

Sec. 7-13. Delegation of Authority to Act. In addition to the foregoing, the Board hereby delegates the following specific authority to the following Officers or their respective designees with respect to making and executing certain agreements, which authority may be exercised without prior Board action or approval. This authority includes the authority to approve payments and ratify agreements within the scope of the authority delegated in this section. All authority exercised by the Officers pursuant to this Rule shall be reported to the Board on a monthly basis.

(a) The Chief Executive Officer has the authority to authorize and execute the following:

- (i) Any and all intergovernmental agreements and other miscellaneous types of agreements that have no financial impact on the Board, subject to approval as to legal form by the General Counsel; and
- (ii) Education-related agreements enumerated in section 7-4 (c) and (d) and 7-6 (d) (i) and (ii) up to \$150,000 per provider/institution, subject to approval as to legal form by the General Counsel.

(b) The Chief Operations Officer has the authority to authorize and execute the following:

- (i) Any and all real property leases/licenses where the Board is the landlord/licensor, with a term of less than ten (10) years, regardless of the dollar amount, subject to approval as to legal form by the General Counsel (except for leases/licenses with Charter Schools, which require prior Board approval); provided, however that the Chief Operations Officer may authorize and execute such leases/licenses with no further approval from the General Counsel when using the form agreement established by the Law Department with no modifications thereto other than to include business terms. Further, the Chief Operations Officer has the authority to authorize and execute all real property leases/licenses (including those with indemnification provisions) where the Board is the tenant/licensee, the term is less than ten (10) years and the dollar amount for the term of the lease/license is \$75,000 or under, subject to approval as to legal form by the General Counsel. Further, the Chief Operations Officer has the authority to authorize and execute any and all agreements and documents to grant the Board access or right

of entry to property including those with indemnification provisions.

- (ii) All Change Orders related to construction. "Change Order" means a change in a contract term other than as specifically provided for in the contract which authorizes or necessitates any increase or decrease in the cost of the contract or the time to completion. The Chief Operations Officer shall establish construction change order procedures for the submission and approval of Change Orders. The Chief Operations Officer shall report all Change Orders to the Board on a monthly basis. The monthly report shall include a brief description of the change, the original contract amount, the net change by previous Change Orders in dollar amount and by percentage, the total contract amount prior to the current Change Order being submitted, the net increase/decrease in contract amount with the current Change Order in dollar amount and by percentage and the revised contract amount. All Change Orders must be in compliance with the Public Works Contract Change Order Act (50 ILCS 525/1 et seq.).
 - (iii) Agreements or documents for the sale, disposition, transfer, donation or auctioning of Board assets, subject to approval as to legal form by the General Counsel, and provided that the compensation to be paid to a third party for these services shall be payable or deductible from the proceeds. The Chief Operations Officer shall also have the authority to approve the transfer of school assets to other schools (including charter schools). Board assets mean those goods which are tangible, non-real estate properties. The sale, disposition, transfer, donation and auctioning of Board assets with an original purchase price or fair market value of \$5,000 or more that were purchased with funds from the Illinois State Board of Education shall be subject to the approval of Corporate Accounting. The Chief Operations Officer shall report to the Board on an annual basis all assets sold, transferred, donated, or otherwise disposed under the delegation of authority herein.
- (c) The Chief Education Officer has the authority to authorize and execute the following agreements and purchase orders:
- (i) Education-related agreements enumerated in section 7-4 up to \$150,000 per provider/institution, subject to approval as to legal form by the General Counsel.

- (ii) No-fee education-related agreements, including internship agreements, programmatic agreements and data sharing agreements, subject to approval as to legal form by the General Counsel.
- (d) The Chief Financial Officer has the authority to: (i) accept any and all grants, donations and gifts of any dollar amount; and (ii) refund any unspent dollars from grants, donations or gifts. The Chief Financial Officer has the authority to execute any and all grant, donation or gift acceptance agreements and amendments related thereto required by any such grantor, donor or giftor, including agreements with obligations to cost-share using district funds or to indemnify the grantor, donor or giftor. However, any grant, donation or gift acceptance agreements and amendments related thereto with a total value of \$250,000 or more of both external funding and internal funding shall be subject to approval as to legal form by the General Counsel. The Chief Financial Officer together with the head of the department receiving the grant have the authority to provide such additional information, assurances and certifications as are necessary in connection with such grant. For all grants, gifts and donations and refunds of the same, the Chief Financial Officer shall report to the Board on a monthly basis all grants, gifts and donations received in excess of \$50,000, all related cost-sharing obligations contained in such grants, gifts or donations in excess of \$50,000, and all refunds of unspent grants, gifts or donations in excess of \$5,000. Expenditure of grant funds are subject to the procurement rules in this Chapter VII.
- (e) The CPO has the authority to:
 - (i) Approve purchases up to \$150,000, except sole or single source contracts, and to authorize and execute any and all of the purchasing documents enumerated below, subject to approval as to legal form by the General Counsel, when such purchases are made in accordance with the Board Rules set forth in this Chapter VII; provided, however, that the CPO may authorize and execute such purchasing documents with no further approval from the General Counsel when using the form agreement established by the Law Department with no modifications thereto other than to include business terms. If modifications are made to the form agreement, then approval of the General Counsel as to legal form is required.
 - (1) Sole or single source agreements that do not exceed \$75,000;

- (2) All other agreements for Biddable Items and Non-biddable Items that do not exceed \$150,000;
 - (3) Options to renew and/or mutually-agreed-to extensions of agreements for Biddable Items and Non-biddable Items that do not exceed \$150,000; and
 - (4) Amendments to contracts for Biddable Items and Non-biddable Items initially costing \$150,000 and under which amendments do not increase the total obligation to more than \$150,000 or materially diminish the obligations of the vendor.
- (ii) Approve payments and ratify:
 - (1) Sole and single source agreements for the purchase of Non-biddable Items up to \$75,000;
 - (2) Agreements for the purchase of Non-biddable Items up to \$150,000; and
 - (3) Agreements for Biddable Items between \$10,001 and \$25,000 when such purchases are not made in accordance with the Board Rules set forth in this Chapter VII.
- (iii) Approve the amendments enumerated below to contracts for Biddable Items and Non-biddable Items that exceed \$150,000, subject to approval as to legal form by the General Counsel, when such amendments do not increase the Board-approved maximum expenditure amount or materially diminish the obligations of the vendor.
 - (1) Amendments to effectuate a reduction in unit price negotiated by the CPO;
 - (2) Amendments to effectuate an assignment and assumption of a Board contract to another corporate entity due to the corporate reorganization of a Board vendor;
 - (3) Amendments to effectuate a corporate name change of a Board vendor;
 - (4) Amendments to effectuate a contract extension; and
 - (5) Amendments to effectuate administrative corrections or clarifications.

- (f) The General Counsel has the authority to appoint outside counsel, retain experts and to take all actions required to fulfill the duties and obligations imposed upon the General Counsel in Chapter III of these Rules, subject to appropriation. The General Counsel also has the authority to authorize and execute any and all agreements and documents regarding the following:
 - (i) Access and right of entry to property which may include indemnification;
 - (ii) Indemnification related to agreements for the purchase, sale, use, occupancy, license or lease of real estate;
 - (iii) Zoning, taxes and other governmental petitions and requests;
 - (iv) Indemnification related to shrink-wrap and click-wrap agreements;
 - (v) Agreements with a nominal value of less than \$5,000 granting non-exclusive rights to use Board intellectual property and other agreements related to the grant of intellectual property rights and permissions, including any indemnification of third parties associated with said agreements; and
 - (vi) Other legal matters having no direct financial impact on the Board.
- (g) The Communications Officer has the authority to execute access agreements to film in Board facilities and CPS schools, subject to approval as to legal form by the General Counsel.
- (h) The Chief Administrative Officer or designee has the authority to execute no-fee agreements regarding non-disclosure, confidentiality and network access with no further approval from the General Counsel when using an agreement approved by the Law Department.
- (i) The CPO shall file a report with the Board by the last day of each month which lists all contracts and purchase orders authorized and executed in the prior calendar month pursuant to the delegations of authority in this Section and shall include the total cost and type of solicitation used. The report shall be included on the Board's public agenda for its next regular public meeting and accepted by the Board at that meeting.