

MINUTES  
DU PAGE COUNTY TECHNOLOGY PARK BOARD  
October 20, 2003

The meeting was called to order by Chairman Gorski at 4:36 p.m.

Members Present: Duane Gengler  
Dan Goodwin  
Gerald Gorski  
Peter Huizenga

Members Absent: Kenneth Schmidt

Staff Present: Jack Tenison, Executive Director

Other Present: John Wills, Christopher B. Burke Engineering  
Chris Burke, Christopher B. Burke Engineering  
George Maurides, Maurides & Foley, L.L.C.  
Kenneth Cheung, Maurides & Foley, L.L.C.  
Bill Grady, Chicago Tribune  
Jake Griffin, Daily Herald  
Jack Frawley, DuPage Airport  
Paul Wiese, SmithGroup JJR  
Jim Wolfe, Knight Infrastructure  
Byron Miller, Dupage Airport  
George Braam, Kudrna & Associates  
John Glennon, North America Capital Management

Approval of Minutes

Mbr. Gengler moved to approve the minutes of August 25, 2003. Seconded by Mbr. Goodwin. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin and Huizenga. No nays. Motion carried.

Executive Director's Report

Jack Tenison provided a report updating the status of various aspects of the DuPage County Technology Park project since the last Board meeting August 25, 2003 and future projects. Mr. Tenison detailed some of the major issues:

- Bid specifications were prepared and advertised for sanitary sewer and watermain work along the main north/south road. Recommendation on a vendor is included in the Board's agenda of October 20, 2003.
- Specification for a Request for Proposal was prepared and advertised for landscaping design, entrance monuments and directional signage at the park. Recommendation on a vendor is included in the Board's agenda of October 20, 2003.
- Prepared and submitted application to State of Illinois for an extension of the grant. The state grant expired September 1, 2003. Mr. Tenison requested the

longest extension possible, which is two years under the agreement. Our Program Manager has indicated the state has approved a 1 year extension. This extension is critical because it allows the continued commitment and expenditure of state funds.

- Held meeting with various parties regarding the development of a second tier biomedical incubator facility. Second tier would be those institutions or businesses that have established financial backing to support what they are trying to create.
- Met with members of Securities Board regarding potential development. The Securities Board is a not-for-profit organization that has membership of the financial community. They are interested in a data back up facility and have looked into receiving homeland security funds along with private sector dollars to build a facility.
- Assisted the Illinois Coalition in holding a regional forum regarding the positioning of Illinois in the future hydrogen economy. The program was well attended by approximately 75 individuals. Congresswoman Judy Biggert spoke at the program.
- Met with surrounding area municipal officials, Illinois Department of Transportation Officials, DuPage and Kane County Highway Officials, and members of Speaker Hastert's Office regarding the realignment of Roosevelt Road.

#### Review Financial Reports

Jack Tenison provided a new format for the financial report detailing all state checking account transactions since the last meeting of the Technology Board on August 25, 2003. The Illinois Department of Commerce and Economic Opportunity (DCEO) has recommended that a bi-monthly report be prepared and signed off by a member of the DuPage County Technology Park Board of Directors.

Mr. Tenison has proposed in agenda item #7 Purchasing Policies and Operational Financial Practices placed on Technology Board's October 20, 2003 agenda that the Chairman of the Board sign-off on this listing bi-monthly.

Mr. Tenison stated that the Tech Park has approximately \$10.1 million on hand and approximately \$9.9 million that relates to the state and that this is sufficient funds to do the infrastructure projects that have been planned for the short term.

Mr. Tenison has agreed to add a column to the State Checking Transaction Detail Report to give a more detailed description for each transaction.

#### Update on Road Construction

Jack Tenison presented the Board with aerial photographs of the main access road that were taken the last week of September 2003.

Chris Burke of Christopher B. Burke Engineering (CBBEL) gave an update on the road construction. Mr. Burke stated that 75% of the curb and gutter is in, the majority of the embankment is in place, grindings will be put down soon and paving should begin the last week of October 2003.

Mr. Burke stated as long as the weather holds up the job will be finished on time and within budget by the goal of the contract which is the end of December 2003.

#### Approval of Purchasing Policies and Practices

Chairman Gorski requested that Jack Tenison develop a formal purchasing policy that was in conformance with state criteria. Mr. Tenison provided the Board with a brief history of the Board's purchasing practices and a recommended purchasing policy for the Tech Park.

Mbr. Gengler moved to approve corporate resolution 2003-21 Approval of Purchasing Policy and Financial Practices. Seconded by Mbr. Huizenga. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin and Huizenga. No nays. Motion carried.

#### Revision of NFP By-laws

Jack Tenison recommended that the by-laws be revised to coincide with the new changes in the Purchasing and Financial Operations Policies of the Technology Board as stated in agenda item #7 of the October 20, 2003 Board meeting.

Mr. Tenison also recommended a change in the by-laws related to Board membership. There is no language that allows Board members to continue to serve until replaced. Without this proposed change, Board operations may be negatively impacted in the future. In reviewing terms of appointment it was determined that Dr. Schmidt's term expires October 24, 2003. The Technology Park by-laws indicate this appointment is to be made by the Chairman of the University of Illinois Board of Trustees and must be a member of the Board of Trustees. This language is not consistent with our state grant agreement. The grant agreement is silent regarding the appointment being a member of the University of Illinois Board of Trustees. It is proposed to revise the by-laws to be consistent with the grant agreement.

Mbr. Huizenga moved to approve corporate resolution 2003-22 Revision of Section 1, Article VIII, of By-Laws of DuPage County Technology Park, N.F.P. Seconded by Mbr. Gengler. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin and Huizenga. No nays. Motion carried.

Mbr. Huizenga moved to approve corporate resolution 2003-26 Revision of Section 2, Article IV, of By-Laws of the DuPage County Technology Park, N.F.P. Seconded by Mbr. Goodwin. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin and Huizenga. No nays. Motion carried.

#### Selection of Gluth Brothers Construction for Sanitary Sewer and Watermain Project in the Amount of \$944,719

Jack Tenison presented an analysis of the bids received regarding sanitary sewer and watermain work associated with the main access road project. Gluth Brother Construction is the low bidder at \$944,719.00. The bid is \$305,435 below the engineer's estimate and \$114,281 below the next lowest bidder. Mr. Tenison recommended that the Technology Board approve a contract in the amount of \$944,719.00 to Gluth Brothers Construction for sanitary sewer and watermain work.

Mbr. Huizenga moved to approve corporate resolution 2003-23 Award of Sanitary Sewer and Watermain Construction Contract. Seconded by Mbr. Gengler. Roll call vote: 4

eyes: Chairman Gorski and Mbrs. Gengler, Goodwin and Huizenga. No nays. Motion carried.

Selection of SmithGroup JJR for Roadway Landscaping Design, Directional Signage and Entrance Monuments in the Amount Not to Exceed \$134,000

Jack Tenison stated that based on direction from the Technology Board at the August 23, 2003 meeting a Request For Proposal (RFP) was prepared for services associated with landscape design, directional signage, and entrance monuments. The RFP was publicly advertised in the Daily Herald newspaper. Fourteen packets were sent out in response to this advertisement. The eight firms who responded were evaluated on the following criteria detailed in the RFP:

- Experience with technology park planning and design in Illinois.
- Experience with design and implementation of sustainable landscapes utilizing indigenous materials in Illinois.
- Experience with the City of West Chicago approval process.
- Experience of successfully completing projects on multi-disciplinary teams.
- Capacity to meet the projected schedule.
- Consultant's narrative understanding of individual project goals, requirements and work plan.
- Cost of services.
- Prior experience with the DuPage County Technology Park.

SmithGroup JJR response was at \$134,000.00 which is third lowest in cost, however, based on the other factors was the most qualified bidder. The Board was presented with the evaluation criteria and weighting form used in the process. Cost of the services was weighted as the most important (35% of the overall weight) but not the only factor in the recommendation. Both representatives of Christopher B. Burke Engineering and Mr. Tenison are recommending selection of the SmithGroup JJR in an amount not to exceed \$134,000 based on their review of the submittals.

Mbr. Gengler moved to approve corporate resolution 2003-24 Award of Roadway Landscaping Design, Directional Signage, and Entrance Monuments. Seconded by Mbr. Huizenga. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin and Huizenga. No nays. Motion carried.

Addendum to Harry W. Kuhn Contract for Construction of Stormwater Detention Ponds and for Installation of Duct Bank Road Crossing

Christopher Burke Engineering has determined that it would be more cost effective and efficient if the duct bank's are installed as part of the overall road work versus at a later date. If it is completed at a later date, it would require excavating and trenching a newly completed road at those crossing points again. Therefore it is recommended to amend the contract to add this work. Chris Burke stated that there are three items to cover on the change orders for Harry W. Kuhn:

- Duct Bank Crossings – Attached is an addendum to the Harry W. Kuhn contract for constructing and installing duct bank road crossings in an amount not exceeding the engineer's estimate.
- Siphon – During construction it became necessary to realign the sanitary sewer to avoid a conflict with the main gas line. The siphon will take the water from the west to the east side. That impact to the contract is roughly \$16,000.

- Stormwater Management Facility – Need to expand out to the west. It is recommended to negotiate construction of pond “E” with Harry W. Kuhn. It is anticipated that the Tech Park would receive a credit toward pond construction based on the savings Harry W. Kuhn received by them using fill material onsite for the road embankment.

George Maurides, Maurides & Foley stated that the field drawings that were attached to the addendums regarding the ponds are not finalized and may be modified.

Mbr. Goodwin moved to approve corporate resolution 2003-25 Amendment of Contract Document number 01-294A for DuPage County Technology Park Main Access Drive-Phase II. Seconded by Mbr. Gengler. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin and Huizenga. No nays. Motion carried.

Mbr. Goodwin moved to approve corporate resolution 2003-31 Third Amendment of Contract Document number 01-294A for DuPage County Technology Park Main Access Drive-Phase II. Seconded by Mbr. Huizenga. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin and Huizenga. No nays. Motion carried.

#### Corporate Resolution Regarding Lease Agreement

Jack Tenison stated that it is a requirement of the state grant agreement that the DuPage Airport Authority and the DuPage Technology Park enter into an agreement regarding the sale or lease of the airport property to the Technology Board. The recommended agreement indicates that the Airport Authority agrees to work toward entering into a sale or land lease agreement. The Airport Authority Board approved this agreement in Resolution 2003-1023 adopted on April 14, 2003. A review of the past minutes does not document this approval by the Technology Board. To ensure that the appropriate record is created Mr. Tenison placed this item on the agenda for approval.

Mbr. Huizenga moved to approve corporate resolution 2003-27 Authorization to Enter into Agreement to Lease with DuPage Airport Authority. Seconded by Mbr. Goodwin. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin and Huizenga. No nays. Motion carried.

#### Addendum to Kudrna Construction Management Contract to Include the Sanitary Sewer and Watermain Project

Chris Burke, CBBEL stated that with the awarding of a contract to install sanitary sewer and water main for the Technology Park, it is recommended to retain construction management and observation services. The Technology Board approved retaining Kudrna & Associates as the low bidder for construction observation related to the main access road. Mr. Burke and Mr. Tenison agreed that amending the Kudrna contract to add construction management and observation services for the sanitary sewer and water main project. Amending the contract would allow taking advantage of the low bid prices received in August, it would facilitate coordination between the two different vendors – Harry W. Kuhn and Gluth Brothers, and take advantage of the economies of scale by using the same on-site personnel on both projects. Mr. Burke estimated that there would be a savings of \$40,000 because surveyors have already done the control work and the same testing company (TSC) is being used.

Mbr. Gengler moved to approve corporate resolution 2003-28 Amendment of Resident Engineering Agreement Between DuPage County Technology Park, N.F.P. and Kudrna

& Associates, Ltd. Seconded by Mbr. Goodwin. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin and Huizenga. No nays. Motion carried.

First Addendum to Temporary Construction and Access Easement

Jack Tenison stated that the Technology Park has a temporary easement from the Airport Authority to construct the access road between Fabyan Parkway and Roosevelt Road and that it is necessary to expand the easement area to encompass work needed for the construction of the stormwater detention basins, borrow pits, and areas related to the sanitary sewer and water main work. With the progression of infrastructure improvements greater access to the property will be needed. Mr. Tenison stated that this will be the first of many needed easement expansions. In the future it may make more sense for a blanket agreement that will not necessitate incremental easement revisions. The Board will consider a blanket agreement in the future, however, at this time individual changes will need to be obtained.

Mbr. Huizenga moved to approve corporate resolution 2003-29 Amendment of Temporary Construction and Access Easement Between DuPage County Technology Park, N.F.P. and DuPage Airport Authority. Seconded by Mbr. Goodwin. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin and Huizenga. No nays. Motion carried.

Selection of Wolf Capital Corporation to Conduct an Analysis of Financial Procedures

Chairman Gorski suggested that the Technology Park hire Wolf Capital Corporation L.L.C. to conduct an analysis of financial procedures and practices, record keeping, contract and grant compliance for an amount not to exceed \$3000.

Mbr. Goodwin stated that the Board has no reason to suspect that there is any irregularity with the way the records are being kept. This is just a good practice to make sure that everything is in compliance with all regulations.

Mbr. Huizenga moved to approve corporate resolution 2003-30 Approval of Internal Accounting Controls Analysis. Seconded by Mbr. Gengler. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin and Huizenga. No nays. Motion carried.

Old Business

None

New Business

None

Adjournment

With no further business remaining before the Board, the meeting was adjourned at 6:00 p.m. on a motion by Mbr. Gengler, seconded by Mbr. Huizenga. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Gengler, Goodwin and Huizenga. No nays. Motion carried.

Respectfully submitted,

Patti Miller