

**APPROVE ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF
CHICAGO REGARDING THE SHARED COST SIDEWALK PROGRAM**

THE CHIEF EXECUTIVE REPORTS THE FOLLOWING DECISION:

Approve entering into an intergovernmental agreement with the City of Chicago, Department of Transportation, and Bureau of Streets regarding the shared cost sidewalk program for the Department of Facilities, Capital Improvement Program at a cost not to exceed \$500,000. A written intergovernmental agreement is currently being negotiated. No services shall be provided and no payment shall be made prior to the execution of the intergovernmental agreement. The authority granted herein shall automatically rescind in the event an intergovernmental agreement is not executed within 120 days of the date of this Board Report. Information pertinent to this intergovernmental agreement is stated below.

VENDOR: The City of Chicago, Department of Transportation
Bureau of Streets,
City Hall Room 107
Chicago, IL 60602
Contact Person: Sarah A. Miller
(312) 744-0053
Vendor # 37871

USER: Department of Facilities
125 South Clark – 17th Floor
Chicago, IL 60603
Stephen M. Wilkins
(773) 553-2900

TERM: The intergovernmental agreement is for a term commencing May 1, 2009 and ending April 30 2010, with the Board having the option to extend the intergovernmental agreement for one (1) additional twelve month period.

PROGRAM: The Shared Cost Sidewalk 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, not to exceed \$500,000.

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 intergovernmental agreement. Authorize the President and Secretary to execute the intergovernmental agreement. Authorize the Chief Property Officer to execute any and all ancillary documents required to administer or effectuate the agreement.

AFFIRMATIVE ACTION: Not Applicable.

LSC REVIEW: Local School Council approval is not applicable.

FINANCIAL: Charge to Operations: \$500,000 Fiscal Year: FY09/10
Budget Classification: 12150-499-54105-259317-000000-2009
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 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 fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s)

Approved for Consideration:



Stephen M. Wilkins
Chief Property Officer

Approved:



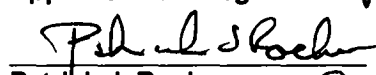
Ron Huberman
Chief Executive Officer

Within Appropriation:



Pedro Martinez
Chief Financial Officer

Approved as to legal form: 



Patrick J. Rocks
General Counsel 