

RATIFY EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CHICAGO PARK DISTRICT AND THE PUBLIC BUILDING COMMISSION OF CHICAGO FOR THE DESIGN AND CONSTRUCTION OF MARSHALL METRO CAMPUS

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Ratify execution of an Intergovernmental Agreement (IGA) with the Chicago Park District (Parks) and the Public building commission of Chicago (PBC) for the design and construction of Marshall Metro Campus Park (Marshall Park) to establish rights and obligations of the parties as well as policies and procedures for the construction of Marshall Park. A written IGA is currently being negotiated. Information pertinent to this agreement is stated below:

PARTIES:	Board of Education 125 S. Clark Street Chicago, IL 60601 Contact: Chief Operating Officer Phone: 773-553-1522	Chicago Park District 541 N. Fairbanks Chicago, IL60611 Contact: General Superintendent Phone: 312-742-5000
	Public Building Commission Richard J. Daley Center 50 West Washington Chicago, IL 60602 312-744-3090	City of Chicago Office of Budget and Management City Hall - Room 604 121 North LaSalle Street Chicago, Illinois 60602 Attention: Budget Director

BASIC TERMS OF IGA:

The IGA provides for the design and construction of Marshall Park in proximity to Marshall Metro High School (as described on Exhibit A and depicted on Exhibit B, both attached hereto) by the PBC. The PBC has, or will, coordinate, manage, administer and otherwise implement the design and construction of Marshall Park. The City of Chicago (City), Parks and the Board has, or will, pay project related costs estimated at \$10,000,000. This amount is necessary to cover all project costs, including, but not limited to environmental, site preparation, construction, contingency, architecture fees and management fees. The City has, or will, provide approximately \$4,000,000.00 of the estimated project cost. Parks has or will provide approximately \$2,000,000.00 of the estimated project cost. The Board has or will provide the final \$4,000,000.00 of the estimated project cost. Said amount has been authorized by the CEO of the Board. Upon completion of the construction of Marshall Park, the Board shall assume responsibility for Marshall Park including, without limitation, costs of operation and maintenance, electricity, water, and other utilities, security, personnel and insurance.

TERM: The term of this IGA shall commence on January 30, 2007 and shall end upon receipt of the Certificate of Final Completion of the project.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written IGA. Authorize the President and Secretary to execute the IGA. Authorize the Chief Operating Officer to designate and schedule the exclusive/shared usage of Marshall Park with Parks and execute all ancillary documents required to administer or effectuate this IGA.

AFFIRMATIVE ACTION: Exempt

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.

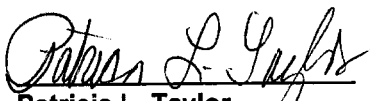
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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

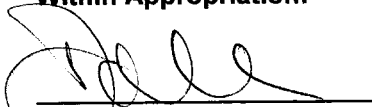
Approved for Consideration:


Patricia L. Taylor
Chief Operating Officer

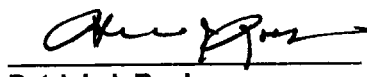
Approved:


Terry Mazany
Chief Executive Officer

Within Appropriation:


Diana S. Ferguson
Chief Financial Officer

Approved as to legal form. 


Patrick J. Rocks
General Counsel