

**APPROVE ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF CHICAGO AND CHICAGO 2016 TO MAKE VARIOUS CHICAGO PUBLIC SCHOOL SITES AVAILABLE FOR USE DURING THE 2016 OLYMPIC GAMES**

**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Approve entering into an intergovernmental agreement ("IGA") with the City of Chicago ("City") and Chicago 2016, an Illinois not for profit corporation ("Chicago 2016") including any entity as successor in interest to Chicago 2016, to make various Chicago Public School Sites (the "Sites") available as necessary for the Uses set forth below during the 2016 Olympic Games (the "Games"). A written IGA is currently being negotiated. 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 IGA is stated below.

<b>PARTIES:</b>	Board of Education 125 S. Clark Street Chicago, IL 60603 Contact: Chief Executive Office Attention: Chief Executive Officer Phone: 773-553-1500	City of Chicago 121 North LaSalle Street, Room 100 Chicago, IL 60606 Contact: Department of Planning and Development Attention: Commissioner Phone: 312-744-0113
	Chicago 2016 200 E. Randolph St., Suite 2016 Chicago, IL 60601 Attention: General Counsel Phone: 312-552-2016	

**USES:** The Sites shall be used for staging, parking, administrative, and other operational purposes ancillary to the staging of the Games ("Uses").

**TERM:** The term of the IGA shall commence upon execution of the IGA and end either: (a) upon the Games being awarded to an entity other than the City or (b) September 15, 2016. On the termination, the City, if requested by the Board, shall return the Sites to the same condition that existed before any improvements were made to such Sites.

**TURNOVER DATE AND SITE CONTROL:** Control over each Site ("Site Control") shall occur at such date as is mutually agreeable to the parties or such other date as the International Olympic Committee or the United States Olympic Committee may determine is necessary for the successful operation of such Site for the Games ("Turnover Date"). After the Turnover Date, the parties agree to cooperate to minimize displacement of students and interruption of educational activities at any Site.

**MAJOR DECISIONS:** The IGA shall grant the Chief Executive Officer the power to make the following decisions ("Major Decisions"):

- (a) Select the appropriate sites and facilities owned or operated by the Board as may be necessary to effect the purposes of the Olympic Games and the IGA, including rights of substitution, addition or removal of sites, from time to time;
- (b) Set the Turnover Date for each site; the consideration to be paid to the Board; if any; and the legal form of the document related to such site (either a lease or similar agreement);
- (c) Prepare and approve public advertisements, public notices, and press releases;
- (d) Monitor employment-related and procurement requirements that apply to the Sites, which include equal employment, MBE and WBE hiring provisions; prevailing wage; and competitive bid requirements;
- (e) Determine the scope of necessary improvements to the Sites for the Uses and required retrofitting to return the Sites to the Board for normal school use;
- (f) Set the operational, logistical, and scheduling plans that assure the Board's use of the Sites after the Turnover Dates so as to limit disruption of schools activities as much as possible; and
- (g) Enter into any administrative amendments necessary to memorialize further agreements concerning Major Decisions or other agreements relating to the Sites.

**BASIC TERMS OF THE IGA:** The IGA shall provide for Site Control over the Sites from the Turnover Dates until the end of the Term, with the Board having the right to continue to use the Sites, if possible, after the Turnover Dates for essential Board purposes.

**AUTHORIZATION:** Authorize the Chief Executive Officer to enter into all of the agreements, consents, and approvals which constitute Major Decisions under the IGA. Authorize the General Counsel to include other relevant terms and conditions in the IGA and the agreements that constitute Major Decisions under the IGA. Authorize the President and Secretary to execute the IGA.

**AFFIRMATIVE ACTION:** Exempt.

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

**FINANCIAL:** No cost to the Board.

**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.

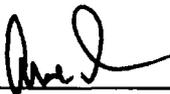
Ethics – The Board’s Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current 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

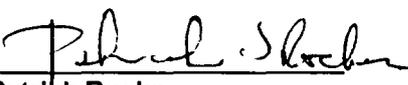
**Approved:**

  
Arne Duncan  
Chief Executive Officer

**Within Appropriation:**

  
Pedro Martinez  
Chief Financial Officer

**Approved as to legal form:** 

  
Patrick Rocks  
General Counsel 