

APPROVE THE RENEWAL OF THE AGREEMENT WITH BLACK CONTRACTORS UNITED FOR CONSULTING SERVICES**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Approve the renewal of the agreement with Black Contractors United (BCU) to provide consulting services to the Office of Business Diversity at a cost not to exceed \$120,000.00. A written renewal agreement for Consultant's services is currently being negotiated. No payment shall be made to consultant during this renewal period prior to the execution of the written renewal agreement. The authority granted herein shall automatically rescind in the event a written document is not executed within 60 days of the date of this Board Report. Information pertinent to this agreement is stated below.

Specification No.: 02-250242

CONSULTANT: Black Contractors United
400 West 76th Street
Chicago, IL 60620 Suite 250
Contact Person: Florence Cox
Phone No: (773) 483-4000 Fax: (773) 483-4150
Vendor No.: 28204

USER: Office of Business Diversity
125 S. Clark Street
Chicago, IL 60603
Contact Person: Rosalinda Castillo
Phone No.: (773) 553-2980

ORIGINAL AGREEMENT: The original agreement (authorized by Board Report 01-1219-PR48, as amended by Board Reports 02-0626-PR04 and 02-1120-PR01) in the amount of \$102,551.92 is for a term commencing July 1, 2001 and ending December 31, 2002. The original agreement was awarded on a non-competitive basis because BCU has been providing quality services to the Board for the past 7 years.

RENEWAL By mutual agreement of the parties, this agreement shall be renewed for a period commencing January 1, 2003 and ending December 31, 2003.

SCOPE OF SERVICES: BCU will continue to provide the following services for the Capital Improvement Program: Provide two full-time Consultants to attend pre-construction meetings and perform visual monitoring of the general contractors to ensure M/WBE, EEO and City Residency compliance on CPS construction sites on an as needed basis as determined by the Capital Improvement Program.

DELIVERABLES: BCU shall continue to (1) perform visual inspections of all construction sites (2) prepare and submit weekly reports on each site visit performed and (3) provide reports on irregularities found at any of these sites.

OUTCOMES: BCU services will help ensure the success of the Capital Improvement Program through increased participation of M/WBEs on CPS construction projects.

COMPENSATION: Compensation shall be paid monthly as invoices are submitted and verified, not to exceed a total amount of \$120,000.00.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written renewal agreement. Authorize the President and Secretary to execute the renewal agreement.

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

AFFIRMATIVE ACTION: The M/WBE goals for this contract include 35% total MBE, 22% African-American; 10% Hispanic; 2% Asian; and 5% total WBE.

However, the Waiver Review Committee recommends that a partial waiver of the M/WBE participation goals for this contract as required by the revised Remedial Plan be granted because the contract scope is not further divisible.

The vendor has identified and scheduled the following original M/WBE firms and percentages.

Total MBE 8.4%

<u>Total African-American 8.4%</u> (Indirect)				
Visions Photography 1025 Ferdinand Ave. Suite #2 Forest Park, IL 60130	\$2000.00	1.6%		certified until May 31, 2007
Smart Office Services Inc. (Indirect) 346 N. Justine St. suite 400 Chicago, IL 60607	\$4000.00	3.3%		certified until April 30, 2007
Leroy Supply and Distribution (Indirect) 6045 W. Howard Niles, IL 60714	\$1200.00	1%		certified until May 31, 2006
Ready Computer Source Inc. (Indirect) 2040 N. Ashland Ave. Chicago, IL 60614	\$3000.00	2.5%		re-certification pending

Total WBE 0%

FINANCIAL: Site Inspectors
Charge to: Office of Business Diversity - \$120,000.00
Budget Classification No. 0114-445-000-1004-5410 (FY 2000) - \$41,835.96
Budget Classification No. 0114-475-000-1004-5410 (FY 2000) - \$78,164.04
Fund - Capital Improvement

GENERAL CONDITIONS:

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

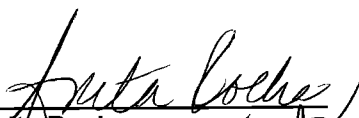
Conflicts - This contract is not legally binding on the Board if entered into in violation of the provisions of 105/ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board Members during the one-year period following expiration or other termination of their terms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

Indebtedness - The Board of Education Indebtedness Policy (95-0726-EX3) adopted July 26, 1995, as amended on June 26, 1996, (96-0626-PO3,) is hereby incorporated into and made a part of this Contract as if fully set forth herein.

Ethics - The Board of Education Ethics Code (95-0927-RU4) as adopted September 27, 1995, as amended on April 21, 1999 (99-0421-PO2), is hereby incorporated into and made a part of this Contract as if fully set forth herein.

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 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: *JFW*


Marilyn F. Johnson
General Counsel