THE CHANCELLOR RECOMMENDS:

that the Board of Trustees authorizes the Chair to exercise the option to renew the lease agreement with American Towers, LLC, associated with WYCC’s antenna/transmitter located on the 97th Floor of the John Hancock Center for the period from October 1, 2014 through September 30, 2029, at a total cost not to exceed $11,670,212.41.

VENDOR: American Towers, LLC-Chicago
10 Presidential Way
Woburn, Massachusetts 01801

USER: WYCC PBS Chicago – Kennedy-King College

ORIGINAL TERM:
The original term of this agreement commenced on May 1, 2003 and shall end on September 30, 2014.

RENEWAL TERM:
The renewal term of the agreement will begin on October 1, 2014 and end on September 30, 2029 with two (2) ten-year options to renew.

SCOPE OF SERVICES:
WYCC’s current amended broadcast facilities lease with American Towers, LLC-Chicago (former lessor was Golub & Company per Board Report #28236, August 9, 2007; American Towers, LLC-Chicago has assumed the lease per Board Report #31896, June 6, 2013) for the WYCC transmitter room of the 97th Floor of the John Hancock Center shall end on September 30, 2014. This new lease agreement will allow the continued and uninterrupted transmission of the broadcast services capability of WYCC PBS Chicago in compliance with the terms of its broadcast license.

Under the terms of the renewal, there will be an annual increase in monthly rent of 3% effective every October 1st. Pre-billed estimated CAM (common area maintenance) and tax escalation provisions remain unchanged and are outlined in current agreement. Pre-billed amounts are subject to an annual reconciliation and subsequent billing or crediting of actual costs.
BENEFIT TO CITY COLLEGES OF CHICAGO:
WYCC is licensed to the City Colleges of Chicago, and required by law to broadcast 24 hours per day, 7 days per week. The facilities lease allows WYCC to fulfill its FCC license obligations and mission to provide programming and content to the viewing public.

MBE/WBE COMPLIANCE:
The Office of M/WBE Contract Compliance has reviewed the above referenced lease renewal agreement and recommends a waiver of the Board Approved Participation Plan due to the nature of the agreement (“antenna/transmitter lease agreement”)and in turn, no opportunities for subcontracting.

GENERAL CONDITIONS:
Inspector General - It shall be the duty of each party to the agreement to cooperate with the Inspector General for City Colleges of Chicago in any investigation conducted pursuant to the Inspector General’s authority under Article 2, Section 2.7.4(b) of the Board Bylaws.

Ethics – It shall be the duty of each party to the agreement to comply with the applicable Provisions of the Board’s Ethics Policy adopted January 7, 1993, and as amended by the Board.

Contingent Liability – Pursuant to Section 7-14 of the Illinois Public Community College Act, all agreements authorized herein shall contain a clause that any expenditure beyond the current fiscal year is subject to appropriation in the subsequent fiscal year.

FINANCIAL:
Total: $11,670,212.41
Charge To: WYCC Transmitter/Antenna
Sources of Funds: O & M Fund
FY15: 561100-05501-8075018-79000

Respectfully submitted,

Cheryl L. Hyman
Chancellor

September 4, 2014 – WYCC PBS Chicago – Kennedy-King College