

**APPROVE THE RENEWAL OF AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF CHICAGO
TO INCLUDE VARIOUS SCHOOLS IN THE 50/50 SIDEWALK REPLACEMENT PROGRAM**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve the renewal of an intergovernmental agreement (IGA) with the City of Chicago, Department of Transportation, and Bureau of Streets to include various schools in the 50/50 sidewalk replacement program for the Department of Operations, Capital Improvement Program at a cost not to exceed \$500,000. A written renewal agreement for this matter is currently being negotiated. No payment shall be made to the City prior to the execution of the agreement. The authority granted herein shall automatically rescind in the event an agreement is not executed within 120 days of the date of this Board Report. Information pertinent to this agreement is stated below.

VENDOR: The City of Chicago, Department of Transportation
Bureau of Streets, Suite 200
30 N. LaSalle Street
Chicago, IL 60602
Contact Person: Bill Gierhahn
(312) 744-6726
Vendor # 37871

USER: Department of Operations- Capital Improvement Program
125 South Clark – 16th Floor
Chicago, IL 60603
Mark Hands
(773) 553-3646

ORIGINAL AGREEMENT: The original IGA (authorized by Board Report 01-0523-OP1) was for a term commencing May 1, 2001 and ending April 30, 2002. The original IGA was extended for the period commencing May 1, 2002 and ending April 30, 2003 by Board Report 02-0327-OP01.

RENEWAL TERM: This IGA is being renewed for a term commencing October 1, 2003 and ending September 30, 2004 with the Board having the option to extend the agreement for an additional twelve month period.

PROGRAM: The 50/50 Sidewalk Replacement Program is a program administered by the City where the City provides for the replacement of sidewalks, curbs and gutters at various Chicago Public Schools, and the City and the Board equally split the cost of such replacements.

CITY'S CONTRIBUTION: The City schedules and performs all work associated with the Program. The City pays ½ of all cost associated with this Program.

BOARD'S CONTRIBUTION: The Board pays ½ of all costs associated with this Program, not to exceed \$500,000.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the renewal agreement. Authorize the President and Secretary to execute the renewal agreement. Authorize the Chief Operating Officer to execute any and all ancillary documents required to administer or effectuate this renewal agreement.

AFFIRMATIVE ACTION: Not Applicable.

LSC REVIEW: Local School Council approval is not applicable.

FINANCIAL: Charge to Operations: \$500,000 Fiscal Year: FY04
Budget Classification: 0944-415-000-9320-5400
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.

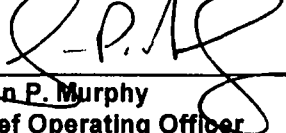
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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

Approved:



Arne Duncan
Chief Executive Officer

Within Appropriation:



John Maiorca
Chief Fiscal Officer

Approved as to legal form:



Ruth M. Moscovitch
General Counsel