

MINUTES
DU PAGE TECHNOLOGY PARK BOARD
May 9, 2005

The meeting was called to order by Chairman Gorski at 2:03 p.m.

Members Present: David Chicoine
Duane Gengler
Gerald Gorski
Peter Huizenga
Daniel Goodwin (Joined the meeting at 2:20 p.m.)

Staff Present: Jack Tenison, Executive Director
Patti Miller, Executive Assistant

Other Present Jim Brennan, Cray Kaiser, LTD
Chris Burke, Christopher B. Burke Engineering
George Maurides, Maurides & Foley, L.L.C.
Fred Reynolds, CenterPoint Properties Trust
Jim Cross, CenterPoint Properties Trust
George Braam, Kudrna & Associates
Paul Bryant, Kudrna & Associates
GP Yeh, Fermi National Laboratory
David Bird, DAA
Mark Wrzeszez, CBBEL
Mike Masciola, DAA
Mark Doles, DAA
Dan Wagner, Inland Group
Katie Foutz, Naperville Sun
Bill Grady, Chicago Tribune

Approval of Minutes

Mbr. Huizenga moved to approve the minutes of January 17, 2005. Seconded by Mbr. Chicoine. Roll call vote: 4 ayes: Chairman Gorski and Mbrs. Chicoine, Gengler, and Huizenga. No nays. Motion carried.

Executive Director's Report

Jack Tenison provided a report updating the status of various aspects of the DuPage Technology Park project since the last Board meeting of January 17, 2004. Mr. Tenison stated that CenterPoint Properties Trust has requested an extension of the "due diligence" review period. Mr. Tenison stated that the issues are being resolved and is hopeful that construction of the 40,000 square foot "smart building" will be started this year.

Mr. Tenison stated work is progressing on the Communications Building and the Tech Park is working to establish a connection with Fermi National Laboratory through both Batavia and a direct connection.

Mr. Tenison stated the Tech Park is up to date on the state funding and informed the Board that the Tech Park has approximately \$12 million cash on hand and there is \$7 million more yet to come. Mbr. Huizenga asked if the funds the Tech Park would be receiving from the State would be sufficient to finish the infrastructure. Mr. Tenison stated that he had estimated that there would be a funding gap of about \$3 million. In the agreement with CenterPoint Properties it is stated that CenterPoint Properties will fund the first \$1 million dollars if needed. The agreement also provides a few different methods for funding this gap.

Project Engineer Report

Chris Burke, Christopher B. Burke Engineering, Ltd. (CBBEL) gave a detailed report on the various projects of the Tech Park:

- *Commonwealth Edison Project* – ComEd has completed the underground work consisting of buried primary (12KV) cables. They have installed a new pole on Fabyan Parkway along with new switchgear and a transformer adjacent to the street lighting controller near the south roundabout. The primary cable feed for the communications building is installed, however, the switch gear and transformer have not yet been installed for the communications building. The landscaping around the transformers still needs to be completed.
- *Construction of Pond E* – Work has been substantially completed. There is some additional work that is on Harry W. Kuhn's (HWK) punch list. CBBEL will be working through these issues with HWK.
- *Design of Ring Road Infrastructure* – Plans for the Ring Road are complete. Bid proposals were opened on April 28, 2005 and Plote Construction was the low bidder with a bid amount of \$8,394,059.30. It is anticipated that construction will begin in June 2005 with an anticipated completion date of December 2005.
- *Duct Bank and Communication Building* – The installation of the duct bank is anticipated to be completed in May 2005 with the telecommunications facility to be completed in August 2005. Both of these projects need to be moving faster.
- *Landscaping and Entrance Features Project* – Landworks has completed all planting on site not in conflict with additional work. Granite is currently being installed to the sign walls in the roundabouts and at Roosevelt and Fabyan. The limestone 4" veneer will continue once the granite bands are installed. The irrigation system will be energized and running this week and will draw from the Regional Pond west of the Gas Easement just South of the North Roundabout. General cleanup after the winter and final installation is progressing.

- *Main Access Drive-Phase II* – Working through a punch list with HWK for this work. The placement of the surface course and pavement striping will be performed after all other contractors have completed their work.
- *Sanitary Sewer and Water Main Project* – Work has been completed. One remaining issue is the existing slope of five of the new sanitary sewer segments. They were constructed at less than the minimum slope recommended by the Illinois Environmental Protection Agency. Gluth Bros. has provided the required information to the City of West Chicago for approval. Kudrna & Associates will not recommend final payment to the DuPage County Technology Board until the City approves the project.
- *Roadway Lighting Project* – The roadway lights and the bubbler aerators have been installed. CBBEL worked with the Airport Authority to make sure that planes do not mistake the Tech Park lights with the runway lights.

George Maurides, Maurides & Foley, L.L.C. stated that the City of West Chicago has certain improvements within the dedicated right of way that they want the DuPage Airport Authority to maintain, one of which is the Landscaping.

Financial Reports

Mr. Tenison submitted the certification list of the checks from the State checking account. Mr. Tenison stated that as of May 2, 2005 the balance for the County/Airport funds is approximately \$187,000 and the State balance is approximately \$12.5 million.

Mbr. Huizenga moved to approve corporate resolution 2005-5 Review and Approval of DuPage County Technology Park, N.F.P. State Checking Account Detail for the Period January 1, 2005 through April 30, 2005. Seconded by Mbr. Gengler. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Chicoine, Gengler, Goodwin, and Huizenga. No nays. Motion carried.

Presentation of the Audit Report for the year 2004

Jim Brennan, Cray, Kaiser LTD. presented the audit for FY2004. Mr. Brennan indicated that DCEO has been much more quickly reimbursing the Tech Park in 2004 than it had in 2003.

Mr. Tenison stated that the Board needs to determine how the audit will show depreciation of construction assets in the future.

Mbr. Goodwin stated that the Board needs to look at what the goal is for the Tech Park and how the Tech Park should be represented to the public.

Mr. Brennan stated that he did not have any recommendations or criticisms regarding the management of the funds or the accounting systems.

Name Change

Fred Reynolds, CenterPoint Properties Trust (CPT) requested approval to modify the name of the DuPage Technology Park to the DuPage National Technology Park. Mr. Reynolds stated the name revision will accurately indicate the focus of the Tech Park's association with the two neighboring national laboratories, Argonne and Fermilab. The name change will also assist with marketing to tenants that have or are seeking a national emphasis. It is important to have clarity regarding the name at this point for several reasons including marketing materials being created by CenterPoint and the need to complete the entrance features at Roosevelt Road and at Fabyan Parkway by adding the name of the park.

Mbr. Gengler stated that he does not want the Board to lose sight of the fact that Speaker J. Dennis Hastert and Senator Pate Phillips were involved in helping make the Tech Park happen.

Chairman Gorski requested that Mr. Tenison come up with some ideas on how to honor Speaker Hastert and Senator Phillips and present this information at the next Board meeting.

Mbr. Gengler moved to approve corporate resolution 2005-11 DuPage Technology Park Name Change to DuPage National Technology Park. Seconded by Mbr. Chicoine. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Chicoine, Gengler, Goodwin and Huizenga. No nays. Motion carried.

Update Regarding CenterPoint Properties Due Diligence

Fred Reynolds, CenterPoint Properties stated that Mr. Tenison presented to the Board in the Executive Director report several items that impact the "due diligence" review:

- Ground Lease
- Design Standards
- Site Selection Criteria
- Covenants, Conditions & Restrictions (CCRs)
- Environmental Site Selection
- Determination of an Association
- Text Amendment Zoning Changes
- Kress Creek Flood Control Facility
- Public Improvements Dedication to West Chicago (Roads and Utilities)

Mr. Reynolds stated that he is confident that CenterPoint will be able to resolve these issues by the extended deadline of July 18, 2005.

Mr. Reynolds stated that he has been working with George Maurides, Maurides & Foley and Phil Luetkehans, Schirott and Luetkehans regarding the rules and regulations for tenants at the Tech Park and is putting together a book "DuPage National Tech Park User Guide".

Mr. Reynolds stated that there are two environmental issues where solutions are in the process of being resolved. First is an area previously used as a compost pile south of Fabyan Parkway. DuPage County and the Airport Authority are taking onsite engineering measures to rectify the problem. The second issue is the lead in the soil from the gun range.

Mr. Tenison stated that he is hopeful that all the issues will be resolved shortly but much of it depends on the attorneys and what direction they are given by the Airport Board and Technology Board.

Mr. Reynolds stated another issue that is going to come up with potential tenants is “how smart can the park be?” Mr. Reynolds handed out a PowerPoint presentation and stated that because of the technical complexity of this issue CenterPoint would like to host a lunch meeting where members of the Tech Board, and technical staff of Argonne and Fermilab could hear an explanation of this possible connectivity solution before presentation at the next Technology Board meeting.

Authorize Work Order with Commonwealth Edison

Mr. Tenison stated that the Technology Park received an estimate of \$127,770.00 from Commonwealth Edison regarding the cost of providing underground electrical service to the area north of Fabyan Parkway along the ring road. For ComEd to hold a place for the Technology Park in their future work schedule and for them to complete the necessary design work a payment needs to be authorized by the Board. Mr. Burke stated that the lead time for the work is about 27 weeks.

Mbr. Goodwin moved to approve corporate resolution 2005-6, Authorization of Electrical Service Work North of Fabyan Parkway Along Ring Road by Commonwealth Edison Seconded by Mbr. Chicoine. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Chicoine, Gengler, Gorski and Huizenga. No nays. Motion carried.

Award Bid For Ring Road and Utilities Project

Mr. Burke is recommending awarding the bid for the ring road and associated utilities to the low bidder, Plote Construction, in an amount not to exceed \$8,394,059.30. Three bids were received on April 28, 2005:

- Plote Construction – \$8,394,059.30
- Glenbrook Excavating – \$8,890,725.00
- Martam Construction – \$11,939,690.28

Mr. Burke stated that CBBEL’s estimate of this project was \$10,628,048.00.

Mbr. Goodwin moved to approve corporate resolution 2005-7 Award Ring Road Construction Contract to Plote Construction. Seconded by Mbr. Gengler. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Chicoine, Gengler and Huizenga. No nays. Motion carried.

Construction Management Related to Ring Road and Utilities Project

Mr. Tenison stated that the contract for Construction Observation Services was publicly advertised and four potential providers picked up the proposal information. Kudrna & Associates was the only response that was received. Mr. Burke stated that he has reviewed the proposal from Kudrna & Associates for an amount not to exceed \$329,084.79 and is recommending awarding the contract for Construction Management Services for the Ring Road Project to them.

Mbr. Huizenga moved to approve corporate resolution 2005-8 Award Ring Road Resident Engineering to Kudrna & Associates Seconded by Mbr. Gengler. Roll call vote: 4 ayes: Chairman Gorski and Mbrs Chicoine, Gengler, and Huizenga. 1 abstain: Mbr. Goodwin. No nays. Motion carried.

Revise Landworks Contract – Seeding Pond E, Communications Building Screening Switch Boxes

Mr. Tenison stated he is requesting a change order to the Landworks Ltd. contract of \$154,328.40 regarding the following items:

- Seeding of Pond E – \$58,883.40 The work to seed Pond E was included in the contract with Harry W. Kuhn (HWK) to construct the pond. HWK did not complete the seeding and no maintenance of this area was included in the original contract. HWK agreed to have Landworks perform this work. The amount budgeted in HWK's contract for this work was \$24,723 and HWK's contract will be reduced by that amount. The difference between the reduction in the Kuhn contract and the increase to the Landworks contract is for a different seed mix, a two year maintenance period, and an erosion control blanket.
- Landscaping of the Communication Building – \$69,926.00 No landscaping was included in the original bid document. JJR reviewed Landworks bid prices to measure costs. This price will include maintenance in 2005 and 2006.
- Landscape Screening of Electrical Boxes – \$8,895.00 Additional Landscaping is needed around the two electrical boxes along the main north south access road. This was not contemplated or budgeted for in the original contract. This amount includes maintenance through 2006.
- Wetland Plantings in Stormwater Ponds – \$16,624.00 Because of low water volumes in a few of the ponds last year, not all the necessary wetland plants were able to be planted at the correct locations. It is recommended that additional plantings be completed in those ponds now that the water levels are appropriate.

Mbr. Huizenga requested that the opening doors for any additional control cabinets for electric be placed on the side not facing the road so vegetation is not disturbed.

Mbr. Goodwin moved to approve corporate resolution 2005-9. Seconded by Mbr. Gengler. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Chicoine, Gengler, Goodwin and Huizenga. No nays. Motion carried.

Approve of Easement Revision

George Maurides, Maurides & Foley stated that as the Tech Park has been developed in certain areas it has been necessary to get an easement from the Airport Authority to go on the property. The Tech Park is requesting approval of 7th Amendment of Temporary Construction and Access Easement Between DuPage Technology Park and DuPage Airport Authority.

Mbr. Chicoine moved to approve corporate resolution 2005-10 Approve 7th Amendment of Temporary Construction and Access Easement Between DuPage Technology Park and DuPage Airport Authority. Seconded by Mbr. Gengler. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Chicoine, 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 3:30 p.m. on a motion by Mbr. Huizenga, seconded by Mbr. Gengler voice vote: 5 ayes: Chairman Gorski and Mbrs. Chicoine, Goodwin, Gengler, and Huizenga. No nays. Motion carried.

Respectfully submitted,

Patti Miller