

**APPROVE ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT
WITH THE CITY OF CHICAGO RELATING TO THE ABRAHAM
LINCOLN ELEMENTARY SCHOOL GREENHOUSE PROJECT**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an Intergovernmental Agreement with the City of Chicago to partially fund construction of the Abraham Lincoln Elementary School Greenhouse Project. The City of Chicago will fund \$550,000 contingent upon the Board providing funding in the amount of \$286,090. The total cost of the project is \$1,152,590 and will be funded by contributions from several entities. A written agreement is currently being negotiated. The authority granted herein shall automatically rescind in the event a written agreement is not executed within 120 days of the date of this Board Report. Information pertinent to this agreement is stated below.

AGENCY: City of Chicago, Department of Planning and Development
City Hall Room 1000, 121 N. LaSalle Street
Chicago, IL 60602
Meg Gustafson
(312) 744-4190

USER:	Department of Facilities 125 South Clark-17 th Fl Chicago, IL 60603 Stephen M. Wilkins (773) 553-2900	Lincoln Elementary School 615 West Kemper Chicago, IL 60614 Mark Armendariz (773) 534-5720
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PROJECT DESCRIPTION: This project is for the construction of a rooftop garden and greenhouse for Abraham Lincoln Elementary School located at 615 West Kemper, Chicago, IL 60614. This project will create an innovative, living, hands-on environmental center in which children interact with their environment. The project will provide open space and recreational facilities for residents of the community and shall only be open to the public during school hours and additional hours if the building is going to be open late. The project may also be used by appointment by community groups and others on weekends and non-school hours with prior written approval of such appointment from the Board or its representative. Contributions are anticipated to be received from the following entities:

	<u>Funding Sources</u>	<u>Amount</u>
Design	Board of Education	\$ 68,090
	Friends of Lincoln	\$ 31,500
		\$ 99,590
Construction	Senator Cullerton	\$ 50,000
	Representative Fritchey	\$ 25,000
	Friends of Lincoln	\$ 110,000
	City of Chicago	\$ 100,000
	Board of Education	\$ 218,000
	Impact Fee Grant	<u>\$ 550,000</u>
	\$1,053,000	
	Total Funds	\$1,152,590

TERM: The term of the agreement shall commence upon execution and shall run in perpetuity unless otherwise terminated by the City as provided in the agreement.

RESPONSIBILITIES OF PARTIES: The City of Chicago will fund \$550,000 and the Board will fund \$286,090 to be used in construction of the Project. Other contributions will be received by the Board and used in construction of the Project at a total cost of \$1,152,590. The school and Friends of Lincoln will be responsible for maintaining the project and developing an overall management plan. The Board will incur no costs with respect to construction or maintenance of the project other than those specifically stated above.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions, including any indemnities to be provided to the City of Chicago, in the written agreement. Authorize the President and Secretary to execute the agreement.

AFFIRMATIVE ACTION: Not applicable.

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

FINANCIAL: Capital Funds: Board of Education 12150-499-54105-009414-00000-2009-\$286,090.00
All Other Funds: 24191-436-54105-009535-00000-2009-\$866,500.00

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 June 26, 1996 (96-0626-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics – The Board's Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

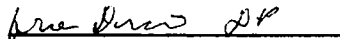
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:

Approved:

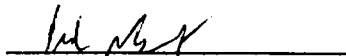


Stephen M. Wilkins
Chief Property Officer



Arne Duncan
Chief Executive Officer

Within Appropriation:



Pedro Martinez
Chief Financial Officer

Approved as to legal form: 



Patrick J. Rocks
General Counsel