

**APPROVE ENTERING INTO AN AGREEMENT WITH OCA CONSTRUCTION, INC.
FOR NEW MODULAR CLASSROOMS**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with OCA Construction, Inc. to provide new modular classrooms to the Department of Operations at a cost not to exceed \$3,498,157.25. Vendor was selected pursuant to a duly advertised Bid Solicitation (Specification 02-250008). A written agreement for Vendor's services is available for signature. No payment shall be made to Vendor 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 90 days of the date of this Board Report. Information pertinent to this agreement is stated below.

SPECIFICATION NO.: 02-250008

VENDOR: OCA Construction, Inc.
8754 South Archer Ave.
Willow Springs, IL 60480
Kelly O'Connor
(708) 839-5605
Vendor # 31792

USER: Department of Operations
125 South Clark-16th Floor
Chicago, IL 60603
Timothy Martin
(773) 553-3227

TERM: The term of this agreement shall commence July 1, 2002 and shall end June 30, 2003. This agreement shall have two (2) options to renew for periods of twelve (12) months each.

SCOPE OF SERVICES: Vendor shall provide furnish and install new modular classrooms.

COMPENSATION: OCA Construction, Inc. shall be paid on a per project basis in accordance with the unit prices indicated in the written contract. Total compensation amount shall not exceed \$3,498,157.25.

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: The M/WBE goals for this contract include:
26% total MBE, 16% total African-American, 7.5% total Hispanic, 2% total Asian, and 5% total WBE.

However, the Waiver Review Committee recommends that a partial waiver of the participation goals for this contract as required by the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE Plan) be waived because of good faith efforts demonstrated.

The vendor has however, identified and scheduled the following firms and percentages:

Total MBE 18%

Total African-American 5%

Frank's Masonry	\$41, 900.00	1.2%	certified until August 31, 2002.
4928 Wilshire Blvd.			
Country Club Hills, IL 60478			

Gammon's Asphalt Paving 16031 Lincoln Ave. Harvey, IL 60426	\$135,980.00	3.9%	certified until June 30, 2002
<u>Total Hispanic 13%</u>			
Speedy Gonzalez 10630 S. Torrence Ave. Chicago, IL 60617	\$284,175.00	8.12%	certified until June 30, 2002
Vista Supply Inc. 14001 S. Kostner Ave. Crestwood, IL 60445	\$33,000.00	1%	certified until November 30, 2002
Aztec Fence Co. P.O. Box 449 Round Lake Beach	\$81,769.00	2.34%	certified until April 30, 2006
Fullerton Industrial Supply 1456 W. Fullerton Chicago, IL 60614	\$39,748.00	1.14%	certified until February 28, 2003
<u>Total WBE 10%</u>			
OCA Construction 8754 S. Archer Ave. Willow Springs, IL 60480	\$349,815.00	10%	new certification pending

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

FINANCIAL: Charge to Operation: \$3,498,157.25
Budget Classification: FY03
Fiscal Year: FY03 CIP funds
Source of Funds: Capital Funds

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.

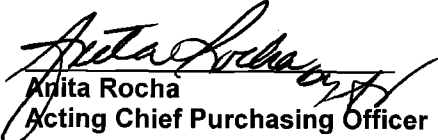
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board member during the one year period following expiration or other termination of their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

Indebtedness – The Board's Indebtedness Policy adopted July 26, 1995 (95-0726-EX3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics – The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), 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:


Anita Rocha
Acting Chief Purchasing Officer

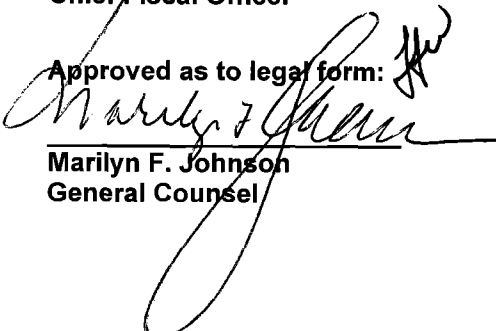
Approved:


Arne Duncan
Chief Executive Officer *by P.A.D.*

Within Appropriation:


Kenneth C. Gotsch
Chief Fiscal Officer

Approved as to legal form:


Marilyn F. Johnson
General Counsel