

**APPROVE ENTERING INTO AN AGREEMENT WITH RLD RESOURCES, LLC
FOR CONSULTING SERVICES**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with RLD Resources, LLC to provide Natural Gas Program Management consulting services to the Department of Operations, Office of Energy Management at a cost not to exceed \$594,000 for a 3- year term. Vendor was selected on a competitive basis pursuant to a duly advertised Request for Proposal (Specification No. 03-250256). A written agreement for Vendor's services is currently being negotiated. No services shall be rendered and no payment shall be made to Vendor 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 the date of this Board Report. Information pertinent to this agreement is stated below.

Specification No.: 03-250256

Contract Administrator: Patricia Hernandez (773) 553-2256

CONSULTANT: RLD Resources, LLC
333 North Michigan Avenue
Suite 2800
Chicago, Illinois 60601
Richard L. Dent
(312) 795-0798
Vendor #25005

USER: Department of Operations
125 South Clark-16th Floor
Donald C. Barnes, Energy Manager
(773) 553-3252

TERM: The term of this agreement shall commence on the date the agreement is signed, and shall end 36 months thereafter. This Board shall have 2 options to renew for periods of 12 months each. Each option year shall be priced at the annual rate of \$198,000.00.

SCOPE OF SERVICES: Consultant shall provide the following services:

- a) Prepare and submit periodic natural gas nominations for participating Chicago Public Schools and manage the procurement of natural gas.
- b) Monitor the actual usage at Chicago Public Schools' facilities.
- c) Provide the Chicago Public Schools with weekly aggregate reports documenting usage during the heating season.
- d) Verify the statistical accuracy of the local distribution company and natural gas supplier invoices and represent the Chicago Public Schools in investigating and reconciling discrepancies as may arise involving gas flow, unit cost, and usage data reported by the local distribution company or natural gas supplier.
- e) Advise Chicago Public Schools staff on the full range of cost saving strategies in the natural gas industry (e.g. market analyses, risk management strategies, etc.).
- f) Maintain a database for tracking usage and cost by facility, potential costs savings, etc. and report results to the Chicago Public Schools.
- g) Competitively solicit bid on a monthly, quarterly, or annual basis and evaluate for price and reliability.
- h) Develop innovative, creative, and multi-disciplinary initiatives which involve CPS students, faculty, administrators, operating personnel and other appropriate parties in efforts that result in more institutionalized monitoring of energy usage.

DELIVERABLES: Consultant will deliver the following:

- a) Monthly data file documenting natural gas usage by meter and by account, which can be imported into our existing (and any future) energy management program.
- b) Properly managed natural gas procurement program, which secures the Board from exposure to supply imbalance penalties and other forms of ancillary costs not directly related to the proper procurement, delivery, and usage of natural gas.
- c) The integrated efforts of school-based personnel (and students), regional personnel, and District-wide management personnel are focused into a set of activities that seek both to enhance the Board's science curriculum as well as to elevate the importance of energy efficiency within the schools, eventually leading to improvements in the efficient use of energy resources.

- d) Bid solicitation documents to the natural gas supply marketplace will be disseminated, received, and tabulated on a schedule that maximizes the financial and operational benefits of the Board.
- e) Reports documenting the essential elements of the bidding process, such as method of solicitation, lists of respondents, criteria used for selection, and other information associated with this task, shall be submitted to the Chief Procurement Officer, the Chief Operating Officer, and/or their designees.

OUTCOMES: Consultant services will result in the implementation of a reliable, cost-efficient, and risk-managed approach to the procurement of natural gas.

COMPENSATION: Consultant shall be paid as follows: Equal monthly payments not to exceed the sum of \$594,000.00.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written agreement document. Authorize the President and Secretary to execute the agreement. Authorize the Chief Operating Officer to execute all ancillary documents required to administer or effectuate this agreement. Authorize the Chief Purchasing Officer, to execute contracts with the natural gas providers secured by Consultant to ensure the best possible prices for the Board, provided any contracts signed, in the aggregate, do not exceed the annual approved budgeted amount allocated for natural gas purchases.

AFFIRMATIVE ACTION: This contract is in full compliance with the goals required by the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE Plan).

The M/WBE goals for the contract are: 35% total MBE, 22% total African American, 10% total Hispanic, 2% total Asian and 5% total WBE. The vendor has identified and scheduled the following firms and percentages:

Total MBE - 95%

African American

Wall Street Partners, Ltd. – 22%
158 W. Erie Street
Chicago, IL 60610

certified through 05/31/04

Hispanic

Management Innovations – 10%
822 Liberty Ave.
St. Charles, IL 60174

certified through 06/30/04

Asian

Comet Connection, Inc. – 2%
812 W. Van Buren St.
Chicago, IL 60607

certified through 09/01/04

Total WBE – 5%

Kelly Shelton
7643 South Indiana Ave.
Chicago, IL 60619

Independent Contractor

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

FINANCIAL:	Charge to Operations: \$198,000.00	Fiscal Year: FY05
	\$198,000.00	Fiscal Year: FY06
	\$198,000.00	Fiscal Year: FY07
	Budget Classification: 0944-552-000-4450-5410	
	Source of Funds: Operations & Maintenance	

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.

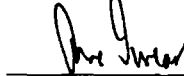
Ethics – The Board’s Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

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).

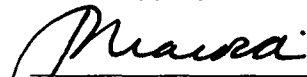
Approved for Consideration:


Heather A. Obora
Chief Purchasing Officer


Approved:


Arne Duncan
Chief Executive Officer

Within Appropriation:


John Mairoca
Chief Financial Officer

Approved as to legal form:


Ruth Moscovitch
General Counsel