

April 24, 2002

APPROVE ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF CHICAGO FOR THE CHILDREN'S CAPITAL FUND FACILITY DEVELOPMENT PROGRAM

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an Intergovernmental Agreement (IGA) with the City of Chicago to receive Children's Capital Funds (CCF) for facilities improvements necessary to establish additional Head Start classrooms. A written intergovernmental agreement is currently being negotiated. The authority granted herein shall automatically rescind in the event a written agreement is not executed within 90 days of the date of this Board Report. Information pertinent to this agreement is stated below.

PARTIES:	City of Chicago 1615 West Chicago Avenue Chicago, IL 60622 Phone No.: (312) 746-8545 Contact Person: Ray Vazquez	Chicago Department of Human Services (CDHS) 1615 West Chicago Avenue Chicago, IL 60622 Phone No.: (312) 746-8545
	Office of Early Childhood Education 125 S. Clark, 9 th Floor Chicago, IL 60603 Contact Person: Ron Whitmore	Office of Operations 125 S. Clark, 16 th Floor Chicago, IL 60603 Contact Person: Timothy Martin

TERM: The term of agreement shall commence on the date the agreement is signed and shall end December 31, 2005 with the parties having the mutual option to extend the term for two (2) additional years.

PROGRAM DESCRIPTION: The purpose of this program is to carry out facilities improvements which will serve to expand the number of Head Start classrooms operated by CPS. This is a multi-year project under which the City (through its Children's Capital Fund) will reimburse 100% of the Board's facility improvement capital costs and classroom start-up expenses related to establishing new Head Start classrooms.

JOINT RESPONSIBILITIES: CPS and CDHS will jointly identify viable sites for Head Start facility development by conducting community needs assessments and facility improvement assessments. Each proposed site must receive written approval by both CPS and CDHS in order for the project to be forwarded to the Board's Capital Improvement Program ("Approved Project") for facility development and improvement work.

CITY RESPONSIBILITIES: For all Approved Projects, the City will reimburse the Board for 100% of capital expenses (including reasonable and customary change orders) and first year start-up costs (including furniture, equipment, supplies and educational materials) needed to open the new classrooms. CPS classroom operating costs will be funded separately by CDHS through its annual Head Start Delegate Agency Agreement with the Board.

BOARD RESPONSIBILITIES: For all Approved Projects, the Board will perform all required and necessary facility improvements through the Capital Improvement Program. Once facility improvement work is completed at the new classroom site, the Board shall operate Head Start programs in the classroom(s) only if CDHS provides the Board with Head Start operating funds through its Head Start Delegate Agency Agreement with the Board. Ongoing facility maintenance costs related to sites receiving facility development under this IGA are not subject to CCF funding and will be the responsibility of the Board.

FINANCIAL: The City shall advance to CPS 25% of the projected cost of each Approved Project upon CDHS transfer package approval with the remainder of costs reimbursed upon CPS submitting invoices to CDHS. For larger facility improvement projects the parties may elect to establish an Escrow Account through which the City will process payments to reimburse CPS for Approved Project costs.

Charge/Credit to: Office of Early Childhood Education Head Start Program: 0952 - 239 -290 -7931 - 5400

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written intergovernmental agreement and any necessary Escrow Agreement. Authorize the President and Secretary to execute the agreements. Authorize the Chief Operating Officer and Early Childhood Education Chief to jointly execute all ancillary documents required to administer or effectuate this agreement including individual Approved Project authorization forms.

AFFIRMATIVE ACTION: Not applicable

LSC REVIEW: Local School Council approval is not applicable to this report.

GENERAL CONDITIONS:

Inspector General – Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one-year period following expiration or other termination of their terms of office.

Indebtedness – The Board’s Indebtedness Policy adopted July 26, 1995 (95-0726-EX3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics – The Board’s Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



Timothy Martin
Chief Operating Officer

Approved:



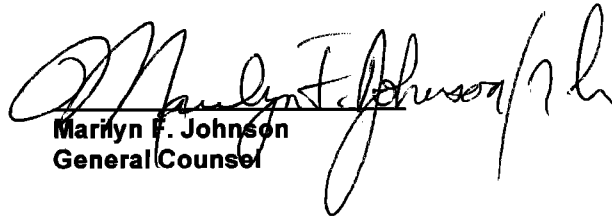
Arne Duncan
Chief Executive Officer

Within Appropriation:



Kenneth C. Gotsch
Chief Fiscal Officer

Approved as to legal form: 



Marilyn F. Johnson
General Counsel