

October 23, 2002

02-1023-PR24

**RATIFY THE RENEWAL OF THE AGREEMENT WITH BURK'S CHICAGO, INC. FOR CONSULTING SERVICES**

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

Ratify the renewal of the agreement with Burk's Chicago, Inc. to provide consulting services to the Department of Operations at a cost not to exceed \$320,000. These services were continued without prior Board approval. A written renewal agreement for consultant's services is currently being negotiated. No payment shall be made to Consultant during the renewal period prior to the execution of the written agreement. The authority granted herein shall automatically rescind in the event a written renewal agreement is not executed within 90 days of this Board Report. Information pertinent to this renewal agreement is stated below.

Specification No.:02-250025

**CONSULTANT:** Burks Chicago, Inc.  
3062 W. 167<sup>th</sup> Street  
Markham, IL 60426  
Chris Kelly  
(708) 339-3106  
Vendor #29467

**USER:** Department of Operations  
125 South Clark-16<sup>th</sup> Floor  
Contact Person: Timothy Martin  
(773) 553-2905

**ORIGINAL AGREEMENT:** The original consulting agreement in the amount \$150,000 (authorized by Board Report 02-0327-PR5) is for a term commencing April 1, 2002 and ending June 30, 2002. The original agreement was awarded on a non-competitive basis because Consultant has been providing these services to the Board since 1998.

**RENEWAL TERM:** By mutual agreement of the parties, this agreement is being renewed for a term commencing July 1, 2002 and ending June 30, 2003.

**SCOPE OF SERVICES:** Burks Chicago, Inc. shall continue to provide services related to the program known as the "Welfare-To-Work-Program" whereby Chicago Public Schools' roofs are inspected for adequacy and repaired. The consultant will work with Chicago Public Schools graduates as apprentices to ensure minor repairs are provided immediately to keep roofs in good working condition.

**DELIVERABLES:** All roofs shall continue to be inspected on an as needed basis. The consultant will continue to provide the Department of Operations with a project progress report on a monthly basis.

**OUTCOMES:** Consultant's services will continue to result in the training of Chicago Public Schools high school graduates in the area of roof inspection and repair. Through this program, the graduates will have a better opportunity to secure well paying careers in the construction field.

**COMPENSATION:** Consultant shall be paid for services as follows: upon monthly invoicing not to exceed the sum of \$320,000.

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

**AFFIRMATIVE ACTION:** This contract is in full compliance with the goals required by the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE Plan). The

M/WBE participation goals for the contract are: 35% Total MBE, 22% Total African American, 10% Total Hispanic, 2% Total Asian and 5% Total WBE.

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

**Total MBE % -35 %**

**Total African American – 22 %**

Clarence Simmons & Company 7843 S. Exchange Ave. Chicago, IL 60649	\$ 70,400.00	22 %
	certified until September 2003	

**Total Hispanic – 10%**

Gonzales Construction 3725 S. Maplewood Ave. Chicago, IL 60632	\$ 32,000.00	10 %
	certified until November 30, 2002	

**Total Asian – 2 %**

Frederick's Roofing 208 Longridge Drive Bloomington, IL	\$ 6,400.00	2 %
	certified until March 3, 2003	

**Total WBE – 5 %**

Mincor Enterprises, Inc. 41 S. Water Market Chicago, IL 60612	\$ 16,000.00	5%
	certified until January 1, 2003	

The City of Chicago Department of Procurement Services certifies each identified firm. The identified firms are subject to change upon approval from the Procurement and Contract's Division of Compliance and Vendor Services without further Board approval.

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

**FINANCIAL:** Charge to Operations: \$160,000      Fiscal Years: FY03  
 Budget Classification: 0944-454-000-9301-5400  
 Source of Funds: Capital Funds

Charge to Operations: \$160,000      Fiscal Years: FY03  
 Budget Classification: 0944-552-000-4453-5470  
 Source of Funds: Operations & Management-Repair Program

**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.

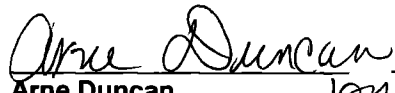
Ethics – The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

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 *oytv*  
Acting Chief Purchasing Officer

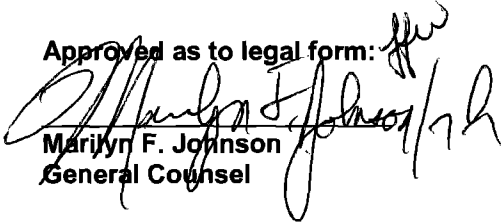
Approved:

  
Arne Duncan *oyPAD*  
Chief Executive Officer

Within Appropriation:

  
Kenneth C. Gotsch  
Chief Fiscal Officer

Approved as to legal form: *fw*

  
Marilyn F. Johnson  
General Counsel