

34805
ADOPTED-BOARD OF TRUSTEES
COMMUNITY COLLEGE DISTRICT NO. 508
JUNE 1, 2023

BOARD OF TRUSTEES OF COMMUNITY COLLEGE DISTRICT NO. 508
COUNTY OF COOK AND STATE OF ILLINOIS

RESOLUTION

**AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT AND UNDERTAKING REQUEST WITH
THE PUBLIC BUILDING COMMISSION, AND RESCINDING BOARD REPORT 34777
THE OFFICE OF ADMINISTRATIVE AND PROCUREMENT SERVICES**

WHEREAS, the Intergovernmental Cooperation Act, 5 ILCS 220 et seq., as amended, authorizes public agencies to enter into agreements and contracts to perform any governmental service, activity, or undertaking authorized by law upon approval of their respective governing bodies; and

WHEREAS, the Public Building Commission of Chicago (PBC), was created pursuant to the Public Building Commission Act of the State of Illinois for the purpose, among others, of facilitating the development and construction of public buildings, improvements and facilities for use by local public agencies in the furnishing of essential governmental services; and

WHEREAS, the Chancellor recommends rescission of Board Report 34777, adopted on May 4, 2023; and

WHEREAS, the Board has determined it is desirable, advantageous and in the public interest to undertake projects under the City Colleges of Chicago's Capital Improvement Program in conjunction with the PBC and, therefore, a Master Intergovernmental Agreement that delineates the objectives, duties and responsibilities of the PBC and the Board is necessary;

WHEREAS, the Board has also determined that it is desirable, advantageous and in the public interest to undertake certain construction and renovation at the West Side Learning Center whereby the District would pay the PBC \$9,500,000 as outlined in an undertaking request (the "Undertaking Request"), pursuant to a Master Intergovernmental Agreement between the parties, specifically for the construction of a Community Center Addition, as well as targeted renovations of the existing structure that may be accommodated within this current funding. Any additional funding or scope may be identified in future Project phases that shall also be presented to the Board for approval; and

WHEREAS, the timing of installment payments of the \$9,500,000 to the PBC shall be predicated on a cash flow statement which PBC shall provide to the District; said cash flow statement will outline precisely what activities by PBC will be conducting and when such activities will be conducted; and

WHEREAS, Malcolm X College expects to receive grant funding to assist with payment of the \$9,500,000;

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees authorizes the Chair, upon final approval of the General Counsel of the legal form of such agreement, to execute a Master Intergovernmental Agreement (“IGA”) with the PBC for the period of June 1, 2023 through June 30, 2028; provided that the IGA shall remain effective for projects initiated under the IGA prior to June 30, 2028 until the final completion and acceptance of such projects. The Board also appoints the Vice Chancellor of Administrative Services, as the “Authorized Board Representative” who shall carry out the duties and responsibilities delineated in the Intergovernmental Agreement with the PBC. The Board of Trustees also authorizes the Chair, upon final approval of the General Counsel of the legal form of such Undertaking Request, to execute the Undertaking Request for the West Side Learning Center project and authorizes payments to PBC of an amount not to exceed \$9,500,000. The Board also hereby rescinds Board Report 34777 adopted May 4, 2023.

June 1, 2023 – The Office of Administrative and Procurement Services