

**AUTHORIZE THE FIRST AND SECOND RENEWAL AGREEMENTS WITH EFFICIENCY ENERGY LLC
FOR 179D ENERGY CONSULTANT SERVICES**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Authorize the first and second renewal agreements with Efficiency Energy LLC to provide 179D energy consultant services to the Department of Facilities at an annual cost set forth in the Compensation Section of this report. A written document exercising these options is currently being negotiated. No payment shall be made to Vendor during the option periods prior to execution of the written document. The authority granted herein shall automatically rescind in the event a written document is not executed within 90 days of the date of this Board Report. Information pertinent to this option is stated below.

REF CONTRACT #11466
CHICAGO HOUSING AUTHORITY

Contract Administrator : Barnes, Miss Allison V / 773-553-3241

VENDOR:

- 1) Vendor # 16590
EFFICIENCY ENERGY LLC
2101 I Street NW, Ste 800
Washington, DC 20037

William J. Volker
202 776-7709

Ownership: William Volker - 56%, Rick Juday
- 24%, All Others Are Less Than 10%

USER INFORMATION :

Project
Manager: 11880 - Facility Opers & Maint - City Wide

42 West Madison Street

Chicago, IL 60602

Peng, Mr. Yanbo

773-553-2960

ORIGINAL AGREEMENT:

The original agreement (authorized by Board Report 15-1028-PR12) is for a term commencing upon execution and ending December 31, 2018, with the Board having two (2) options to renew for one (1) year terms each. The original agreement was awarded on a competitive basis pursuant to Board Rule 7-2.4. Vendor was selected on a competitive basis pursuant to a Request for Proposal (#14-01300) for Energy Policy Act Coordinator Services issued by the Chicago Housing Authority (CHA).

OPTION PERIOD:

The term of this agreement is being renewed for a two (2) year term commencing January 1, 2019 and ending on December 31, 2020.

OPTION PERIODS REMAINING:

There are no options remaining.

SCOPE OF SERVICES:

Vendor will continue to provide consulting services to assist the District to maximize tax benefits available relating to capital and operational improvements to facilities pursuant to federal, state, and local incentives such as the Energy Policy Act of 2005.

DELIVERABLES:

The Board will integrate the Federal 179D Tax Deduction revenue to help reduce project cost.

OUTCOMES:

Vendor's services will result in assisting the Board in integrating the Federal 179D Tax Deduction into all of the Board's relevant construction projects. In addition, there is an opportunity to work with contractors to revise their tax statements and share in savings for completed projects. Construction designers are motivated to share in the savings with the Board since the building owner must sign a waiver allowing the construction designer to recoup the tax deduction.

COMPENSATION:

Vendor shall be paid on a multi-tiered contingency basis conditioned upon the successful completion and closing of monetized EPACT or similar tax credits/deductions for the receipt and/or benefit of the Board. The amount of the contingency fee shall not exceed 25% of the actual total monetized benefits. The Board, as property owner, may allocate the right to receive such tax benefits to underlying vendors who are tax-paying entities (Underlying Vendors). A proportion of those tax benefits received by Underlying Vendors will be paid to or credited to the Board pursuant to transfer agreements between the Board and Underlying Vendors. The transfer agreements may include provisions for reimbursement of expenses incurred to obtain the tax benefits, which expenses would be deducted prior to calculation of the Board's agreed-upon proportionate share.

REIMBURSABLE EXPENSES:

None to Efficiency Energy LLC. However, transfer agreements may include reimbursement for processing costs including certification, legal, and accounting as set forth above.

AUTHORIZATION:

Authorize the General Counsel to include other relevant terms and conditions in the written option document. Authorize the President and Secretary to execute the option document. Authorize the Chief Operating Officer to execute all ancillary documents required to administer or effectuate the option agreement.

AFFIRMATIVE ACTION:

Pursuant to the Remedial Program for Minority and Women-Owned Business Enterprise Participation in Goods and Services contracts (M/WBE Program) this reference agreement is exempt as this agreement is no cost to the Board.

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

No cost to the Board.

CFDA#:

Not Applicable

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.

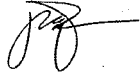
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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

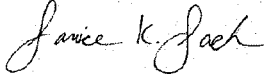
Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



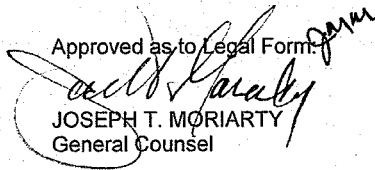
JONATHAN MAPLES
Chief Procurement Officer

Approved:



JANICE K. JACKSON
Chief Executive Officer

Approved as to Legal Form



JOSEPH T. MORIARTY
General Counsel