8/12/10 Meeting

asked staff to prepare a report identifying where each of the Commission's customers stand in terms of compliance with those thirteen steps.

### **EXECUTIVE SESSION**

Commissioner Maio moved to go into Executive Session, after a five minute recess, to discuss matters related to personnel pursuant to 5 ILCS 120/2(c)(1) and (2) and pending, probable, or imminent litigation pursuant to 5 ILCS 120/2(c)(11). Seconded by Commissioner Hartwig and unanimously approved by a Roll Call Vote:

Ayes: T. Bennington, T. Elliott, R. Furstenau, L. Hartwig, J. Loper, W. Maio, W. Mueller, W. Murphy, F. Saverino, P. Suess, and L. Rathje

Nays: None

Absent: J. Zay and D. Zeilenga

The Board went into Executive Session at 8:50 P.M.

Commissioner Maio moved to come out of Executive Session at 9:25 P.M. Seconded by Commissioner Furstenau and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

Commissioner Hartwig announced that he will be tendering his resignation in September due to his need to focus on his Metropolitan Mayors Caucus duties.

Commissioner Maio moved to adjourn the meeting at 9:27 P.M. Seconded by Commissioner Saverino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

**MINUTES OF A SPECIAL MEETING OF THE  
DuPAGE WATER COMMISSION  
HELD ON WEDNESDAY, AUGUST 18, 2010  
600 E. BUTTERFIELD ROAD  
ELMHURST, ILLINOIS**

The meeting was called to order by Chairman L. Rathje at 5:01 P.M.

Commissioners in attendance: R. Furstenau, L. Hartwig, J. Loper, W. Mueller (arrived at 5:25 P.M.), W. Murphy, F. Saverino, P. Suess, D. Zeilenga, and L. Rathje

Commissioners Absent: T. Bennington, T. Elliott, W. Maio, and J. Zay

Also in attendance: M. Crowley and C. Johnson

**EXECUTIVE SESSION**

Commissioner Furstenau 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 Saverino and unanimously approved by a Roll Call Vote.

Ayes: R. Furstenau, L. Hartwig, J. Loper, W. Murphy, F. Saverino, P. Suess, D. Zeilenga, and L. Rathje

Nays: None

Absent: T. Bennington, T. Elliott, W. Maio, W. Mueller, and J. Zay

The Board went into Executive Session at 5:10 P.M.

Staff left the meeting at 5:11 P.M.

Commissioner Mueller arrived at 5:25 P.M.

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

Commissioner Saverino moved to adjourn the meeting at 8:36 P.M. Seconded by Commissioner Murphy and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

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**MINUTES OF A SPECIAL MEETING OF THE  
DuPAGE WATER COMMISSION  
HELD ON THURSDAY, AUGUST 26, 2010  
600 E. BUTTERFIELD ROAD  
ELMHURST, ILLINOIS**

The meeting was called to order by Staff Attorney Crowley at 6:10 P.M.

Commissioners in attendance: T. Bennington, R. Furstenau, L. Hartwig, J. Loper, W. Murphy, F. Saverino, P. Suess, and J. Zay (arrived at 6:12 P.M.)

Commissioners Absent: T. Elliott, W. Maio, W. Mueller, D. Zeilenga, and L. Rathje

Also in attendance: M. Crowley and C. Johnson

Due to the absences of both Chairman Rathje and Vice Chairman Mueller, Commissioner Murphy moved to appoint Commissioner Hartwig Chairman Pro Tem for the August 26<sup>th</sup> Special Commission Meeting. Seconded by Commissioner Saverino and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

**EXECUTIVE SESSION**

Commissioner Murphy 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 Loper and unanimously approved by a Roll Call Vote.

Ayes: T. Bennington, R. Furstenau, L. Hartwig, J. Loper, W. Murphy, F. Saverino, and P. Suess

Nays: None

Absent: T. Elliott, W. Maio, W. Mueller, D. Zeilenga, J. Zay, and L. Rathje

The Board went into Executive Session at 6:11 P.M.

Commissioner Zay arrived at 6:12 P.M.

Staff left the meeting at 6:15 P.M.

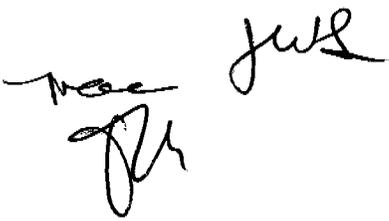
Commissioner Bennington left the meeting at 8:20 P.M.

Commissioner Saverino moved to come out of Executive Session at 10:00 P.M. Seconded by Commissioner Zay and unanimously approved by a Voice Vote.

Commissioner Murphy moved to adjourn the meeting at 10:02 P.M. Seconded by Commissioner Furstenau and unanimously approved by a Voice Vote.

All voted aye. Motion carried.

# REQUEST FOR BOARD ACTION

<b>AGENDA SECTION</b>	Omnibus Vote Requiring Super-Majority or Special Majority Vote	<b>ORIGINATING DEPARTMENT</b>	Instrumentation/ Remote Facilities
<b>ITEM</b>	A Resolution Directing Advertisement for Bids on a Contract for Quick Response Electrical Work (Contract QRE-5/10)  Resolution No. R-38-10	<b>APPROVAL</b>  	
<p>Account Number: 01-60-6560 and 01-60-6633</p> <p>The Commission entered into agreements dated December 18, 2008, with Divane Bros. Electric Co. and January 1, 2009, with Aldridge Electric, Inc. for quick response electrical work as needed at the pump station and remote facilities through the issuance of Work Authorization Orders (Contract QRE-4/08). Contract QRE-4/08 expires December 31, 2010, and staff desires to continue to retain stand-by contractors to perform electrical work that the Commission is unable to perform through its own personnel and with its own equipment. Resolution No. R-38-10 would authorize the advertisement for bids on Contract QRE-5/10 for quick response electrical work through December 31, 2012, and would establish all requirements necessary for the bidding, for the awarding of the contract(s), and for the approval of the contractor's/contractors' bonds, all as required by state statute.</p>			
<b>MOTION:</b> To approve Resolution No. R-38-10.			

## DUPAGE WATER COMMISSION

## RESOLUTION NO. R-38-10

A RESOLUTION DIRECTING ADVERTISEMENT  
FOR BIDS ON A CONTRACT FOR  
QUICK RESPONSE ELECTRICAL WORK  
(Contract QRE-5/10)

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

SECTION ONE: Advertisement for Bids. The Acting General Manager is hereby authorized and directed to advertise for bids for the contract entitled "Quick Response Electrical Contract — QRE-5/10" (the "Contract") in accordance with the requirements of 65 ILCS 5/11-135-5.

SECTION TWO: Notice Inviting Bids. The Notice inviting bids on the Contract shall be in substantially the form of the "Invitation for Bids" attached hereto as Exhibit A and by this reference incorporated herein and made a part hereof.

SECTION THREE: Requirements for Bidding. Sealed envelopes or packages containing proposals for the performance of the Contract shall be submitted to the Commission in accordance with the "General Instructions to Bidders" substantially in the form attached hereto as Exhibit B and by this reference incorporated herein and made a part hereof.

SECTION FOUR: Awarding of Contracts. The Commission will award one or more Contracts to a bidder or bidders whose proposal is found to be in the best interests of the Commission. The bidder(s) who is to receive an award shall be determined in accordance with Article VIII of the Commission By-Laws and the General Instructions to Bidders substantially in the form attached hereto as Exhibit B.

Resolution No. R-38-10

SECTION FIVE: Approval of Bonds. The approval of contractors' faithful performance bonds shall be subject to the requirements set forth under the subheading "Bonds" in the Invitation for Bids attached hereto as Exhibit A.

SECTION SIX: Effective Date. This resolution shall be in full force and effect from and after its adoption.

AYES:

NAYS:

ABSENT:

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Clerk

Board/Resolutions/R-38-10.docx

EXHIBIT A

DUPAGE WATER COMMISSION  
CONTRACT QRE-5/10  
QUICK RESPONSE ELECTRICAL CONTRACT

INVITATION FOR BIDS

1. **Bid Opening**

The DUPAGE WATER COMMISSION (the "Commission") will receive sealed proposals until 1:00 p.m., local time, October 25, 2010, at the office of the Commission, 600 East Butterfield Road, Elmhurst, Illinois 60126-4642, for quick response electrical emergency work related to the Commission's Waterworks System, in accordance with the Specifications prepared by the Commission and any drawings from time to time prepared by the Commission during the term of the Contract, at which time or as soon thereafter as possible, all bids will be publicly opened and read aloud.

2. **Bid Security and Bonds**

(a) **Bid Security.** A Bid Bond, Cashier's Check or Certified Check drawn on a solvent bank and insured by the Federal Deposit Insurance Corporation and payable without condition to the Commission, for not less than Twenty Five Thousand Dollars (\$25,000.00), shall accompany each proposal. The Bid Bond shall be in a form satisfactory to the Commission from a surety company meeting the requirements set forth below with respect to Performance and Labor and Material Payment Bonds.

(b) **Bonds.** A Performance Bond and a Labor and Material Payment Bond from a surety company licensed to do business in the State of Illinois with a general rating of A minus and a financial size category of Class X or better in Best's Insurance Guide will be required upon award of the Contract to the successful bidder or successful bidders, each in the penal sum of Fifty Thousand Dollars (\$50,000.00).

3. **The Commission and Its Project**

The Commission is a county water commission, duly organized and existing under the laws of the State of Illinois. The Commission provides its Charter Customers and other customers in the DuPage County area with a common source of supply of water from Lake Michigan. The Commission purchases treated lake water from the City of Chicago, delivers the water to the Commission in the City of Chicago, and the water is transported from the City of Chicago to and throughout the DuPage County area. A general plan depicting the Commission's Waterworks System is included as an Appendix to the Contract Documents.

4. **The Work**

A general description of the Work for which the Commission is inviting bids by this Invitation is as follows:

The work consists of furnishing all materials, tools, appliances, methods, labor, equipment, supplies, transportation, services and other items and facilities as needed to perform emergency electrical work related to the Commission's Waterworks System at any time from the date of execution of the Contract Agreement through December 31, 2012. Emergency electrical work includes, without limitation, electrical work that the Commission is unable to perform through its own personnel and with its own equipment, as determined by the Commission in its sole and absolute discretion.

5. **Time of Commencement and Completion**

All Work required by a Work Authorization Order issued in accordance with the Contract Documents shall be commenced within the time set forth in such Work Authorization Order and diligently and continuously prosecuted to completion. The time of beginning, rate of progress and time of completion is of the essence.

6. **Contract Documents**

The Contract Documents, as may be modified by Addenda, consist of the following component parts, all of which are by this reference made a part hereof as though fully set forth herein:

- A. the Invitation for Bids;
- B. the General Instructions to Bidders;
- C. the Work Authorization Order(s), if any;
- D. the General Conditions of Contract;
- E. the Specifications, and the Contract Drawings, if any;
- F. the Bidder's Proposal, including the Work History Statement; and
- G. the Contract Agreement.

The Contract Documents may be examined at the office of the Commission. A copy of the Contract Documents may be purchased at the offices of the Commission upon payment of \$25.00 per set, which fee is nonrefundable. Persons requesting documents to be sent by mail shall include an additional \$10.00 per set to cover postage and handling.

7. **Pre-Bid Conference**

A pre-bid conference of all prospective Bidder's and/or their representatives shall be held at Owner's office listed above on October 13, 2010, at 10:00 a.m. All prospective Bidder's and/or their representatives are strongly encouraged to attend the pre-bid conference.

DATED this 9<sup>th</sup> day of September, 2010.

DUPAGE WATER COMMISSION

By: /s/ Terrance McGhee  
Acting General Manager

EXHIBIT B

## GENERAL INSTRUCTIONS TO BIDDERS

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#### 1. Examination of Contract Documents

(a) Contract Documents. Prospective bidders shall, before submitting a bid, carefully examine the Contract Documents, which consist of the Invitation for Bids, General Instructions to Bidders, Bidder's Proposal including the Work History Statement, Contract Agreement, Work Authorization Orders, if any, General Conditions, Specifications, Drawings, if any, and all Addenda thereto, all of which contain provisions applicable not only to any successful bidder but also to any Subcontractors of a successful bidder.

Special attention shall be given to the cost and feasibility of the procedures necessary for maintenance of a successful bidder's ability to meet minimum response times and uninterrupted operations; the need to interrupt operations for any reason; the availability and cost of labor; and the availability and cost of facilities for transportation, handling and storage of materials and equipment.

(b) Work Authorization Orders. The Commission may award a Contract to more than one bidder. The Commission shall not be obligated to issue any Work Authorization Orders under any Contract awarded. The Commission reserves the right to select which Contract, among any of the Contracts awarded, under which any such Work Authorization Order shall be issued. The Commission further reserves the right,

in the exercise of its sole discretion, but shall not be obligated, to direct a successful bidder to use Commission supplied appurtenances or other materials in the performance of any Work ordered pursuant to a Work Authorization Order. Bidders shall not, after submission of their proposal, dispute or complain nor assert that there was any misunderstanding in regard to the nature or the amount of Work to be done.

(c) Representation and Warranty of Bidder. All prospective bidders submitting a proposal expressly represent and warrant that by virtue thereof they have had an adequate period of time to conduct the independent investigation required by these Instructions during the bid period.

(d) Remedies for Failure to Comply. Any successful bidder will be responsible for all errors in its proposal resulting from bidder's failure or neglect to comply with these Instructions. No extra compensation will be allowed by reason of any such errors or by reason of any matters or things concerning which bidder failed or neglected to inform itself prior to bidding. The Commission will, in no case, be responsible for any additional compensation or any change in anticipated profits from such errors, failures or neglect and any successful bidder shall bear all costs associated therewith or arising therefrom.

## 2. Interpretation of Contract Documents

(a) Addenda. If any prospective bidder is in doubt as to the true meaning of any part of the Contract Documents, bidder may submit to the Commission a written request for an interpretation thereof at least ten (10) calendar days before the scheduled opening of bids. The person submitting the request will be responsible for its prompt delivery.

Any interpretation of the Contract Documents will be made only by Addendum duly issued or delivered by the Commission to each person receiving a set of the Contract Documents.

All Addenda issued prior to the opening of bids shall become a part of the Contract Documents.

Those questions not resolved by an Addendum shall not be considered valid questions.

(b) Informal Responses. The Commission will not give oral answers to any inquiries regarding the meaning of the Contract Documents or oral instructions prior to the award of the Contract nor any indication as to the validity of any inquiry. Any oral statement regarding same by any persons, prior to the award, shall not be binding, shall be deemed to be unauthorized and given informally for the information and convenience of bidder, shall not be guaranteed and shall not be relied upon by any bidder. Bidder hereby agrees that such information shall not be used as a basis of, nor shall the giving of any such information entitle bidder to assert, any claim or demand against the Commission, its officers, employees, agents, attorneys or engineers on account thereof.

3. **Prevailing Wages**

In accordance with "An Act Regulating Wages of Laborers, Mechanics, and Other Workers Employed in any Public Works by the State, County, City or any Public Body or any Political Subdivision or by any one Under Contract for Public Works," 820 ILCS 130/1 et seq., not less than the prevailing rate of wages for similar work in the locality in which the Work is to be performed shall be paid to all laborers. A copy of the Commission's "Ordinance Ascertaining the Prevailing Rate of Wages in DuPage County and Cook County," in effect as of the date of the Invitation for Bids, is attached to the Contract Documents as an Appendix. If the Illinois Department of Labor revises the prevailing rate of hourly wages to be paid, the revised rate shall apply to the Contract.

4. **Taxes**

The Commission is exempt from state and local sales and use taxes and certain federal excise taxes. A letter of exemption will be provided to any bidder to whom a Contract is awarded, if necessary. The Commission will not reimburse nor assist any successful bidder in obtaining reimbursement for any state or local sales, use or excise taxes paid by that successful bidder. Successful bidders shall be required to reimburse the Commission for any such taxes paid, all as is more specifically provided in the General Conditions.

All rates and fees stated in proposals shall include any other applicable taxes.

5. **Preparation of Bidder's Proposal**

A bid on the Work shall be made only on the blank proposal form furnished by the Commission and included in the Contract Documents. Entries on the bidder's proposal form shall be typed or legibly written in ink. Bid prices are to be written by words and/or by figures as provided on the blank proposal form included in the Contract Documents, and in case of any conflict, words will prevail. In case of any error in adding or multiplying individual items, the prices listed for individual items shall control over any incorrect total of such items. A proposal may be rejected if it does not contain a requested price for each and every item named in the proposal or may be interpreted as bidding "no charge" to the Commission for any item left blank.

Bidders are warned against making alterations of any kind, and proposals that contain omissions, conditions, alterations, or additions not called for may be rejected or interpreted so as to be most favorable to the Commission.

Proposals that are not submitted on the proposal form included in the Contract Documents or that are separated from the Contract Documents may be rejected.

The bidder shall staple, or otherwise bind into the Contract Documents submitted, a copy of each Addendum issued for the Contract Documents during the bidding period and include on the proposal a listing of such Addenda where required. Proposals that fail to comply with this Instruction may be rejected.

All bidders submitting a proposal shall be conclusively deemed to have evidenced an intention to be bound thereby whether or not the requirements for signing proposals found in Section 6 of these Instructions are complied with. However, proposals that fail to comply with Section 6 of these Instructions may nevertheless be rejected as provided for therein.

If a deficiently prepared proposal is not rejected, the Commission may demand correction of any deficiency and award a Contract to the bidder upon satisfactory compliance with this Instruction.

## 6. Requirements for Signing Proposals

The following requirements must be observed in the signing of proposals:

- (a) Individuals. Proposals that are signed for an Individual shall be signed by such individual or signed by an attorney-in-fact. If signed by an attorney-in-fact, there shall be attached to the proposal a power of attorney evidencing authority to sign the proposal, executed by such individual.
- (b) Partnerships. Proposals that are signed for a Partnership shall have the correct Partnership name thereof, State of registration, address of its principal place of business, and shall be signed by all of the General Partners or by an attorney-in-fact. If signed by an attorney-in-fact, there shall be attached to the proposal a power of attorney evidencing authority to sign the proposal, executed by all of the General Partners.
- (c) Corporations. Proposals that are signed for a Corporation shall have the correct corporate name thereof, State of incorporation, address of its principal place of business, and the signature of the President or other authorized officer of the Corporation, manually written below the corporate name following the word "By: \_\_\_\_\_." A certified copy of a resolution of the Board of Directors evidencing the authority of the official signing the proposal to sign the proposal shall be attached to it. The proposal shall also bear the attesting signature of the Secretary or Assistant Secretary of the Corporation.
- (d) Joint Ventures. Proposals that are signed for a Joint Venture shall have the correct joint venture name thereof, address of its principal place of business and date of joint venture agreement and shall be signed by each signator of the joint venture agreement in accordance with the applicable provisions of (a), (b) and (c) above.

Proposals that fail to comply with this Instruction may be rejected, or, if not rejected, the Commission may demand correction thereof and award a Contract to the bidder upon satisfactory compliance with this Instruction.

## 7. Bid Security

(a) Deficiencies. Proposals may be rejected unless accompanied by a Bid Bond, Cashier's Check or Certified Check as set forth in the Invitation for Bids, as a guaranty that (i) if bidder is determined to be one of the "most favorable bidders" (see Section 13(b) below), bidder will submit all additional information requested by the Commission, and (ii) if the bid is accepted, bidder will timely execute the Contract Agreement. If a proposal with deficient bid security is not rejected, the Commission may demand correction of any deficiency and award a Contract to bidder upon satisfactory compliance with this Instruction.

(b) Return of Bid Securities. Bid securities submitted in the form of Cashier's Checks or Certified Checks will be returned to all except the "most favorable bidders" within five (5) workdays after the opening of bids, and to the "most favorable bidders" within five (5) workdays after execution of a Contract Agreement by the Commission for all Contracts awarded. Bid Bonds will not be returned unless otherwise requested by the bidder.

(c) Liquidated Damages. If a "most favorable bidder" fails to timely submit all additional information requested by the Commission, or if a successful bidder fails to timely execute the Contract Agreement, it will be difficult and impracticable to ascertain and determine the amount of damage that the Commission will sustain by reason of such failure. For such reason, it is agreed that, at the Commission's option, bidder shall pay to the Commission, as liquidated damages and not as a penalty, the entire amount of the bid security in full settlement of all damages, or the Commission shall be entitled to exercise any and all equitable remedies it may have against the defaulting bidder for specific performance. Bidder, by submitting a proposal, specifically agrees to this provision.

## 8. Surety and Insurance Commitments

Proposals may be rejected unless accompanied by:

- (i) A letter from a surety company, licensed to do business in the State of Illinois with a general rating of A minus and a financial size category of Class X or better in Best's Insurance Guide, stating that it will execute bonds in the form included with the Contract Documents upon award of the Contract to the bidder.
- (ii) A letter from the bidder's insurance representative certifying that said insurer has read the insurance requirements set forth in the Contract Documents and will issue the required policies at the time requested upon award of the Contract to the bidder.

If a proposal deficient in required surety and insurance commitments is not rejected, the Commission may demand correction of any deficiency and award a Contract to the bidder upon satisfactory compliance with this Instruction.

9. **Filing of Proposal**

One copy of each proposal, properly signed, together with the bid security, surety and insurance commitment letters and all other documents required to be bound thereto, shall be enclosed in a sealed envelope or package addressed and delivered to the office designated in the Invitation for Bids. Sealed envelopes or packages containing proposals shall be identified as such and shall be marked with the title of the Contract and the bidder's full legal name. Any documents designated in the proposal form, including any Addenda officially issued by the Commission, will be considered part of the proposal whether attached or not. The proposal shall not be removed from these bound documents.

10. **Withdrawal of Proposal**

Any proposal may be withdrawn at any time prior to the opening of bids, provided that a request in writing, executed by the bidder in the manner specified in Section 6 of these Instructions, for the withdrawal of such bid is filed with the Commission prior to the opening of bids. The withdrawal of a bid prior to bid opening will not prejudice the right of the bidder to file a new proposal. No proposal may be withdrawn without the consent of the Commission for a period of forty-five (45) calendar days after the opening of bids. Any proposal may be withdrawn at any time following the expiration of the forty-five (45) calendar day period set forth above, provided that a request in writing, executed by the bidder in the manner specified in Section 6 of these Instructions, for the withdrawal of such bid is filed with the Commission after the forty-fifth day following bid opening. If no such request is filed, the bid acceptance date shall be deemed extended until such a request is filed or the Commission executes all Contracts awarded hereunder.

11. **Public Opening of Proposals**

Proposals will be opened and the prices bid will be read aloud publicly at the time and place indicated in the Invitation for Bids or as soon thereafter as possible. Bidders or their agents are invited to be present.

12. **Confidentiality**

The Commission shall not disclose, outside the bidding process, at any time, either during or subsequent to the bidding process, nor permit any of its employees, agents or representatives to so disclose, any information, knowledge or data of bidder that the Commission receives or obtains during the bidding process relating to business, commercial or financial information or other confidential or proprietary matters of bidder, unless such disclosure will not cause competitive harm, or such confidential information was actually known to the Commission, its employees, agents or representatives prior to submission of any proposal, or was properly obtained or evolved independently therefrom, or bidder consents to such disclosure. Bidder shall identify any information submitted in the bidding process that is considered by it to be confidential or proprietary. Notwithstanding the foregoing, bidder, by its submission of a proposal, acknowledges

that the Commission is subject to the Illinois Freedom of Information Act 5 ILCS 140/1 et seq., and that no disclosure made in good faith by the Commission pursuant to such Act shall be deemed to violate this paragraph.

13. **Qualification of Bidders**

(a) **Factors.** Price shall not be the dominant factor in making any awards but, rather, it is the intention of the Commission to award one or more Contracts to bidders who furnish satisfactory evidence that they understand the scope of the Work under this Contract and that they have the requisite experience, ability, capital, facilities, plant, organization and staffing to enable them to commence the Work within the minimum response time set forth in the Contract Documents and to perform the Work successfully and promptly.

(b) **Most Favorable Bidders.** A preliminary determination as to eligibility of up to three bidders (herein referred to as "the most favorable bidder(s)") who shall be eligible for further consideration shall be made on the basis of the dollar amount of the bids, the Commission's prior experience with the bidders, the Commission's knowledge of the bidders' performance on other relevant projects, and all other relevant facts or matters mentioned in the Contract Documents or that the Commission may legally consider in making its determination. The making of such a preliminary determination shall not waive the Commission's right to reject any and all bids nor waive such other rights as are set forth in Section 15 of these Instructions.

(c) **Final Determination.** The final determination of the successful bidders among the most favorable bidders shall be made on the basis of the above-mentioned facts and matters and any additional information that may be required of all or any one or more of the most favorable bidders. In the event the Commission requests additional information, the responding bidder must provide the requested information within two (2) workdays after receipt of any such request or within such longer period as the Commission may specify in its request. Failure to so answer shall be grounds for the imposition of liquidated damages at the Commission's option, all as is more specifically set forth in Section 7 above.

14. **Disqualification of Bidders**

(a) **More Than One Proposal.** More than one proposal for the Work described in these Contract Documents from an individual, firm or partnership, a corporation or an association under the same or different names, may not be considered. Reasonable grounds for believing that any bidder is interested in more than one proposal for the Work contemplated may cause the rejection of all proposals in which such bidder is interested.

(b) **Collusion.** If there are reasonable grounds for believing that collusion exists among the bidders, the proposals of the participants in such collusion will not be considered.

(c) Default. If a bidder is or has been in default on a contract with the Commission or in the payment of monies due the Commission, its proposal will not be considered.

(d) Deficiencies. The Commission expressly reserves the right in its sole and absolute discretion to disqualify bidders if:

- (i) the proposal does not contain a price for each pay item requested,
- (ii) the proposal form is other than that furnished by the Commission or if the form is altered or any part thereof detached,
- (iii) there are omissions, alterations, unauthorized additions, conditional or alternate bids, or irregularities of any kind that may tend to make the proposal incomplete, indefinite or ambiguous as to its meaning, including, but not limited to, conditional surety and insurance commitment letters and unsigned or improperly signed proposals,
- (iv) the bidder adds any provisions reserving the right to accept or reject an award or to enter into a contract pursuant to award, or
- (v) if the proposal is prepared with other than ink or typewriter.

If the deficient bidder is not disqualified, the Commission may demand correction of any deficiency and award a Contract to the bidder upon satisfactory compliance with these General Instructions to Bidders.

#### 15. Award of Contract

(a) Reservation of Rights. The Commission reserves the right to accept any proposal that is, in its judgment, the best bid(s) and most favorable to the interests of the Commission and to the public; to reject the low bid; to accept more than one bid; to reject any and all bids; to accept and incorporate corrections, clarifications or modifications following bid opening when to do so would not, in the Commission's opinion, prejudice the bidding process or create any improper advantage to any bidder; and to waive irregularities and informalities in any proposal submitted or in the bidding process; provided, however, that the waiver of any prior defect or informality shall not be considered a waiver of any future or similar defects or informalities and bidders should not rely upon, or anticipate, such waivers in submitting their proposals. Proposals received after the specified time of opening will be returned unopened.

(b) Offers. All bids are offers only and no bids shall be deemed rejected, notwithstanding acceptance of any bid, until a Contract Agreement has been executed by the Commission and any and all successful bidders.

(c) Time of Award. It is expected that the award of the Contract, if it be awarded, will be made within forty-five (45) calendar days following the opening of bids. Should administrative difficulties be encountered after bid opening, including the

annulment of any award, that may delay an award or subsequent award beyond the forty-five (45) day period, the Commission may accept any bid for which the bid acceptance date has been extended as provided in Section 10 of these Instructions in order to avoid the need for readvertisement. No bidder shall be under any obligation to extend the period. Failure of one or more of the bidders or their sureties to extend the period shall not prejudice the right of the Commission to accept any bid for which the period has been extended.

16. **Effective Date of Award**

If one or more Contracts are awarded by the Commission, an award shall be effective when a Notice of Award in the form included in the Contract Documents has been issued to the applicable successful bidder. The Notice of Award shall set forth the Closing Date, by which date all conditions precedent to execution of the Contract Agreement as defined in Section 18(b) below shall be completed, unless extended as provided below. Five copies of the Contract Documents will be prepared by the Commission and submitted with the Notice of Award.

17. **Penalty for Collusion**

If at any time it shall be found that any person, firm or corporation to whom a Contract has been awarded has, in presenting any bid or bids, collided with any other party or parties, then the successful bidder and its sureties shall be liable to the Commission for all loss or damage that the Commission may suffer thereby, and any Contract so awarded shall, at the Commission's option, be null and void.

18. **Closing**

(a) **Closing Date.** The successful bidder(s) shall satisfactorily complete all conditions precedent to Closing within fourteen (14) calendar days following the effective date of award or within such extended period as the Commission may, in the exercise of its sole discretion, authorize, either before or after issuance of the Notice of Award. See Section 16 above. The "Closing Date" shall be the date set forth in the Notice of Award, or such extended date as the Commission may, in the exercise of its sole discretion, authorize thereafter.

(b) **Conditions Precedent to Closing.** The successful bidder(s) shall date all copies of the Contract Agreement as of the Closing Date set forth in the Notice of Award and shall duly execute them in accordance with the provisions of Section 6 above. The successful bidder(s) shall insert five executed copies of the Power(s) of Attorney or authorizing resolution(s), if any.

Failure to timely file the executed Contract Agreement, the authorizing resolution(s), or the Power(s) of Attorney shall be grounds for the imposition of liquidated damages as more specifically set forth in Section 7 above. If the submitted Contract Agreement fails to comply with the Contract Documents or is not timely filed, the Commission may, in its sole discretion, annul the award or allow the successful bidder an opportunity to correct the deficiencies. In no event will the Commission

execute the Contract Agreement until any and all such deficiencies have been cured or the Commission has received adequate assurances of complete and prompt performance as determined by the Commission.

(c) Closing. At the Closing, and provided that all documents required to be filed prior to the Closing have been reviewed and determined by the Commission to be in compliance with the Contract Documents or adequate assurances of complete and prompt performance have been received, the Commission shall execute all copies of Contract Agreement, retain three copies of the completed Contract Documents, and tender two copies to the successful bidder(s) at the Closing. Any successful bidder or its agent are invited to be present at the Closing.

#### 19. Failure to Close

(a) Annulment of Award. Failure of a successful bidder to comply with the conditions precedent to Closing shall be just cause for the annulment of the award.

(b) Subsequent Awards. Upon annulment of an award, the Commission may then award a Contract to any other bidder as the Commission, in its judgment, deems to be in its best interest, advertise anew for bids, or forego obtaining a replacement.

#### 20. Time of Starting and Completion

(a) Commencement. Work shall generally be required to be commenced within twenty-four (24) hours following issuance of any Work Authorization Order by the Commission. Longer or shorter response times may be required depending upon the urgency with which the Work is desired to be performed. The successful bidder or bidders shall not dispute or complain of any minimum response times set forth in any Work Authorization Order nor shall any minimum response times set forth in any Work Authorization Order constitute the basis of a claim for damages or entitle the successful bidder or bidders to any compensation or damages therefore, other than as reflected in the rates and fees bid.

(b) Completion. Work shall be diligently and continuously prosecuted to completion. With respect to Work Authorization Orders with a minimum response time of three (3) hours or less, the Work ordered shall be deemed to be "Priority Emergency Work" requiring Work to be prosecuted twenty-four hours per day until completion and entitling the successful bidder to the additional compensation set forth in Paragraph D, entitled "For Priority Emergency Work," of the Bidder's Proposal.

(c) Coordination and Delays. Bidders are directed to the fact that the Work to be done under this proposal is only a part of constructing and maintaining a water supply system from the City of Chicago to the Commission's Charter Customers and others located throughout DuPage County, that contracts have been or will be let for other portions of the Commission's Waterworks System, and that the successful operation of the Commission's Waterworks System is dependent upon the completion of the Work under this proposal being coordinated with the work to be done by others. It is essential that all parties interested in the Commission's Waterworks System

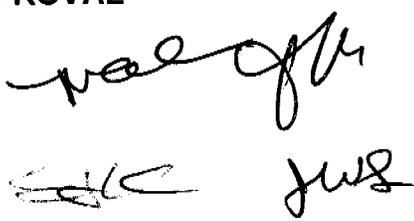
cooperate, but the Commission cannot guarantee that no interference or delay will be caused by reason of work being performed by others. Prospective bidders may examine at the office of the Commission available specifications, drawings and data regarding materials and equipment to be furnished and work to be performed under separate contracts awarded by the Commission. Interference and delay shall not be the basis of claims against the Commission.

21. **Non-Discrimination**

The successful bidder(s) shall comply with the provisions of the Illinois Human Rights Act, as amended, 775 ILCS 5/1-101 et seq., and the provisions of 775 ILCS 10/1 et seq. as though they were inscribed upon the face of the Contract Documents and such provisions are by this reference incorporated herein and made a part hereof.

DATE: September 2, 2010

## REQUEST FOR BOARD ACTION

<b>AGENDA SECTION</b>	Omnibus Vote Requiring Super-Majority or Special Majority Vote	<b>ORIGINATING DEPARTMENT</b>	Pipeline, Instrumentation / Remote Facilities
<b>ITEM</b>	A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Contract QR-8/08 at the September 9, 2010, DuPage Water Commission Meeting  Resolution No. R-39-10	<b>APPROVAL</b>	
Account Number: 01-60-6631 (WAO #22) 01-60-6633 (WAO #23)			
<p>The Commission entered into certain agreements dated June 30, 2008, with Martam Construction Incorporated and Rossi Contractors, Inc. for quick response construction work as needed through the issuance of Work Authorization Orders. Resolution No. R-39-10 would approve the following Work Authorization Orders under the Quick Response Contracts:</p> <p><b>Work Authorization Order No. 0022 to Martam Construction Incorporated:</b> This Work Authorization is for the adjustment of one blow off valve at two separate and discreet locations: 75<sup>th</sup> and Washington Streets in the City of Naperville, and President and Gunderson Streets in the City of Carol Stream. In both cases, the work is necessary to raise the top of the riser stack and valve stem to existing surface elevations.</p> <p>The general scope of the work will include providing traffic and pedestrian controls; excavation to expose the existing riser stacks and valve stems; adjusting the riser stacks and valve stems; furnishing and installing concrete adjusting rings; re-setting the existing frames, lids, valve stem boxes and caps to the existing surface elevations; and restoration of the areas to existing conditions.</p> <p>The total cost for this work is not known but is estimated to be \$11,000.00.</p> <p><b>Work Authorization Order No. 0023 to Rossi Contractors, Inc.:</b> This Work Authorization is for the adjustment of a 2" sump pump discharge pipe at a remotely operated valve vault (ROV8A) located on the south side of Butterfield Road, east of the East Branch of the DuPage River. The work is necessary to mitigate the continued freezing of the sump discharge pipe each winter.</p> <p>The general scope of the work will include providing traffic control as required; excavation to expose the existing sump discharge piping; removal and replacement of the piping to correct the pitch and location; furnishing all pipe material, fittings, bedding stone, topsoil, seed, and erosion control blankets; and restoration of the area to existing conditions.</p> <p>The total cost for this work is not known but is estimated to be \$3,700.00.</p>			
<b>MOTION:</b> To adopt Resolution No. R-39-10.			

## DuPAGE WATER COMMISSION

## RESOLUTION NO. R-39-10

A RESOLUTION APPROVING AND RATIFYING  
CERTAIN WORK AUTHORIZATION ORDERS  
UNDER QUICK RESPONSE CONTRACT QR-8/08 AT THE  
SEPTEMBER 9, 2010, DuPAGE WATER COMMISSION MEETING

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

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

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

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

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

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

Resolution No. R-39-10

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

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

AYES:

NAYS:

ABSENT:

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Clerk

Board/Resolutions/R-39-10.docx

Exhibit 1

**WORK AUTHORIZATION ORDER**

**SHEET 1 OF 2**

**CONTRACT QR-8/08: QUICK RESPONSE CONTRACT**

**WORK AUTHORIZATION ORDER NO.: QR-8.0022**

**LOCATION:**

1. 75<sup>th</sup> and Washington Street in the City of Naperville.
2. President and Gunderson Streets in the City of Carol Stream.

**CONTRACTOR:**

Martam Construction Incorporated

**DESCRIPTION OF WORK:**

Provide traffic and pedestrian controls as necessary; remove and store for reuse: frames and lids, operating stems, valve box risers and caps; dispose of existing concrete adjusting rings, if present; adjust blow off valve stacks and valve stems with new materials to the elevations as indicated in the field or as directed by the Commission; restore the areas to their existing conditions; and all other work that may be necessary or as directed by the Commission.

**REASON FOR WORK:**

To adjust existing blow off valves to meet existing surface elevations.

**MINIMUM RESPONSE TIME:**

N/A

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

N/A

**THE WORK ORDERED PURSUANT TO THIS WORK AUTHORIZATION ORDER**

IS  IS NOT PRIORITY WORK

**SUPPLEMENTARY NOTIFICATION OF POTENTIALLY HAZARDOUS CONDITIONS:**

N/A

**SUBMITTALS REQUESTED:**

N/A

**SUPPLEMENTARY CONTRACT SPECIFICATIONS AND DRAWINGS:**

N/A

**DUPAGE WATER COMMISSION**

By: \_\_\_\_\_  
Signature of Authorized  
Representative

DATE: \_\_\_\_\_

**CONTRACTOR RECEIPT ACKNOWLEDGED:**

By: \_\_\_\_\_  
Signature of Authorized  
Representative

DATE: \_\_\_\_\_

**WORK AUTHORIZATION ORDER**

**SHEET 1 OF 2**

**CONTRACT QR-8/08: QUICK RESPONSE CONTRACT**

**WORK AUTHORIZATION ORDER NO.: QR-8.0023**

**LOCATION:**

Remotely Operated Valve (ROV8A) located on the south side of Butterfield Rd east of the East Branch of the DuPage River.

**CONTRACTOR:**

Rossi Contractors, Inc.

**DESCRIPTION OF WORK:**

Provide traffic control as necessary; remove and restore for reuse: 2" sump pump discharge pipe; adjust pitch and location of discharge pipe; restore the area to its existing condition; and all other work that may be necessary or as directed by the Commission.

**REASON FOR WORK:**

To prevent future freezing of sump pump discharge piping.

**MINIMUM RESPONSE TIME:**

N/A

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

N/A

**THE WORK ORDERED PURSUANT TO THIS WORK AUTHORIZATION ORDER**

IS  IS NOT PRIORITY WORK

**SUPPLEMENTARY NOTIFICATION OF POTENTIALLY HAZARDOUS CONDITIONS:**

N/A

**SUBMITTALS REQUESTED:**

N/A

**SUPPLEMENTARY CONTRACT SPECIFICATIONS AND DRAWINGS:**

N/A

**DUPAGE WATER COMMISSION**

By: \_\_\_\_\_  
Signature of Authorized  
Representative

DATE: \_\_\_\_\_

**CONTRACTOR RECEIPT ACKNOWLEDGED:**

By: \_\_\_\_\_  
Signature of Authorized  
Representative

DATE: \_\_\_\_\_



# DuPage Water Commission

## MEMORANDUM

TO: Chairman and Commissioners

FROM: Terry McGhee   
Acting General Manager

Ed Kazmierczak	Pipeline Supervisor
Chris Bostick	Facilities Construction Supervisor
John Schori	Instrumentation Supervisor
Frank Frelka	GIS Coordinator
Mike Weed	Operations Supervisor

DATE: September 2, 2010

SUBJECT: Status of Operations

### Operations Overview

The Commission's sales for the month of August were a total of 2.86 billion gallons. This represents an average day demand of 92.4 million gallons per day (MGD), which is lower than the August 2009 average day demand of 94.6 MGD. The maximum day demand was 107.1 MGD on August 28, 2010, which is lower than the August 2009 maximum day demand of 122.2 MGD. The minimum day flow was 76.7 MGD. The Commission's recorded total precipitation for the month of August was 1.80 inches compared to 4.26 inches for August 2009. The level of Lake Michigan for August 2010 is 578.22 (Feet IGLD 1985) compared to 578.86 (Feet IGLD 1985) for August of 2009.

### Water Conservation

The Commission has distributed 22 rain barrels to date and our customers are using them as displays for the public as well as promoting the sale of rain barrels to their residents. The Commission has also received 15 completed Utility Pledges and 12 status updates on the Utility Pledges.

The Village of Woodridge built a working rain barrel display complete with water that seeps out of the gutters. This will be featured in the summer newsletter as well as Westmont's rain barrel display and Downers Grove's new utility truck complete with the Preserving Every Drop logo.

The DWC Water Conservation Program will be featured at the Cantigny Green Fair on September 25<sup>th</sup> from 10:00 A.M.-4:00 P.M.

A summer newsletter will contain information regarding this event and any future events.

A survey relating to the thirteen measures outlined in Chicago Metropolitan Agency for Planning's Water 2050: Northeastern Illinois Regional Water Supply/Demand Plan has been drafted and mailed to our customers; we are looking to receive feedback from our customers by the end of September.

### **Document Management**

CLS has completed the installation and implementation of the Document Management Software, WorkShare Comparison software, and provided end-user training for the above mentioned software.

The Records Management software has been installed, which completes the first phase of the Document Management System. Staff has started the process of moving documents into the new databases.

Work continues to complete the document inventory that will be sent to the Secretary of State for their destruction authorization.

### **Facilities Construction Overview**

#### **Contract PSD-6 Reservoir Addition - Division A – Equipment Storage Building and Material Storage**

The Contractor is working on record drawings.

#### **Contract PSD-7 DPPS Electrical Generation**

Generator start-up and testing is underway. Acceptance testing and ComEd testing is scheduled for early September. A report has been provided by the engineer for review. Landscaping work is ongoing. A table of change orders approved, pending or in development has been prepared for review. Payout No. 20 appears on the Accounts Payable. The project completion date remains November 25, 2010.

#### **Generator Supply Contract**

With all generators installed, start-up and testing at the Lexington Pumping Station is all that remains under this contract. The dates for these activities are to be determined based upon work progress of the PSC-4 contract.

#### **Contract PSC-4 Lexington Pump Station Electrical Generation / Variable Frequency Drives**

ComEd utility work activities are complete. Wire and cable pulling and termination are complete. Low voltage systems have been energized and commissioning of systems is underway. Fuel piping systems are to be completed in order to test the generators. Generator testing is tentative for early-mid September. A report has been provided by the engineer for review. Payout No. 15 appears on the Accounts Payable. A table of change orders approved, pending or in development has been prepared for review. The project completion date is October 21, 2010.

As previously reported, the concern remains that the completion of the work will be delayed due to critical equipment shop drawing submittals not being provided in a timely manner. Although the Contractor has been making exceptional strides to complete the project and offset the early delays, completion of the project may still be delayed.

#### Contract PSC-5 Lexington Photovoltaic Cells

Since the low voltage systems have been energized, PV System acceptance testing is now possible. The Contractor has not yet scheduled this testing. A report has been provided by the engineer for review. A table of change orders approved, pending or in development has been prepared for review. The project completion date was August 21, 2010, however due to delays in PSC-4 building permitting and subsequent construction delays, a time extension request is forthcoming and will be on the October 2010 Board meeting agenda.

#### Winfield Additional Connection – Contract MS-17/10

Concrete forming and pouring is complete. Electrical and mechanical work is underway. The Contract Completion date is September 21, 2010. The Contractor has requested a time extension due to changes made in equipment as requested by Staff. The extension request is being reviewed and will most likely appear on the October DWC agenda.

#### DuPage County Service Areas - Contract MS-18/09

The Contractor is working on final punch list items.

#### Instrumentation / Remote Facilities Overview

##### Contract QRE-4/08 (Quick Response Electrical)

Work Authorization QRE-4.007 to repair leaking conduits at tank site #4 commenced August 30, 2010.

### Annual Customer Meter Calibration Program

The Meter Shop semi-annual bench and tank calibration was completed and the customer meter calibration program will be starting in late September.

### GIS

#### Web Site

The new Microsoft Silverlight GIS web site is nearing completion. The new site has a user friendly interface and download speeds have increased.

ESRI has released version 10 of their ArcGIS software, this version continues ESRI efforts to standardize their map formats. They have created downloadable templates designed to provide a common look and feel to maps made for various purposes.

### Pipeline Construction Overview

#### Contract QR-8 (Quick Response Contract)

Work Authorization Order Nos. 22 and 23 appear on the Commission's agenda under R-39-10 and are for blow off valve adjustments in the Cities of Naperville and Carol Stream, and for sump pump discharge line modifications at ROV 8A located in the City of Lombard.

Restoration work under WAO's 20 and 21 (Carol Stream Leak Repair and 55<sup>th</sup> Street excavation in the City of Downers Grove) is ongoing.

#### Pipeline Distribution System Maintenance

Annual exercising of distribution system valves is in progress and is expected to continue through the end of November.

Field work, electrical current measurements, necessary to complete the design of future corrosion mitigation work included under Task Order 13 to EN Engineering is expected to be completed in the next week.

### **SEPTEMBER 2010 COMMISSION AGENDA ITEMS:**

**R-38-10**-----A Resolution Directing Advertisement for Bids on a Contract for Quick Response Electrical Work (Contract QRE-5/10) at the September 9, 2010, DuPage Water Commission Meeting.

**R-39-10**-----A Resolution Approving and Ratifying Certain Work Authorization Orders Under Quick Response Contract QR-8/08 at the September 9, 2010, DuPage Water Commission Meeting.

Attachments:

1. DuPage Laboratory Bench Sheets for August, 2010
2. Water Sales Analysis 01-April-06 to 31-August-31 2010
3. Chart showing Commission sales versus allocations
4. Chart showing Commission sales versus historical averages

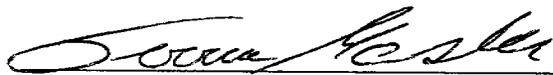
Operations\Memorandums>Status of Oper/2010/0902.doc

DUPAGE WATER COMMISSION LABORATORY BENCH SHEET  
MONTHLY REPORT FOR AUGUST 2010

## LEXINGTON SUPPLY

## DUPAGE DISCHARGE

DAY	LEXINGTON SUPPLY		DUPAGE DISCHARGE		TEMP °F	pH	Fluoride mg/l	PO <sub>4</sub> mg/l	P.A.C. LBS/MG	ANALYST INT	
	FREE CL <sub>2</sub> mg/l	TURBIDITY NTU	FREE CL <sub>2</sub> mg/l	TURBIDITY NTU							
1	0.79	0.11	0.45	0.88	0.10	67	7.6	1.0	0.48	0	MR
2	0.80	0.10	0.40	0.90	0.11	66	7.7	1.0	0.50	0	MR
3	0.78	0.11	0.44	0.85	0.10	66	7.6	1.0	0.51	0	JG
4	0.77	0.12	0.48	0.83	0.10	66	7.6	1.0	0.51	0	JG
5	0.79	0.12	0.51	0.85	0.11	66	7.6	0.9	0.51	0	JG
6	0.78	0.11	0.49	0.88	0.10	66	7.7	1.0	0.49	0	JG
7	0.77	0.11	0.49	0.89	0.10	67	7.7	1.0	0.48	0	RC
8	0.78	0.11	0.52	0.87	0.11	67	7.6	1.0	0.50	0	AM
9	0.76	0.11	0.46	0.86	0.09	67	7.6	1.1	0.46	0	MR
10	0.77	0.10	0.48	0.87	0.10	67	7.7	1.0	0.42	0	MR
11	0.75	0.12	0.48	0.88	0.12	67	7.6	1.0	0.47	0	MR
12	0.77	0.12	0.42	0.86	0.12	67	7.6	1.0	0.49	0	JG
13	0.79	0.11	0.52	0.87	0.12	67	7.7	1.1	0.47	0	MR
14	0.79	0.12	0.48	0.84	0.11	67	7.6	1.0	0.48	0	GA
15	0.71	0.12	0.47	0.89	0.09	66	7.7	1.0	0.46	0	JG
16	0.76	0.11	0.47	0.88	0.12	65	7.7	1.0	0.50	0	MR
17	0.78	0.11	0.47	0.87	0.11	68	7.7	1.0	0.52	0	MR
18	0.79	0.12	0.43	0.87	0.11	68	7.7	1.0	0.45	0	MR
19	0.76	0.12	0.43	0.89	0.12	68	7.7	1.0	0.46	0	MR
20	0.75	0.11	0.48	0.89	0.12	68	7.7	1.0	0.48	0	JG
21	0.78	0.10	0.47	0.87	0.11	68	7.7	1.0	0.47	0	JG
22	0.79	0.11	0.50	0.86	0.11	69	7.7	1.1	0.49	0	JG
23	0.77	0.11	0.48	0.87	0.12	69	7.7	1.1	0.44	0	JG
24	0.77	0.11	0.44	0.90	0.12	69	7.7	1.1	0.52	0	MR
25	0.80	0.11	0.50	0.90	0.10	69	7.7	1.0	0.49	0	MR
26	0.80	0.11	0.42	0.87	0.12	70	7.7	1.0	0.42	0	MR
27	0.76	0.12	0.41	0.87	0.12	70	7.7	1.2	0.49	0	MR
28	0.79	0.11	0.52	0.85	0.11	70	7.7	1.0	0.48	0	JG
29	0.78	0.12	0.49	0.87	0.11	70	7.7	1.0	0.52	0	JG
30	0.79	0.11	0.53	0.88	0.12	71	7.6	1.0	0.50	0	JG
31	0.79	0.12	0.46	0.89	0.12	71	7.7	1.0	0.51	0	JG
AVG	0.78	0.11	0.47	0.87	0.11	68	7.7	1.0	0.48	0.00	
MAX	0.80	0.12	0.53	0.90	0.12	71	7.7	1.2	0.52	0.00	
MIN	0.71	0.10	0.40	0.83	0.09	65	7.6	0.9	0.42	0.00	

  
Terrance McGhee  
Acting General Manager

DU PAGE WATER COMMISSION  
WATER SALES ANALYSIS

01-May-92 TO 31-Aug-10

PER DAY AVERAGE 81,559,362

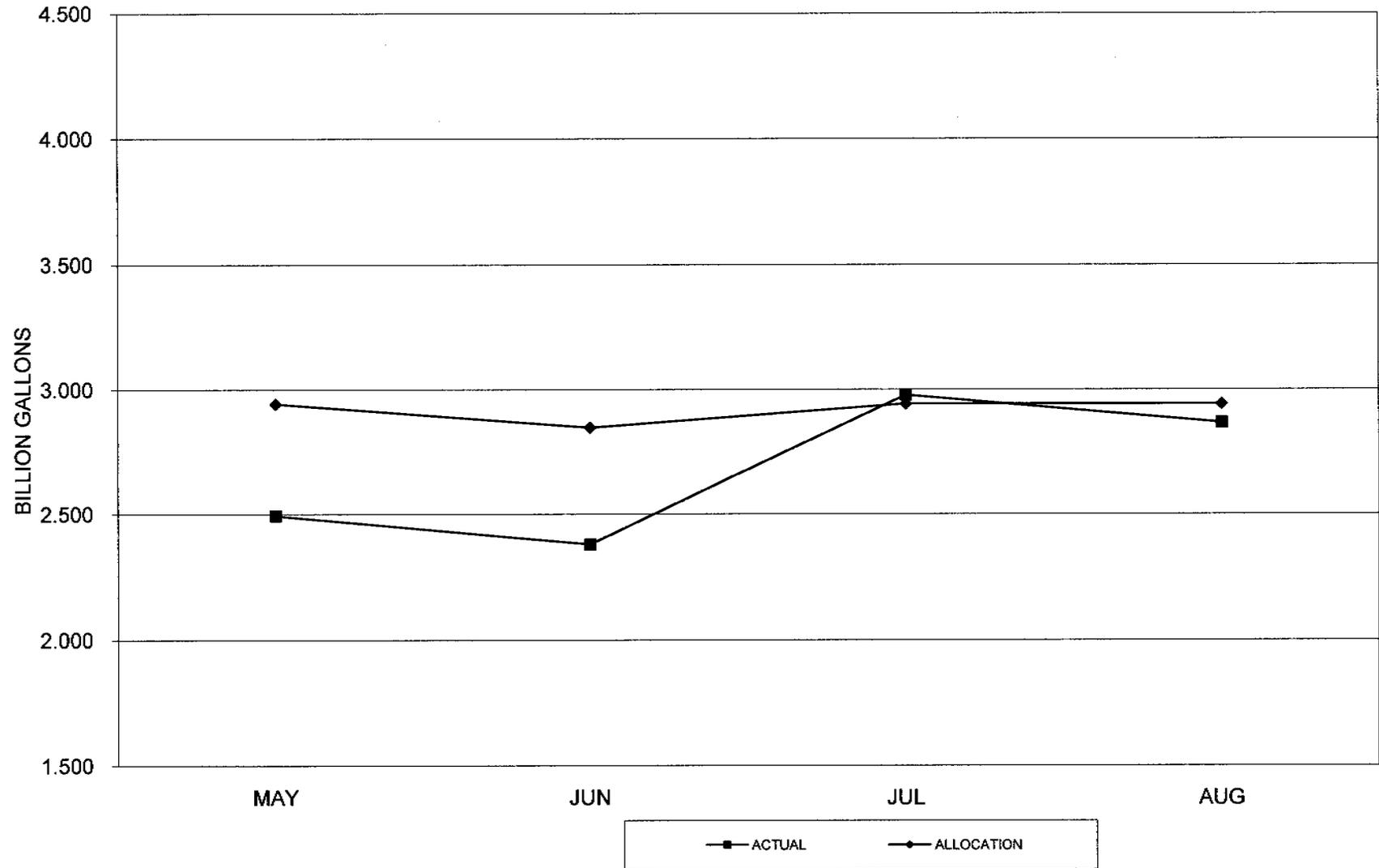
MONTH	SALES TO CUSTOMERS (GALLONS)	PURCHASES FROM CHICAGO (GALLONS)	GALLONS BILLED %	BILLINGS TO CUSTOMERS	BILLINGS FROM CHICAGO	DOCUMENTED COMMISSION WATER USE (2)	DOCUMENTED	TOTAL	DWC RATE	CHGO RATE
							COMMISSION WATER USE %	ACCOUNTED FOR %		
May-07	2,863,644,000	2,951,900,000	97.01%	\$2,978,988.48	\$3,926,001.00	4,012,875	0.14%	97.15%	\$1.04	\$1.330
Jun-07	3,292,831,000	3,396,024,774	96.96%	\$3,424,545.52	\$4,516,712.95	4,468,064	0.13%	97.09%	\$1.04	\$1.330
Jul-07	3,314,840,000	3,412,423,571	97.14%	\$3,447,433.60	\$4,538,523.35	4,456,650	0.13%	97.27%	\$1.04	\$1.330
Aug-07	2,883,008,000	2,966,379,286	97.19%	\$2,998,328.32	\$3,945,284.45	4,172,900	0.14%	97.33%	\$1.04	\$1.330
Sep-07	2,951,692,000	3,051,590,188	96.73%	\$3,070,294.72	\$4,058,614.95	3,977,217	0.13%	96.86%	\$1.04	\$1.330
Oct-07	2,512,609,400	2,578,045,000	97.46%	\$2,614,883.38	\$3,428,799.85	9,585,389	0.37%	97.83%	\$1.04	\$1.330
Nov-07	2,143,753,000	2,205,810,263	97.19%	\$2,230,952.72	\$2,933,727.65	10,390,297	0.47%	97.68%	\$1.04	\$1.330
Dec-07	2,228,281,000	2,292,016,165	97.22%	\$2,317,412.24	\$3,048,381.50	2,174,944	0.09%	97.31%	\$1.04	\$1.330
Jan-08	2,262,968,000	2,324,208,591	97.37%	\$2,353,486.72	\$3,554,877.04	2,134,597	0.09%	97.46%	\$1.04	\$1.530
Feb-08	2,145,137,000	2,197,527,140	97.62%	\$2,232,195.60	\$3,361,117.76	2,074,217	0.09%	97.71%	\$1.04	\$1.529
Mar-08	2,239,073,000	2,295,015,835	97.56%	\$2,328,635.92	\$3,510,226.72	2,041,001	0.09%	97.65%	\$1.04	\$1.530
Apr-08	2,177,771,000	2,244,319,320	97.03%	\$2,266,101.68	\$3,432,686.40	8,144,629	0.36%	97.40%	\$1.04	\$1.530
May-08	2,474,831,000	2,566,584,008	96.43%	\$2,573,824.24	\$3,925,590.24	4,884,294	0.19%	96.62%	\$1.04	\$1.529
Jun-08	2,604,318,000	2,677,371,376	97.27%	\$2,709,084.64	\$4,095,039.52	1,964,000	0.07%	97.34%	\$1.04	\$1.530
Jul-08	3,152,495,000	3,254,898,777	96.85%	\$3,278,594.80	\$4,978,367.68	2,131,900	0.07%	96.92%	\$1.04	\$1.530
Aug-08	3,184,859,000	3,279,095,181	97.13%	\$3,312,253.36	\$5,015,376.08	2,353,100	0.07%	97.92%	\$1.04	\$1.530
Sep-08	2,552,623,000	2,619,576,751	97.44%	\$2,655,066.48	\$4,006,642.64	2,109,972	0.08%	97.52%	\$1.04	\$1.529
Oct-08	2,302,750,000	2,362,503,982	97.47%	\$2,855,410.00	\$3,613,449.84	7,923,498	0.34%	97.81%	\$1.24	\$1.529
Nov-08	2,096,015,000	2,165,230,363	96.80%	\$2,599,238.12	\$3,311,719.84	2,220,353	0.10%	96.91%	\$1.24	\$1.529
Dec-08	2,256,850,000	2,320,311,736	97.26%	\$2,798,494.00	\$3,548,916.80	2,283,006	0.10%	97.36%	\$1.24	\$1.529
Jan-09	2,293,548,000	2,349,026,333	97.64%	\$2,843,999.52	\$4,131,937.32	2,163,839	0.09%	97.73%	\$1.24	\$1.759
Feb-09	2,048,827,000	2,102,586,263	97.44%	\$2,540,545.48	\$3,696,346.65	1,967,373	0.09%	97.54%	\$1.24	\$1.758
Mar-09	2,141,079,000	2,198,279,067	97.40%	\$2,655,454.08	\$3,864,574.60	5,652,898	0.26%	97.66%	\$1.24	\$1.758
Apr-09	2,090,046,000	2,146,681,399	97.36%	\$2,591,657.04	\$3,773,865.90	2,265,801	0.11%	97.47%	\$1.24	\$1.758
May-09	2,446,586,000	2,522,765,415	96.98%	\$3,620,947.28	\$4,435,021.60	2,189,800	0.09%	97.07%	\$1.48	\$1.758
Jun-09	2,517,674,000	2,587,363,481	97.31%	\$3,726,157.52	\$4,548,585.00	2,202,450	0.09%	97.39%	\$1.48	\$1.758
Jul-09	2,888,499,000	2,971,742,918	97.20%	\$4,274,978.52	\$5,224,324.05	2,030,397	0.07%	97.27%	\$1.48	\$1.758
Aug-09	2,931,183,000	3,010,833,874	97.35%	\$4,338,150.84	\$5,293,045.95	7,554,834	0.25%	97.61%	\$1.48	\$1.758
Sep-09	2,614,552,000	2,691,957,594	97.12%	\$3,869,536.96	\$4,732,461.45	1,994,945	0.07%	97.20%	\$1.48	\$1.758
Oct-09	2,155,177,000	2,204,779,266	97.75%	\$3,189,661.96	\$3,876,001.95	2,141,324	0.10%	97.85%	\$1.48	\$1.758
Nov-09	2,003,572,000	2,054,392,036	97.53%	\$2,965,288.56	\$3,611,621.20	2,224,921	0.11%	97.63%	\$1.48	\$1.758
Dec-09	2,124,149,000	2,174,881,342	97.67%	\$3,143,740.52	\$3,823,441.40	2,335,534	0.11%	97.77%	\$1.48	\$1.758
Jan-10	2,152,708,000	2,207,536,160	97.52%	\$3,186,007.84	\$4,426,110.00	2,148,128	0.10%	97.61%	\$1.48	\$2.005
Feb-10	1,920,433,000	1,956,112,219	98.18%	\$2,842,240.84	\$3,922,005.00	1,920,979	0.10%	98.27%	\$1.48	\$2.005
Mar-10	2,088,030,000	2,142,426,434	97.46%	\$3,090,284.40	\$4,295,565.00	3,367,754	0.16%	97.62%	\$1.48	\$2.005
Apr-10	2,117,657,000	2,160,538,653	98.02%	\$3,134,132.36	\$4,331,880.00	2,162,448	0.10%	98.12%	\$1.48	\$2.005
May-10	2,493,442,000	2,546,177,057	97.93%	\$4,587,933.28	\$5,105,085.00	1,951,633	0.08%	98.01%	\$1.84	\$2.005
Jun-10	2,379,251,000	2,435,768,080	97.68%	\$4,377,821.84	\$4,883,715.00	1,052,920	0.04%	97.72%	\$1.84	\$2.005
Jul-10	2,977,683,000	3,048,231,920	97.69%	\$5,478,936.72	\$6,111,705.00	1,342,710	0.04%	97.73%	\$1.84	\$2.005
Aug-10	2,867,253,000	2,924,004,988	98.06%	\$5,275,745.52	\$5,862,630.00	930,281	0.03%	98.09%	\$1.84	\$2.005
TOTALS (1)	546,203,043,400	562,097,365,127	97.17%	\$721,313,125.83	\$680,635,806.53	572,588,683	0.10%	97.27%		

(1) - SINCE MAY 1, 1992

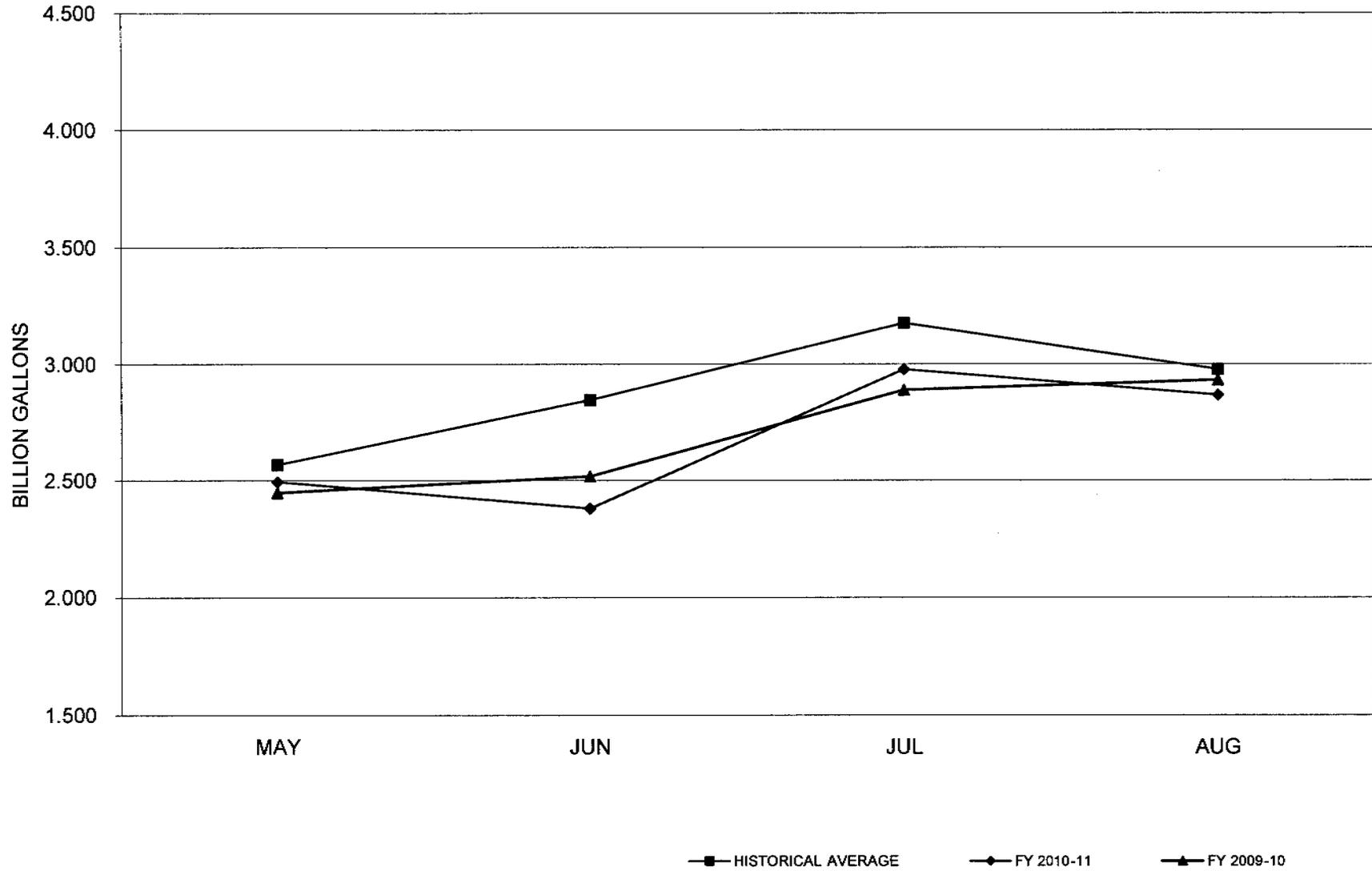
(2) - REPRESENTS DU PAGE PUMP STATION, METER TESTING AND CONSTRUCTION PROJECT USAGE

Operations\Spreadsheets\H2O\_SALES.xls

**DU PAGE WATER COMMISSION SALES  
FY 2010-11 VS. ALLOCATION**



**DU PAGE WATER COMMISSION SALES  
FY 2010-11 & FY 2009-10 VS. HISTORICAL AVERAGE**





**DuPage Water Commission**

**PSC-04/08**

# **Lexington Pumping Station**

Division A – Generator Facility

Division B – Variable Frequency Drives

## **Progress Report #18**

**August 2010**

Prepared by:

Dwayne Allen/Greeley and Hansen



**GREELEY AND HANSEN**



**McDonough Associates Inc.**  
**Engineers/Architects**

August 30, 2010

## Progress Report –August 2010

The following is a brief report of the progress achieved on the PSC-04/08 project at the Lexington Pumping Station for the month of August 2010.

### I. Summary of Work Performed and Project Status

The PSC-04/08 project is progressing on schedule for completion of the project on October 21, 2010. As planned the electrical trim and termination, fuel/lube oil piping, Generator engine exhaust piping, and temperature control wiring work continues. Work completed this month includes the curb and gutter on the North Road, modifications for the ComEd transformers and related Switchgear modifications to M2 and T2 in the Pumping Station, Generator Building roofing flood coat, and the grounding cable/rods were installed for both buildings. In addition, permanent power was energized to both the Electrical and Generator Buildings. Photographs of August's progress can be found at the end of this report.

### II. Project Progress

- Contract Commencement Date July 21, 2008
- Contract Duration 730 calendar days
- Approved Time Extensions
  - Generator Delivery Period 188 days
  - Contract Completion Date 92 days
- Revised Contract Duration 822 calendar days
  - Days Expended 771
  - Percent Completion 93.8%
- Final Completion Date October 21, 2010

### III. Planned Work –September 2010

The Month of September will bring the vibration testing of the HLP-1 and LLP-9 pumps associated with the B-AFD-1 drive. The Generators start up and paralleling gear testing are also scheduled to be conducted in this upcoming month. Paving of the North Road, both concrete and asphalt, and a significant portion of the Buildings' finish work are also anticipated to be nearing completion by the end of September.



## Progress Report –August 2010

### IV. Construction Costs and Progress Payments

The following summary reflects activity through pay request #14 which is currently being processed for payment approval.

• Original Contract Price	\$17,209,000.00
• Approved Permit/Water Main Related Change Orders	\$ 417,902.87
○ Permit/WM Change Order Percentage	2.4%
• Approved Constructive Change Orders	-\$ 6,044.77
○ Constructive Change Order Percentage	-0.03%
• Revised Contract Price	\$ 17,620,858.10
• Completed to Date	\$ 14,426,233.17
• Percent Completed to Date	81.8%

### V. Pending Action Items and Project Issues

A. None at this time



Progress Report –August 2010

Roof top unit installed



Fuel tank piping installation



Progress Report –August 2010

North Road Curb and Gutter installation



Generator Exhaust Installation





**DuPage Water Commission**

**PSC-05/08**

**Lexington Pumping Station**

**PHOTOVOLTAIC SYSTEM**

**Progress Report #13**

**August 2010**

Prepared by: Dwayne Allen/Greeley and Hansen



**GREELEY AND HANSEN**



**McDonough Associates Inc.**  
**Engineers/Architects**

August 30, 2010

## Progress Report August – 2010

The following is a brief report of the progress achieved on the PSC-05/08 project at the Lexington Pumping Station for the month of August 2010.

### I. Summary of Work Performed and Project Status

As documented in previous progress reports, installation work for the PSC-05/08 Project has been completed and the remaining work for project completion is primarily testing and commissioning related. The Contractor has provided an updated schedule reflecting an extension to October 21, 2010. The time extension for completion for the project has been presented for approval. The Electrical Building is energized and Divane is finalizing their testing procedures for approval.

- Contract Commencement Date                      July 21, 2008
- Contract Duration                                      730 calendar days
  - Days Expended                                      771
  - Percent Time Complete                              105.6%
- Approved Time Extension                              0 days
- Final Completion Date                                July 21, 2010

### II. Planned Work – September 2010

Although the exact date is not set at this time, it is anticipated that the PV System commissioning will be completed in the month of September. Although a Notice of Completion cannot be issued until the system is fully commissioned, the Engineers will conduct a preliminary review of the Work and develop a punch list if necessary.

### III. Construction Costs and Progress Payments

The progress payment summary is reflective of the installation milestone payments to-date.

- Original Contract Price                              \$ 7,996,000.00
- Approved Grant Change Orders                      \$ 250,000.00
- Approved Constructive Change Orders              \$ 0.00
- Constructive Change Order Percentage              0.0%
- Revised Contract Price                                \$ 8,246,000.00
- Completed to Date                                      \$ 6,646,800.00
- Percent Completed to Date                              80.6%

## Progress Report August – 2010

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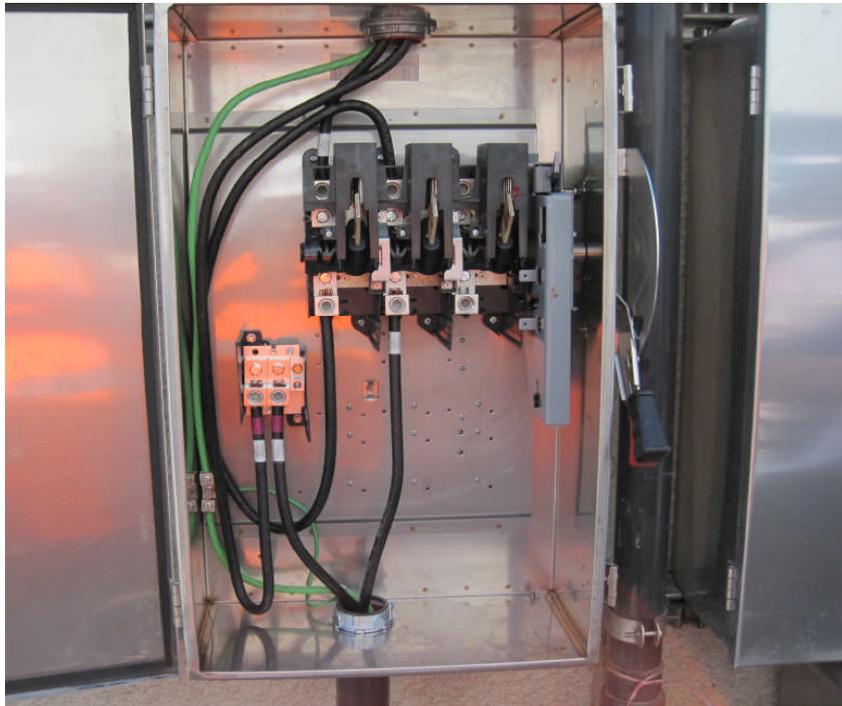
### IV. Pending Action Items and Project Issues

- A. Paperwork for the Contract extension has been presented for Owner's consideration.



## Progress Report August – 2010

Terminations in Disconnect Switch on Reservoir Wall



Terminations in PV Inverter



## Progress Report August – 2010

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4-4" Conduits from CT Meter Cabinet to 480V Gear



# **Electric Generation Facility & Office/Garage Expansion**



## **DuPage Water Commission**

**600 E. Butterfield Road**

**Elmhurst IL 60126**

**PSD 7/08**

Monthly Progress Report #20

August 2010





September 1, 2010

Mr. Chris Bostick  
Facilities Construction Supervisor/Safety Coordinator  
DuPage Water Commission  
600 East Butterfield Rd.  
Elmhurst, IL 60126

*Subject:* DuPage Water Commission  
Electrical Generation Facility and Office/Garage Expansion  
Monthly Construction Progress Report No. 20

Dear Mr. Bostick:

We herewith submit our Progress Report No. 20 for the construction of the Electrical Generation Facility and Office/Garage Expansion for the DuPage Pumping Station covering the one month period from August 1, 2010 through August 31, 2010.

**1. *Overview and Status of the Work***

The Electrical Generation Facility and Office/Garage Expansion for the DuPage Pumping Station project consist of the renovation and expansion of the Existing Service Building in both the North and South directions. The North expansion is to create office space, the South expansion is to house four Standby 2500 kW Diesel Engine-Generators and the existing portion is to be the Electrical Room. Due to the conversion of the Existing Service Building a new Garage is to be built. Also, the existing Upper Parking Lot is to be relocated to the Northwest area of the site to allow for the installation of a covered parking structure. The project includes site piping, grading and pavement to accommodate the changes.

In the past month, Williams Brothers Construction, Inc. (WBCI) has continued cleaning and installing final finishes in the building. Additionally, they continued installing topsoil, seed, plants and mulch throughout the site. WBCI continued painting the walls, doors, ceilings, conduit, piping and structural steel throughout the buildings. They finished installing the roof covering, edging and growing media for the vegetative green roof. They continued pulling and terminating telephone cable and wire as well as

installed light fixtures and switches. They continued installing the epoxy floors in the buildings. They continued installing site conduit for the gate operators and security system. Finally, they started up and tested all five engine-generators and the new switchgear.

**2. *Scheduled Upcoming Work/September, 2010***

In the next month, Williams Brothers Construction, Inc. plans to continue painting the structural steel, doors, conduit, piping, ceilings and walls throughout the buildings. Electrical work will continue in the office, generator and existing service buildings with the installation of electrical equipment, fixtures and wire. They plan to install the sedum for the vegetative green roof. Also, WBCI will continue cleaning, installing epoxy flooring and final finishes. They plan to continue testing and starting HVAC and mechanical equipment. They plan to install the perimeter security system and gate operators. Finally, they plan to finish testing the engine-generators and switchgear system.

**3. *Project Schedule***

The August 2010 Construction Schedule update indicates the project's final completion date remains on schedule.

*Contract No. PSD-7/08*

▪ Contract Execution Date	November 25, 2008
▪ Contract Duration (final Completion)	730 calendar days
▪ Time Expended	646 days
▪ Percent Time Complete	88.49%
▪ Approved Time Extensions	0 days
▪ Final Completion Date	November 24, 2010

**4. *Construction Costs and Progress Payments***

Applications for Progress Payments have been submitted each month by Williams Brothers Construction, Inc. to commensurate with the work performed. The following is a summary of progress payments.

Mr. C. Bostick  
September 1, 2010  
Page 3

*Contract No. PSD-7/08*

▪ Original Contract Price	\$16,970,000.00
▪ Approved Change Orders	\$ 609,841.00
▪ Approved Change Order Percentage	3.59%
▪ Revised Contract Price	\$17,579,841.00
▪ Total Completed To Date	\$ 16,830,485.12
▪ Percent Completed To Date	95.74%

5. *Pending Action Items and Issues*

- A change order is pending.

Should you have any questions, please do not hesitate to call.

Very truly yours,

Robert J. Reid  
Resident Engineer  
Camp Dresser & McKee Inc.

cc: David D. Tucker, Jacquelyne Sanders

Mr. C. Bostick  
September 1, 2010  
Page 4



Vegetative Green Roof Progress



Vegetative Green Roof Progress

Mr. C. Bostick  
September 1, 2010  
Page 5



Vegetative Green Roof Progress



Engine-Generator Testing

Mr. C. Bostick  
September 1, 2010  
Page 6



Portable Generator and Generator Testing Equipment



Restroom Progress

PSC-4 LEXINGTON GENERATORS AND VFD'S			ORIGINAL CONTRACT	\$17,209,000.00	
CHANGE ORDER	DATE APPROVED	CONTENT	COST	REVISED CONTRACT COST	
1	4/9/09	South Road Modifications	\$28,331.37	\$17,237,331.37	CUMULATIVE CHANGE ORDER PERCENTAGE 2.39%
2	9/10/09	Building Permit Related Work	\$204,866.51	\$17,442,217.88	
3	10/9/09	South Road Manhole Adjustment	\$3,270.43	\$17,445,468.31	
4	2/12/10	IDOT Permit Required Work	\$67,025.47	\$17,512,493.78	
5	4/15/10	Underground Fuel Storage Tank Permit Requirements and Roof Curb Additions	\$71,636.68	\$17,584,130.46	
6	6/10/10	City of Chicago Water Main Modifications	\$36,727.64	\$17,620,858.10	
7	To Appear on 10/14/10 Agenda	Penthouse roofing credit, Fuel oil systems pumps	In Negotiation		
PSC-5 LEXINGTON PHOTOVOLTAIC			ORIGINAL CONTRACT	\$7,996,000.00	
CHANGE ORDER	DATE APPROVED	CONTENT	COST	REVISED CONTRACT COST	CUMULATIVE CHANGE ORDER PERCENTAGE
1	8/14/09	Expansion of 24 KW from ILDCEO Grant received	\$250,000.00	\$8,246,000.00	3.13%
2	To Appear on 10/14/10 Agenda	Contract Time extension of 92 Calendar Days Additional Conduit	In Negotiation		
PSD-7 DUPAGE GENERATORS/OFFICE/GARAGE EXPANSION			ORIGINAL CONTRACT	\$16,970,000.00	
CHANGE ORDER	DATE APPROVED	CONTENT	COST	REVISED CONTRACT COST	
1	2/6/09	Building Permit Required Work - Garage	\$78,175.00	\$17,048,175.00	
2	5/15/09	Sanitary Casing/Demolition and Storm water Work	\$36,131.00	\$17,084,306.00	
3	7/10/09	Structural/Architectural Modifications	\$14,279.00	\$17,098,585.00	
4	8/14/09	ComEd Work, IDOT Permit Required Work, Add Gypsum and Knee Wall	\$33,179.00	\$17,131,764.00	
5	10/9/09	Roof and Underground Piping Modifications, Water Stop Addition	\$29,861.00	\$17,161,625.00	
6	2/12/10	15 Items; Electrical, Data, Natural Gas Piping, Fall Protection, Water Main Work and Credit, Mechanical Work, Permit Required Sanitary Vents	\$74,959.00	\$17,236,584.00	
7	3/11/10	Combination Motor Starters, Fuel/Oil Piping Modifications	\$18,576.00	\$17,255,160.00	
8	5/13/10	2 Items; Relocation of Fire Suppression System Piping and Meter Vault adjustment	\$3,947.00	\$17,259,107.00	
9	7/13/10	HVAC Modifications, Access Ladder, Concrete Sidewalks & Stairs, Lighting Modifications and Security System Enhancements	\$302,241.00	17,561,348.00	

DuPage Water Commission  
 Facilities Construction Change Order Log

September 1, 2010

PSD-7 DUPAGE GENERATORS/OFFICE/GARAGE EXPANSION (Continued)			ORIGINAL CONTRACT	\$16,970,000.00	
CHANGE ORDER	DATE APPROVED	CONTENT	COST	REVISED CONTRACT COST	
10	8/12/10	Demolition Credit, Electrical Wiring, Eliminate Data Racks, Balancing an Previous CO Item, Power Relays, Conduit Install and Flow Switches	\$18,493.00	\$17,579,841.00	CUMULATIVE CHANGE ORDER PERCENTAGE 3.59%
11	To Appear on 10/14/10 Agenda	Plumbing Demolition Credit Power for HVAC Panels Wiring of Fuel Safety Shut-Off Valves Security Conduit Extension Fire Detection/Alarm System	In Negotiation		

**Open Contracts Summary  
Ending August 31, 2010**

Contractor	Project	Contract Amount	Approved Change Orders	Current Contract Amount	Contract Commencement Date	Contract Completion Date	Percent Complete (1)	Percent Change from Previous Month (1)
<b>Construction</b>								
DIVANE BROS ELECTRIC CO.	PHOTOVOLTAIC SYSTEM AT THE LEXINGTON PUMPING STATION	\$ 7,996,000.00	\$ 250,000.00	\$ 8,246,000.00	July 21, 2008	July 21, 2010	81%	0%
PATTEN INDUSTRIES, INC.	SUPPLY OF ENGINE GENERATORS	\$ 6,417,608.00	\$ -	\$ 6,417,608.00	September 13, 2007		90%	0%
JOSEPH J HENDERSON AND SON	ELECTRIC GENERATION FACILITY AND VARIABLE FREQUENCY DRIVES AT THE LEXINGTON PUMPING STATION	\$ 17,209,000.00	\$ 411,858.10	\$ 17,620,858.10	July 21, 2008	October 21, 2010	88%	6%
WILLIAMS BROTHERS CONSTRUCTION CO.	ELECTRIC GENERATION FACILITIES, GARAGE AND OFFICE EXPANSION AT THE DUPAGE PUMPING STATION	\$ 16,970,000.00	\$ 609,841.00	\$ 17,579,841.00	November 25, 2008	November 24, 2010	96%	1%
CONCORD CONSTRUCTION SERVICES, INC.	DUPAGE COUNTY METER/PRESSURE ADJUSTING STATIONS 9A/9B	\$ 994,700.00	\$ 64,507.89	\$ 1,059,207.89	September 16, 2009	April 15, 2010	100%	0%
MARTAM CONSTRUCTION, INC.	WINFIELD METER/PRESSURE ADJUSTING STATIONS 17B	\$ 209,760.00	\$ -	\$ 209,760.00	March 25, 2010	September 21, 2010	51%	51%
<b>Services</b>								
GREELEY AND HANSEN LLC	LEXINGTON PUMP STATION PHOTOVOLTAIC ENGINEERING	\$ 1,178,236.00	\$ -	\$ 1,178,236.00	January 12, 2007	October 21, 2010	91%	6%
GREELEY AND HANSEN LLC	LEXINGTON PUMP STATION GENERATOR/VFD ENGINEERING	\$ 2,670,676.00	\$ -	\$ 2,670,676.00	January 12, 2007	October 21, 2010	91%	6%
CAMP DRESSER MCKEE	DUPAGE PUMP STATION GENERATION ENGINEERING	\$ 2,004,688.00	\$ -	\$ 2,004,688.00	November 10, 2003	November 24, 2010	59%	0%
CAMP DRESSER MCKEE	SUPPLY OF ENGINE GENERATORS ENGINEERING	\$ 146,227.00	\$ -	\$ 146,227.00	January 11, 2007	November 24, 2010	90%	0%
AECOM	WINFIELD METER/PRESSURE ADJUSTING STATIONS 17B	\$ 71,700.00	\$ -	\$ 71,700.00	June 9, 2006	September 21, 2010	59%	9%

(1) Completion based on approved contractor invoices