

**RATIFY ENTERING INTO AN AGREEMENT WITH O'WALLACE LANDSCAPING, INC.
FOR LANDSCAPE MAINTENANCE SERVICES FOR REGION 6/UNIT 6**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Ratify entering into an agreement with O'Wallace Landscaping, Inc. to provide landscape maintenance services in region 6/unit 6 to Chicago Public Schools at a cost not to exceed \$366,692.16. Vendor was selected on a competitive basis pursuant duly advertised Bid Solicitation (Specification # 06-250012). A written agreement for Vendor's services is currently being negotiated. No services shall be provided by Vendor 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.

VENDOR: O'Wallace Landscaping, Inc.
9327 S. Loomis
Chicago, IL 60620
Bennie L. Payne
(773) 445-5680
Vendor #37861

USER: Department of Operations
125 South Clark- 16th Floor
Chicago, IL 60603
Sean P. Murphy
(773) 553-2900

TERM: The term of this agreement commenced April 26, 2006 and shall end April 25, 2007. The Board shall have two (2) options to renew the agreement for periods of 12 month each.

EARLY TERMINATION RIGHT: The Board shall have the right to terminate the agreement with 30 days written notice.

SCOPE OF SERVICES: Vendor shall provide landscape maintenance services at those Schools which have been identified in the bid solicitation (Specification No.:06-250012) for region 6/unit 6, with the goal of practical maintenance and maximum enhancement of the esthetic and functional aspects of the landscaping. Services shall include, but are not limited to, cutting grass (approximately 20 cuttings per year), pruning trees and shrubs, cultivating beds, fertilizing, and weed and insect control as needed.

OUTCOMES: Vendor's services will result in the enhancement and beautification of various school sites.

COMPENSATION: Vendor shall be paid in accordance with the unit pricing in the contract not to exceed the sum of \$366,692.16.

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 Chief Operating Officer to execute all ancillary documents required to administer or effectuate this agreement.

AFFIRMATIVE ACTION: The M/WBE goals for this contract include: 26% total MBE 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 is of critical need.

The Vendor has identified and scheduled the following firms and percentages:

Total MBE – 100%

06-0628-PR9
O'Wallace Landscaping, Inc. (AA)
9327 S. Loomis
Chicago, Illinois 60620
Certified through 07/01/2006

Renault Robinson Staffing Associates (AA)
6 East Monroe Street, Suite 1301
Chicago, Illinois 60603
Certified through 09/01/2006

Darnell's Ground Service, Inc. (AA)
2255 E. 75th Street, Suite 102
Chicago, Illinois 60649
Certified through 10/01/2006

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

FINANCIAL: Charge to Operations: \$366,692.16 Fiscal Year: FY06&07
Budget Classification: 0944-552-000-5230-5400
Source of Funds: Operations and 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.

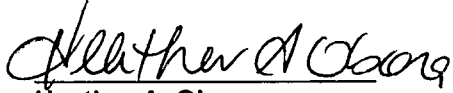
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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

Indebtedness – The Board's Indebtedness Policy adopted June 26, 1996 (96-0626-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics – The Board's Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

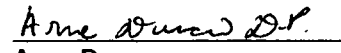
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



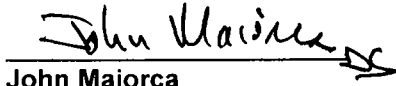
Heather A. Obora
Chief Purchasing Officer

Approved:



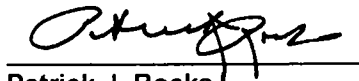
Arne Duncan
Chief Executive Officer

Within Appropriation:



John Maiorca
Chief Financial Officer

Approved as to legal form:



Patrick J. Rocks
General Counsel