

APPROVE ENTERING INTO AN AGREEMENT WITH THE CITY OF CHICAGO TO PROVIDE UTILITY TERMINATION, RELOCATION, AND CONNECTION SERVICES FOR NEWLY ACQUIRED PROPERTY AND NEW CONSTRUCTION SITES

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with the City of Chicago to provide utility termination, relocation, and connection services for newly acquired property and new construction sites to the Department of Operations at a cost not to exceed \$1,000,000. The City can do this work at a considerable cost saving to the Board, and will do the work with no cost mark-up. A written agreement with the City is currently being negotiated. No payment shall be made to the City prior to the execution of the written agreement. The authority granted herein shall automatically rescind in the event a written agreement is not executed within 90 days of this Board Report. Information pertinent to this agreement is stated below.

Specification No.: 02-250203

CITY: City of Chicago/Department of Revenue
121 N. LaSalle Street Rm. 107
Chicago, IL 60602
Contact Person: Julia Trinh
(312) 744-8139

USER: Department of Operations
125 South Clark-16th Floor
Contact Person: Timothy Martin
(773) 553-2905

TERM: The term of this agreement shall commence January 1, 2003 and shall end December 31, 2007.

SCOPE OF SERVICES: All demolition and new construction associated with the Capital Improvement Program requires various changes in utility services, including termination, connection, and relocation. This cost is typically assumed by the general contractor during demolition and construction, however, engaging the City of Chicago will represent a considerable cost saving, as the general contractors mark-up their cost. The agreement will allow direct payment to the City of Chicago, Department of Revenue for various utility services.

DELIVERABLES: New utility or relocated utility services at Board of Education construction sites.

OUTCOMES: Utility access for new or renovated school facility.

COMPENSATION: The City shall be paid, on a per project basis; total cost not to exceed the amount of \$1,000,000.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written agreement. Authorize the President and Secretary to execute the agreement. Authorize the Chief Operating Officer to execute any ancillary documents related to this agreement.

AFFIRMATIVE ACTION: Pursuant to section 3.7 of the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE Plan) this contract is exempt from review because the vendor is a city agency.

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

FINANCIAL: Charge to Operations: Operations-\$100,000 Fiscal Years: FY03-06
Budget Classification: various capital funds
Source of Funds: Capital

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 member 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.

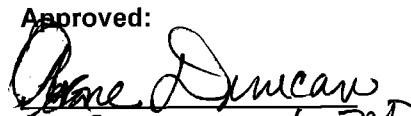
Ethics – The Board’s Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

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).

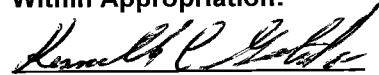
Approved for Consideration:


Anita Rocha
Acting Chief Purchasing Officer

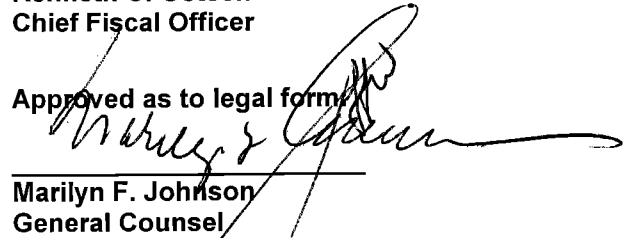
Approved:


Arne Duncan
Chief Executive Officer

Within Appropriation:


Kenneth C. Gotsch
Chief Fiscal Officer

Approved as to legal form:


Marilyn F. Johnson
General Counsel