

**APPROVE ENTERING INTO AGREEMENTS WITH
VARIOUS TELECOMMUNICATIONS VENDORS**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into agreements with various telecommunications vendors for use of Chicago Public School properties for placement of telecommunications equipment. This Board Report supersedes and replaces Board Report 05-0727-OP1, as amended in Board Report 06-0927-OP1 and 11-1116-OP1 ("the Previous Board Report") for all agreements entered into after the date of this Board Report; however, the Previous Board Report shall remain in effect for all agreements entered into before the date of this Board Report. Written agreements will be negotiated for each placement. Information pertinent to these agreements is stated below.

LICENSOR: Board of Education of the City of Chicago Public Schools

LICENSEES: Various telecommunications carriers

PREMISES: Various Chicago Public School properties

USE: To use Chicago Public School properties for the placement of various telecommunications equipment ("Telecommunications Equipment") for third party telecommunications carriers' use. Each agreement will be negotiated and modified to reflect, as appropriate, individual school requirements. School sites may have multiple agreements with different carriers.

TERM: The initial term of each agreement, together with all renewals for each agreement, shall not exceed 25 years. The term may be comprised of an initial term and renewal terms.

LICENSE FEE: The license fee for the initial term shall be determined based on competitive market rates. The license fee shall be paid to Chicago Public Schools by Automated Clearing House and then appropriated to the respective school or schools (if multiple schools occupy a property).

ADMINISTRATIVE FEES: An administrative fee shall be paid to the Board to cover various administrative costs associated with these agreements, including but not limited to architectural and structural engineer review and attorney's fees. In addition, an administrative fee shall be paid to the Board for each review of Licensee's Telecommunications Equipment replacement installations. Such administrative fees will be determined by the Chief Facilities Officer based upon the Board's costs. All administrative fees shall be paid directly to the Board, in the Board's name.

CONDITIONS PRECEDENT: Prior to the installation of any Telecommunications Equipment, each Licensee shall submit complete drawings and specifications to CPS for prior written approval. Additionally, each Licensee shall be responsible for submitting to CPS a third party report indicating that all transmitting equipment meets health guidelines.

INSURANCE/INDEMNIFICATION: The General Counsel shall be authorized to negotiate all insurance and indemnification provisions.

AUTHORIZATION: Authorize the General Counsel to include insurance, indemnification and all other relevant terms and conditions in the written agreements. Authorize the President and Secretary to execute the agreements and any amendments to the agreements. Authorize the Chief Facilities Officer to execute any ancillary documents required to administer or effectuate these agreements, including related right of entry or access agreements.

AFFIRMATIVE ACTION: Exempt.

LSC REVIEW: Local School Council approval is required for each agreement.

FINANCIAL: The license fee shall be paid to Chicago Public Schools by Automated Clearing House and then appropriated to the respective school or schools (if multiple schools occupy a property). All administrative fees will be paid directly to the Board, in the Board's name, as follows:

Budget line: 11910-124-54125-253201-904003(FY) Income to: Facilities

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 May 25, 2011 (11-0525-PO2), 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:



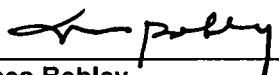
Patricia L. Taylor
Chief Facilities Officer

Approved:



Barbara Byrd-Bennett
Chief Executive Officer

Approved as to legal form 



James Bebley
General Counsel