

MINUTES  
DU PAGE NATIONAL TECHNOLOGY PARK BOARD  
December 11, 2006

The meeting was called to order by Chairman Gorski at 1:40 p.m.

Members Present: Kathy Buettner  
David Chicoine  
Gerald Gorski  
Peter Huizenga  
Dan Goodwin (Joined the meeting at 1:57 p.m.)

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

Other Present George Maurides, Maurides & Foley, L.L.C.  
Mark Wrzeszcz, CBBEL  
Fred Reynolds, CenterPoint Properties  
David Bird, DAA  
Mark Doles, DAA  
Mike Masciola, DAA  
John Lewis, Northern Illinois University  
G. L. Zielinski, Northern Illinois University  
Christy Snider, Northern Illinois University  
Ripa Shenoy, Daily Herald

Approval of Minutes

Mbr. Huizenga moved to approve the minutes of October 9, 2006 Board meeting Seconded by Mbr. Chicoine. Voice vote: 4 ayes: Chairman Gorski and Mbrs. Buettner, Chicoine, and Huizenga. No nays. Motion carried.

Executive Director's Report

Jack Tenison stated that he has met with DAA, Phil Luetkehans and George Maurides regarding the Common Area Maintenance (CAM) charges with CenterPoint Properties (CPT) and establishing the correct protocols according to the Agreement with CPT. Mr. Tenison stated we are eligible for back payments from CPT beginning with the first property lease and we will continue to bill as the land is further leased.

Mr. Tenison introduced Kathryn Buettner who has been appointed by Chairman Schillerstrom to the DuPage National Technology Park Board. Mr. Tenison stated he has been working with Mbr. Buettner on several projects including the NIU Cancer Treatment Center which will be presented to the Board at today's meeting and that Mbr. Buettner will be an important asset to the Board.

Mr. Tenison stated that he has met with the Illinois Department of Transportation and DuPage County regarding storm water detention issues related to the realignment of Roosevelt Road. Byron Miller also attended representing the DAA. IDOT is in the initial design phase and they wanted the input of various parties involved. Mr. Tenison encouraged the State to use the present design detention facilities or at least the presently sited design facilities. Mr. Tenison stated this will help the Tech Park by deferring some of the costs to the State.

Mr. Tenison stated he attended the opening of the incubator building at the Illinois Institute of Technology (IIT) downtown campus along with representatives from CPT. Mr. Tenison stated it was an impressive building and the Tech Park needs to continue emphasizing the strong points of the Park to stay competitive in the market place.

Mr. Tenison stated Dr. Dave Weber of Argonne National Laboratories who is coordinating the Argonne Transportation program at the Tech Park has received tentative approval at the federal level and they are working out some details.

Mr. Tenison stated there is still no lease regarding the Communications Building.

Mr. Tenison stated CPT is hosting a groundbreaking ceremony for the Cyber Continuity Center.

#### Project Engineer Report

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

- *Fabyan Parkway Improvements* – Road is 95% completed and anticipates having the signals operational by the end of the week. Mr. Tenison stated they are going to energize and test the traffic signals with DuPage County on Monday, December 18, 2006.
- *Roosevelt Road Improvements* – J.A. Johnson Paving began the roadwork but was hampered by inclement weather that significantly affected their ability to complete the work. A new completion date of May 15, 2007 was established.

Mbr. Goodwin joined the meeting at 1:57 p.m.

#### Financial Reports

Mr. Tenison submitted the balance sheet as of November 30, 2006 and the fourth revised 2006 budget. Mr. Tenison stated there is approximately \$2 million in the bank and there is approximately \$500,000 in outstanding bills. Mr. Tenison stated Karen Courtney, Wolf & Co. has reviewed and approved these reports.

Mbr. Huizenga raised questions regarding how certain information was displayed on the balance sheet.

Mr. Tenison stated he would meet with Karen Courtney, David Bird and Lisa Maedgen and report back to the Board to clarify the financial reports.

Mbr. Huizenga moved to approve corporate resolution 2006-40 entitled "Review and Approval of DuPage County Technology Park, N.F.P. Fourth Revised 2006 Budget". Seconded by Mbr. Buettner. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Buettner, Chicoine, Goodwin and Huizenga. No nays. Motion carried.

Presentation By Northern Illinois University Regarding Cancer Treatment Facility

Kathy Buettner, Northern Illinois University (NIU) stated the University has been working on this project for approximately two years. Mbr. Buettner introduced John Lewis, Northern Illinois University.

John Lewis, Northern Illinois University stated the NIU has been operating the Neutron Cancer Therapy Program at Fermilab since 2004 and an extension of this program is a proton therapy cancer treatment and research center to be located at the DuPage National Technology Park. There are only five proton therapy facilities operating in the United States:

- Loma Linda University Medical Center, Southern CA
- Midwest Proton Radiotherapy Institute at Indiana University, Bloomington, IN
- M.D. Anderson Cancer Center's Proton Center, Houston, TX
- Francis H. Burr Proton Therapy Center at Massachusetts General Hospital, Boston, MA
- The University of Florida Proton Therapy Institute, Jacksonville, FL

Mr. Lewis stated one of the unique aspects of proton therapy is its precise form of radiation treatment using proton beams to treat cancer which is non-invasive and painless leaving surrounding healthy tissue and organs intact and unharmed.

Mr. Lewis stated NIU's vision is to provide a world-class facility for Illinois and the upper Midwest and the center fits in well with the educational programs of the University and an important part of NIU's mission is to be a non-profit particle therapy center.

Mr. Lewis stated it will be the first proton therapy center in Illinois and will cost approximately \$120 million for land, equipment and building. The center will have a positive economic impact on the region. NIU has received \$3.3 million in federal funding to begin planning for the center and are expecting \$40 million in federal money in the FY07-FY10 budget, \$20 million in the FY08-FY2011 State budget, another \$60 million from private equity financing, private sector partners and NIU bonds. Mr. Lewis stated the NIU will start working on the facility requirements now, have a groundbreaking in October 2008 and open the center sometime in the winter of 2010 or 2011.

Approve Nicor Payment for Natural Gas Service For Area South of Roosevelt Road And North of Fabyan Road In An Amount of Up to \$217,000.00

Mr. Tenison stated he has received an engineering estimate from Nicor Gas for construction of the natural gas service for the area south of Roosevelt Road and north of Fabyan Parkway in the amount of \$216,719.13 and is seeking approval from the Board. Mr. Tenison stated Nicor will reimburse the Tech Park as customers come on line.

George Maurides, Maurides & Foley stated the money needs to be approved by the DAA and CPT which will take longer than December 31, 2006. Mr. Maurides is recommending that the date be changed to March 31, 2007 for resolutions 2006-41, 2006-44 and 2006-45.

Mbr. Huizenga moved to approve corporate resolution 2006-41 entitled "Approval of Payment of to Nicor for Work South of Roosevelt and North of Fabyan". Seconded by Mbr. Chicoine. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Buettner, Chicoine, Goodwin and Huizenga. No nays. Motion carried.

#### Review 2007 Proposed Budget

Mr. Tenison gave an overview of the 2007 proposed budget.

- Recommended 2007 Operating Budget – for Tech Park basic operation.
- Recommended 2006 Capital Carry Over – primarily for contracts that the Tech Park has already entered into that have not been paid out and that will be carried over into the new year.
- Recommended 2007 Capital New – is related to new projects.

Mr. Tenison stated he is estimating the Tech Park will need to borrow approximately \$1 million from CPT in 2007.

Chairman Gorski stated the \$200,000 proposed contingency amount that is noted in the operating budget should be divided between operating and capital budgets. The Board's consensus was \$50,000 for an operating contingency and the remainder \$150,000 be reallocated to the capital budget.

Mbr. Goodwin stated the Board would like an accounting of the ground rent income presented in a report.

Mbr. Buettner requested a briefing on the budget structure. Mr. Tenison stated he will schedule a meeting with Mbr. Buettner.

Mbr. Huizenga moved to approve corporate resolution 2006-42 entitled "Approval of 2007 Budget as amended". Seconded by Mbr. Chicoine. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Buettner, Chicoine, Goodwin and Huizenga. No nays. Motion carried.

#### Approve Increase In Contract Amount For Maurides and Foley In The Amount of \$35,000.00

Mr. Tenison stated there have been a significant number of legal issues that have come up this year that were not anticipated as well as some issues that took more time than initially estimated.

Chairman Gorski stated the revised contract will not exceed \$175,000.

Mbr. Chicoine moved to approve corporate resolution 2006-43 entitled "Approval of Amended Contract with Maurides & Foley, L.L.C.". Seconded by Mbr. Buettner. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Buettner, Chicoine, Goodwin and Huizenga. No nays. Motion carried.

Award Contract For Sidewalk Construction To Plote Construction Inc. In An Amount Not To Exceed \$367,000.00

Mr. Tenison stated the contract is for all sidewalk construction south of Roosevelt Road. Mr. Tenison stated the low bidder did not meet pre-qualification requirements as defined in the bid specification and this particular company has not established a track record of completing projects as large as this one. Mr. Tenison stated that the lowest bidder might be able to perform the work successfully but a more conservative approach would be to award the contract to the next lowest bidder Plote Construction. Mr. Tenison stated the price difference is approximately \$40,000.

Mbr. Goodwin stated he is hesitant in awarding a bid to someone who is not the low bidder who has a history of making political contributions and the low bidder does not have a history of political contributions.

Mr. Maurides stated the Tech Park does not receive political contributions.

Mr. Tenison stated the DAA has a policy regarding this issue and if the Board chooses the Tech Park can implement this type of policy.

Chairman Gorski requested George Maurides to contact Phil Luetkehans regarding this issue.

Mbr. Chicoine moved to approve corporate resolution 2006-44 entitled "Award of DuPage National Technology Park Discovery Drive, Innovation Drive and Enterprise Circle Sidewalks Project to Plote Construction, Inc.". Seconded by Mbr. Huizenga. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Buettner, Chicoine, Goodwin and Huizenga. No nays. Motion carried.

Approval of Contract For Construction Management Services For Bike Path and Sidewalk Installation Projects to Kudrna & Associates In An Amount Not To Exceed A Total of \$60,000.00 For Both Projects

Mr. Tenison stated Kudrna & Associates (K/A) has submitted a proposal for construction management services related to the Tech Park's sidewalks and bike path. K/A are proposing to perform the services at the same rates as previously charged and at a "not to exceed amount" of \$60,000 for both projects. Mr. Tenison stated this is the last major infrastructure construction project undertaken for some time. Mr. Tenison stated K/A has extensive knowledge of the prior site construction activity.

Mbr. Buettner moved to approve corporate resolution 2006-45 entitled "Approval of Contract with Kudrna for Resident Engineer and Construction Management Services For Bike Path and Sidewalk Projects". Seconded by Mbr. Huizenga. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Buettner, Chicoine, Goodwin and Huizenga. No nays. Motion carried.

Old Business

Chairman Gorski canceled the Executive Session due to lack of time. Mr. Tenison stated the Board was provided with the minutes to the last Executive Session October 9, 2006 regarding litigation with Harry W. Kuhn. Mr. Maurides stated the case has been resolved.

New Business

None

Adjournment

With no further business remaining before the Board, the meeting was adjourned at 3:27 p.m. on a motion by Mbr. Huizenga, seconded by Mbr. Goodwin. Roll call vote: 5 ayes: Chairman Gorski and Mbrs. Buettner, Chicoine, Goodwin and Huizenga. No nays. Motion carried.

Respectfully submitted,

Patti Miller