

July 23, 2003

AMEND BOARD REPORT 02-0424-PR08
APPROVE ENTERING INTO AN AGREEMENT WITH SPEEDY GONZALEZ LANDSCAPING, INC.
FOR NEW LANDSCAPING

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Speedy Gonzalez Landscaping, Inc. to provide new landscaping for the Department of Operations at a cost not to exceed \$2,862,525.00. Vendor was selected pursuant to a duly advertised Bid Solicitation (Specification 01-250328). 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.

This amended Board Report is necessary to ratify the extension of the term of the agreement at no additional cost to the Board for an additional 12 month period commencing May 1, 2003 and ending April 30, 2004. No further payment shall be made to vendor prior to execution of the written amendment. The authority granted herein shall automatically rescind in the event a written amendment is not executed within 60 days of this amended Board Report.

SPECIFICATION NO.: 01-250328

VENDOR: Speedy Gonzalez, Landscaping, Inc.
10624 S. Torrence
Chicago, IL 60617
Jose R. Gonzalez
(773) 734-7780
Vendor # 24765

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

TERM: The term of this agreement shall commence May 1, 2002 and shall end ~~April 31, 2003~~ April 30 2004. This agreement shall have two (2) options to renew for periods of twelve (12) months each. The extension of this agreement through April 30, 2004 constitutes the Board's exercising of its first option to extend.

SCOPE OF SERVICES: Vendor shall provide new landscaping for the Board of Education for various schools in Regions 3, 4 and 5.

COMPENSATION: Speedy Gonzales shall be paid on a per project basis in accordance with the unit prices indicated in its written contract. Total contract amount shall not exceed \$2,862,525.00.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written agreement and the extension agreement. Authorize the President and Secretary to execute the agreement and the extension 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 based on a good faith effort.

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

Total MBE% - 16%

Total African American – 16%

E. King Construction

3865 W. Columbus

Chicago, IL 60652

\$ 365,000

certified until 06/30/06

Total Hispanic - 79%

Speedy Gonzalez Landscaping

10624 S. Torrence Ave.

Chicago, IL 60617

\$ 1,786,020

certified until 06/30/06

Total Asian – 0%

Total WBE – 5%

M.D. Miller Trucking

5215 Kingsberry Estates Dr.

Plainfield, IL 60544

\$ 115,000

certified until 05/31/07

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 Operation: \$2,862,525.00
 Budget Classification: FY03
 Fiscal Year: FY03
 Source of Funds: Capital funding

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.

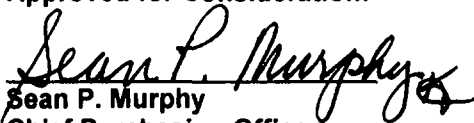
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board member during the one year period following expiration or other termination of their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

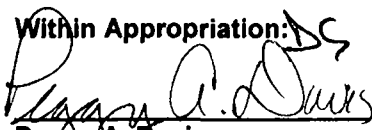
Approved for Consideration:


Sean P. Murphy
Chief Purchasing Officer

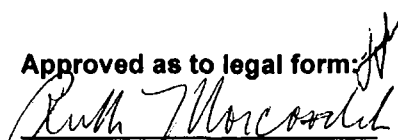
Approved:


Arne Duncan
Chief Executive Officer

Within Appropriation:


Peggy A. Davis
Chief of Staff

Approved as to legal form:


Ruth Moscovitch
General Counsel