

**APPROVE RENEWAL OF LEASE AGREEMENT WITH COMMONWEALTH EDISON COMPANY
FOR USE OF SPACE AT 125 SOUTH CLARK STREET**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve the renewal of the lease agreement with Commonwealth Edison Company ("ComEd") for use of space at 125 S. Clark St. A written lease renewal is currently being negotiated. The authority granted herein shall automatically rescind in the event the renewal is not executed within 90 days of the date of this Board Report. Information pertinent to this matter is stated below.

TENANT: Commonwealth Edison Company
Real Estate Services
3 Lincoln Center, 4th Floor
Oakbrook Terrace, IL 60181
Contact: Nadia Chomko, Asset Manager
Phone: (630) 576-6303

LANDLORD: Board of Education of the City of Chicago Public Schools

PREMISES: 125 S. Clark St., approximately 19,379 rentable square feet on the 4th floor, currently occupied by Tenant.

USE: To operate ComEd's downtown data center.

ORIGINAL LEASE: The original lease (authorized by Board Report 04-0922-OP4) was for a term commencing January 1, 2004, and ending December 31, 2008, and was subsequently renewed (authorized by Board Report 08-0924-OP1) for a term commencing January 1, 2009, and ending December 31, 2012.

RENEWAL TERM: The renewal term shall commence on January 1, 2013, and end on December 31, 2016.

RENT: Tenant shall pay rent as follows:

<u>Year</u>	<u>Annual rent</u>	<u>Monthly rent</u>
Year 1: 1/1/13 - 12/31/13	\$412,078.68	\$34,339.89
Year 2: 1/1/14 - 12/31/14	\$424,441.04	\$35,370.09
Year 3: 1/1/15 - 12/31/15	\$437,174.27	\$36,431.19
Year 4: 1/1/16 - 12/31/16	\$450,289.50	\$37,524.13

OTHER TERMS AND CONDITIONS: Except as expressly amended herein, all other terms and conditions of the lease shall remain in full force and effect.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the lease renewal agreement. Authorize the President and Secretary to execute the lease renewal agreement. Authorize the Chief Operating Officer to execute all ancillary documents required to administer or effectuate the lease renewal.

AFFIRMATIVE ACTION: Exempt.

LSC REVIEW: Not applicable.

FINANCIAL: Credit rent income to the General 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 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 May 25, 2011 (11-0525-PO2), 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 as to legal form:



James Bebley
General Counsel

Approved:



Barbara Byrd-Bennett
Chief Executive Officer