

May 27, 2003

APPROVE THE RENEWAL OF AN EXISTING AGREEMENT WITH BURK'S CHICAGO, INC. FOR CONSULTING SERVICES AND APPROVE PAYMENT FOR SERVICES RENDERED

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve the renewal of an existing agreement with Burk's Chicago, Inc. to provide consulting services to the Department of Operations at a cost not to exceed \$188,000.00 and approve payment for additional services rendered during the present contract term in the amount of \$312,000. A written renewal agreement for consultant's services is currently being negotiated. No payment shall be made to Consultant for the renewal period services prior to the execution of the written renewal 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 agreement is stated below.

Specification No.: 02-2500025

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

USER: Department of Operations
125 South Clark-16th Floor
Bruce Washington
(773) 553-2900

ORIGINAL AGREEMENT: The original consulting agreement (authorized by Board Report 02-0327-PR05) is for a term commencing July 1, 2002 and ending June 30, 2003. The original agreement was awarded on a non-competitive basis because Consultant has been providing these services to the Board.

RENEWAL TERM: By mutual agreement of the parties, this agreement is being renewed for a term commencing July 1, 2003 and ending December 31, 2003.

SCOPE OF SERVICES: Burks Chicago, Inc. will continue to provide services related to the program known as the "Welfare to Work Program" (WTW) whereby Chicago Public School's roofs are inspected for adequacy and are repaired on the scene. In addition the WTW Program will also perform all warranty inspections of roofs at approximately 400 schools, so that warranties can be fully enforced. The consultant will continue to provide necessary reports and maintain a database on roofs. The reports will be presented on a monthly basis. The WTW Program has hired CPS graduates through the Education to Careers Program as apprentices to make sure the inspections, cleaning and minor repairs are performed on a regular basis. These apprentices then graduate into journeymen union positions.

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 consisting of school information, summary of findings and photographs 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.

PAYMENT FOR ADDITIONAL SERVICES: Consultant shall be paid the lump sum of \$312,000 for additional services rendered during the present contract term. The original amount of the contract was not sufficient to cover these additional services because the need for additional roof inspections and repairs was greater than anticipated.

COMPENSATION: Consultant shall be paid for services during the renewal term upon monthly invoicing; the total not to exceed \$188,000.

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 Woman Business Enterprise Contract Participation (M/WBE). 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 follows firms and percentages:

Total MBE 35%

Total African American 22%

Clarence Simmons & Company 7843 S. Exchange Ave. Chicago, IL 60649	\$110,000.00	22%
		certified until September 2003

Total Hispanic 10%

Gonzales Construction 3725 S. Maplewood Ave. Chicago, IL 60632	\$50,000.00	10%
		certified until November 30, 2003

Total Asian 2%

Frederick's Roofing 208 Longridge Drive Bloomington, IL	\$10,000.00	2%
		certified until March 3, 2004

Total WBE 5%

Mincor Enterprise, Inc. 41 S. Water Market Chicago, IL 60612	\$25,000.00	5%
		certified until January 1, 2004

FINANCIAL: Charge to Operations: \$250,000 Fiscal Years: FY03&04
Budget Classification: 0944-454-000-9301-5400
Source of Funds: Capital Funds

Charge to Operations: \$250,000 Fiscal Years: FY03&04
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:



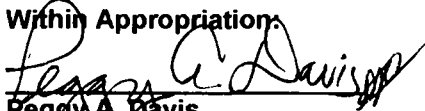
Sean P. Murphy
Chief Purchasing Officer

Approved:



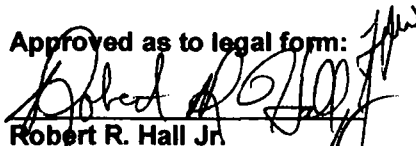
Arne Duncan
Chief Executive Officer

Within Appropriation:



Peggy A. Davis
Chief of Staff

Approved as to legal form:



Robert R. Hall Jr.
Acting General Counsel