

September 24, 2014

**AUTHORIZE LICENSE AGREEMENT WITH INTERPARK, INC. FOR THE USE OF THE PARKING GARAGE LOCATED AT 181 N DEARBORN ST FOR EMPLOYEE PARKING**

**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Authorize license agreement with InterPark, Inc. to provide parking for CPS employees. A written agreement is currently being negotiated. The authority granted herein shall automatically rescind in the event that a written agreement is not executed within 90 days of the date of this Board Report.

**LICENSOR:** Urban Growth Property Limited Partnership d/b/a InterPark, Inc.  
 200 N. LaSalle Street, Suite #1400  
 Chicago, IL 60601  
 Contact: Mark Obeler, (Vendor #29286), (312) 935-2724

**PREMISES:** The parking garage located 181 N Dearborn St. The Board will have the right to use up to 50 spaces per month for monthly parking and up to 2,000 single-use passes per year for daily parking.

**TERM:** The term of the license agreement shall commence on December 1, 2014 or upon execution of the contract (if later), and shall end June 30, 2020. The Board and InterPark, Inc. currently have a license agreement (authorized by Board Report 09-0923-OP2 and renewed by 12-0925-OP2) for an original term extended through September 30, 2017. The current license agreement will terminate upon execution of the new license agreement. The new license agreement provides a cost savings of \$60,000.

**EARLY TERMINATION RIGHT:** The Board has the right to terminate this agreement for any reason upon 30 days written notice.

**USE:** To be used by CPS employees requiring use of their cars for travel to and from the headquarters office.

**LICENSE FEE:** The total license fee to be paid by the Board shall not exceed **\$1,097,250** for the 5-year term. The Board shall be responsible for additional fees only if any applicable city or county parking taxes increase. If parking taxes are not assessed to the Premises or if CPS is determined to be exempt from such parking taxes, the licensee fee shall be reduced to omit any estimated tax amount.

Year/ Dates	Monthly rate (Transponder)	Daily rate (Single pass)	Annual Amount
Year 1 12/1/14-11/30/15	\$260/space/month	\$17.00/day	\$156,000(trans) + \$34,000(single pass) = <b>\$190,000*</b>
Year 2 12/1/15-11/30/16	\$265/space/month	\$17.00/day	\$159,000(trans) + \$34,000(single pass) = <b>\$193,000*</b>
Year 3 12/1/16-11/30/17	\$265/space/month	\$18.00/day	\$159,000(trans) + \$36,000(single pass) = <b>\$195,000*</b>
Year 4 12/1/17-11/30/18	\$275/space/month	\$18.00/day	\$165,000(trans) + \$36,000(single pass) = <b>\$201,000*</b>
Year 5 (19 months) 12/1/18-6/30/20	\$275 space/month	\$18.00/day	\$261,250(trans) + 57,000(single pass) = <b>\$318,250*</b>

\*Includes 2014 City of Chicago and Cook County tax rate.

**ADDITIONAL RENT:** The license fee includes the current tax rate. CPS shall be responsible for additional fees only if any applicable City or County parking taxes increase. The current City of Chicago tax rate for the monthly parkers is 20% and the Cook County tax rate is 9%. The current City of Chicago tax rate for the daily parking passes is 20% and the Cook County tax rate is 6%. The license fee includes the current tax rate. If parking taxes are not assessed to the Premises or if CPS is determined to be exempt from such parking taxes, the licensee fee shall be reduced to omit any estimated tax amount.

**INSURANCE/DEMNIFICATION:** Any and all insurance/indemnification language shall be negotiated by the General Counsel.

**AUTHORIZATION:** Authorize the General Counsel to include other relevant terms and conditions in the written license agreement. Authorize the President and Secretary to execute the license agreement. Authorize the Chief Operating Officer to execute any and all ancillary documents related to the license agreement.

**AFFIRMATIVE ACTION:** Exempt

**LSC REVIEW:** Not applicable

**FINANCIAL:** The total amount to be paid by the Board for the 5 year term is **\$1,097, 250.**

Charge to Unit 11910, Fund 230:

FY15	\$110,833*
FY16	\$191,750*
FY17	\$194,167*
FY18	\$198,500*
FY19	\$201,000*
FY20	\$201,000*

\*Includes 2014 City of Chicago and Cook County tax rate.

FY15 – FY20 funding is contingent upon budget appropriation and approval

**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.

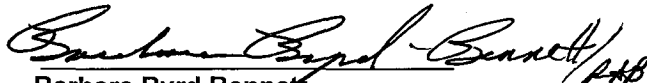
Ethics – The Board’s Ethics Code adopted May 25, 2011 (11-0525-PO2), as amended from time to time, shall be incorporated into and made a part of the agreement.

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).

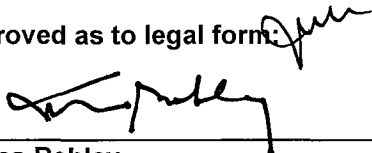
**Approved for Consideration:**

  
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Patricia L. Taylor  
Chief Facilities Officer

**Approved:**

  
\_\_\_\_\_  
Barbara Byrd Bennett  
Chief Executive Officer

**Approved as to legal form:**

  
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James Bebley  
General Counsel