

June 26, 2013

APPROVE LEASE WITH NEW LIFE CHURCH FOR THE USE OF SPACE LOCATED AT 5101 S. KEELER FOR THE EDWARDS ELEMENTARY STUDENTS

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into a Lease Agreement with New Life Community Church to relieve overcrowding due to the full day kindergarten program. 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.

LANDLORD: New Life Community Church
4101 W. 51st Street
Chicago, IL 60632
Contact: Vilma Arguelles
Phone: 773.838.9470
Email: vilmaa@newlifechicago.org

TENANT: Board of Education of the City of Chicago

PREMISES: 5101 S. Keeler, consisting of 13,462 square feet. The premises consists 6 classrooms, 1 office, the gym and cafeteria. According to the floor plan CPS will lease space #19 (3 classrooms at 3,851 sft), space #39 (1 classrooms at 1188 sqft), 2 additional classrooms (1,840 square feet, built out by the landlord), space #38 (1 office at 437 sqft), partial use of the gym (4,760 sqft) and cafeteria (1,386 sqft), (floor plan attached as exhibit A).

TERM: The term of the lease agreement shall commence on August 1, 2013 or the date the Board takes possession of the premises, whichever is later, and shall end on June 30, 2015.

USE: To provide additional space for Edwards Elementary (located at 4815 S. Karlov), Monday-Friday 7:30am-4:30 pm. The gym and cafeteria are to be used on an average of 2 hours per day. The schedule of use shall be communicated yearly with Landlord.

RENT: The annual rent is \$112,388, to be paid monthly (\$9,366/ month). A one-time payment of \$70,669 shall be made along with execution of the lease. The gross rent shall be \$11.25 per square foot for the 6 classrooms and 1 office (7,316 square feet). The gym (4,760 sqft) shall be \$4.50 per square foot. The cafeteria (1,386 sqft) shall be \$6.25. Rent shall commence on the date the Board takes possession.

TENANT IMPROVEMENTS: Landlord shall be responsible for all construction associated with the Tenant improvements, according to the scope of the work approved by the Board.

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

AFFIRMATIVE ACTION: Exempt

LSC REVIEW: Not applicable

FINANCIAL: The total amount to be paid by the Board for the 2 year term is \$286,079

*FY14-FY15 funding is contingent upon budget appropriation and approval

Charge to Real Estate:

August 1, 2013-June 30, 2014 \$173,691 FY14
Budget Classification: 11910.230.57705.254903.000000.2013

July 1, 2014-June 30, 2015 \$112,388 FY15
Budget Classification: 11910.230.57705.254903.000000.2014

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.

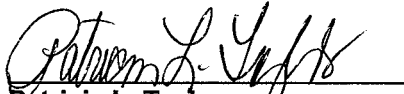
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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


Barbara Byrd-Bennett
Chief Executive Officer

Approved as to legal form 


James Bebley
General Counsel

