

RESOLUTION
REQUEST THE PUBLIC BUILDING COMMISSION OF CHICAGO TO UNDERTAKE
THE DESIGN AND CONSTRUCTION OF A NEW HURLEY/TARKINGTON SCHOOL

WHEREAS, on July 12, 1956, the Board of Education of the City of Chicago (the Board) joined in the organization of the Public Building Commission of Chicago (the Commission); and

WHEREAS, the Commission provides a means of facilitating the acquisition, construction and improvement of public improvements, buildings and facilities for use by various governmental agencies in the furnishing of essential governmental, educational, health, safety and welfare services; and

WHEREAS, the Board has heretofore participated in the acquisition and construction of public schools and other facilities to provide essential governmental services in cooperation with the Commission and various other governmental agencies; and

WHEREAS, the Board has determined that it is necessary, desirable, advantageous, and in the public interest to undertake various capital projects in conjunction with the City of Chicago and other governmental agencies; and

WHEREAS, the Board has determined that it is necessary, desirable, advantageous and in the public interest to undertake the construction of a new middle school to be known as Hurley/Tarkington School (the "Project") and

WHEREAS, the Project would maximize the utilization of educational facilities operated and maintained by the Board by providing new school educational options and enhanced recreational and other facilities and improving the community areas located in the vicinity of the Project; and

WHEREAS, the estimated total cost of this Project is anticipated not-to-exceed \$26,358,000 of which the Board has or will incur approximately \$1,418,000 of Project-related costs directly while the portion of the Project to be undertaken by the Commission is anticipated to be \$24,940,000.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CHICAGO BOARD OF EDUCATION:

1. The Commission is hereby requested to complete the design of and then to construct a new school called Hurley/Tarkington School on behalf of the Board. The Chief Fiscal Officer and the Chief Operating Officer are hereby authorized to deliver a Project Notification to the Commission, as defined in the Intergovernmental Agreement between the Board and the Commission, dated February 24, 1999 (the "IGA").
2. The Board has acquired or is in the process of acquiring the land for the new Hurley/Tarkington School and has undertaken initial site development. The Board has completed the programming of the new school. The transfer package for the design of the new school is in process. The Commission is directed to complete architectural design of the school and bid the Project to its pre-qualified pool of general contractors and to award the Project to the lowest responsible bidder and oversee construction of the school facility.
3. The Board, in accordance with the terms of the IGA and the Memorandum of Understanding between the Board and the Commission, dated May 1, 2001, will transfer to the Commission the funds necessary to complete the Project identified in Paragraph 1. The total cost for the Project to be undertaken by the Commission is not-to-exceed \$24,940,000. This dollar amount is necessary to cover all projects costs, including construction, contingency, architecture fees, and management fees. Project funding for the Project will be funded with Fiscal Year 2003 Board of Education Capital Funds. To the extent that Tax Increment Financing ("TIF") or Public Building Commission Surplus Funds is or becomes available, the Board reserves the right to supplant Fiscal Year 2003 Board Capital funds with TIF funds or PBC Surplus Funds.

4. No cost may be incurred in excess of the level set forth in paragraph 3 without prior Board approval.
5. The Board's General Counsel is hereby authorized to execute the assignment to the Commission of any and all contracts entered into by the Board in connection with this project and to execute any and all other documents necessary to effectuate this transfer.
6. This resolution is effective immediately upon its adoption.