

APPROVE ENTERING INTO AN AGREEMENT WITH THE CITY OF CHICAGO'S DEPARTMENT OF FLEET MANAGEMENT FOR THE PURCHASE OF FUEL

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with the City of Chicago's Department of Fleet Management ("the City") for the purchase of fuel and ancillary liquids for the Department of Operations at a cost not to exceed \$340,000 per year. The City purchases fuel through a competitive bid. 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 120 days of this Board Report. Information pertinent to the agreement is stated below.

VENDOR: City of Chicago, Department of Fleet Management
1685 North Throop St.
Chicago, IL 60622
Contact Person: Catalino Paycatigunan
(312) 744-7586
Vendor #29922

USER:

Department of Operations- Facilities Maintenance
125 South Clark-17th
Chicago, IL 60603
M. Hill Hammock- (773) 553-2900

Office of High School Program
125 South Clark-9th Floor
Chicago, IL 60603
Louis James- (773) 553-3809

TERM: The term of this agreement shall commence on November 1, 2007 and end October 31, 2010 with the Board having the option to extend the agreement for two (2) one year periods.

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

DESCRIPTION OF PURCHASE:

Goods: Fuel and ancillary liquid

Quantity: To be purchase as needed

Unit Price: the cost of unleaded and diesel fuels to the City including all applicable taxes, plus an additional per gallon charge of \$.34 cents per gallon.

Total Cost Not to Exceed: \$340,000 per year.

OUTCOMES: This purchase will result in Chicago Public Schools vehicles being supplied with fuel.

PAYMENT TERMS: Under the terms of the Agreement, the City shall be paid monthly upon invoice.

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.

AFFIRMATIVE ACTION: Pursuant to section 5.2 of the Remedial Program for Minority and Women Owned Business Enterprise Participation in Goods and Services contracts (M/WBE plan), this contract is exempt from M/WBE review because the services classify as a unique intergovernmental transaction.

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

FINANCIAL: Charge to Office of High School Programs: \$40,000 Fiscal Year: FY08
Budget Classification: 11325-115-53405-113121-337001-2008
Source of Funds: General Education Fund

Charge to Operations: \$300,000 Fiscal Year: FY08
Budget Classification: 11710-115-53130-252503-000000-2008
Source of Funds: General Education Fund

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 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.

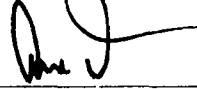
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



Heather A. Obora
Chief Purchasing Officer

Approved:



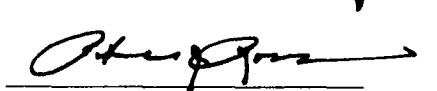
Arne Duncan
Chief Executive Officer

Within Appropriation:



Pedro Martinez
Chief Financial Officer

Approved as to legal form.



Patrick J. Rocks
General Counsel