

DEFERRED

04-0728-RU2

July 28, 2004

AMEND BOARD RULES 2-5, 2-5.1, 2-27, 5-4, 5-4.1,
5-5, 5-6, 5-7, 5-8, 5-9, 5-13.1, 5-21, 5-22 AND 5-29
AND REPEAL BOARD RULES 5-10.2, 5-11, 5-14 AND 5-20

The General Counsel recommends amending the following Board Rules:

~~SC~~ ~~Repeal and Amend to Board Rules and Contracts~~

- 2-27 Delegation of Board Authority
- 5-4 Bid Policy
- 5-4.1 Requests for Bids, Proposals, and/or Qualifications
- 5-5 Contract and Bond Method of Awarding Contracts
- 5-6 Deposits, Bid Bonds, Performance Bonds
- 5-7 Bid Procedure for Level One Solicitations

- 5-8 Schedule of Bids/Proposals for Level One Solicitations
- 5-9 Rejection of Bids/Proposals
- 5-13.1 Purchase of Instructional Materials, Equipment and Supplies
- 5-21 Bonding of Lunchroom Managers - Insurance of Lunchroom Funds
- 5-22 Sale of Refreshments at Stadia
- 5-29 Grants, Gifts, Donations

The General Counsel recommends repealing the following Board Rules:

Sec. 2-5. President and Secretary to Execute Leases and Contracts. Except as otherwise provided in these Rules, the President and Secretary of the Board of Education shall sign and execute all contracts duly authorized by order, resolution, or direction of the Board of Education and shall sign and execute leases of school property or property required for school purposes duly authorized by order, resolution, or direction of the Board of Education, and which have been ~~certified by the General Superintendent of Schools and~~ approved as to legal form by the ~~Attorney General Counsel~~. The Board may, at its discretion, authorize and designate a signatory for leases and contracts under certain specified dollar amounts and for ancillary documents that serve to administer or effectuate a contract or lease. In the case of absence, disability or refusal of the President to sign and execute any contract or lease, the

~~and such contracts and leases shall be deemed to be duly executed by the Board of Education~~

- 8) Personnel actions outlined in Section 4-49 of these Board Rules; and
- 9) Dismissal of tenured teachers, principals and regularly appointed personnel whose appointments have become permanent, and teacher warning resolutions (Dismissals of tenured teachers and principals shall be made pursuant to Section

b. Decisions made by the above stated officers shall be submitted to the Board Rules.

Decisions of these persons shall be in the form of Board Orders and shall be accompanied where

appropriate by statements which shall disclose any and all relevant information including sufficient

3) The Chief Education Officer has the authority to authorize and execute any and

financial impact on the Board between \$25,001 and \$75,000, subject to approval as to local form

i) contracts which by their nature are not adapted to award by competitive bidding,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

ability or fitness of the individual plays an important part;

ii) contracts for the creation or execution of bonds, tax warrants and other evidences

[REDACTED]

[REDACTED]

Sec. 5-4.1. Request for Bids, Proposals and/or Qualifications. All contracts in excess of ~~200,000~~

which are not required to be awarded through the competitive Bid Solicitation process pursuant to Board Rule 5.4, except as to emergency purchases described thereunder and purchases for which the Chief

Ineligibility under this section shall continue for three years following such conviction or admission. For purposes of this section, where an official, agent or employee of a business entity has committed such conduct described above on behalf of such an entity and pursuant to the direction or authorization of a responsible official thereof, the business entity shall be chargeable with the conduct.

~~bond. (Amended 11-18-87; 07-31-91; 01-24-96)~~

~~All bid bonds shall be signed by any responsible surety company licensed to do business in the~~

~~State of Illinois.~~

~~No proposal requiring a bid deposit shall be considered unless it is accompanied by the proper deposit or an approved annual bid bond is on file, as herein above provided.~~

~~All deposits accompanying a proposal except that of the successful bidder, shall be refunded or returned after the successful bidder has been determined.~~

~~A performance bond shall be required for all building construction and building repair work, annual purchases of fuel, and children's transportation services. A performance bond may, in the~~

case be less than \$10,000.00, and shall cover all bids submitted by such bidder during the period of the bid. All bid bonds shall be signed by a responsible surety company licensed to do business in the State

of Illinois

b. All bid deposits accompanying a bid solicitation, except that of the successful bidder, shall be refunded or returned after the successful bidder has been determined and a contract has been awarded by the Board. The bid deposit of the successful bidder shall be returned after the full execution of the contract and the tendering of any performance bond required under the contract. In case of a failure or refusal on the part of the selected bidder to execute a contract and tender a performance bond

Sec. 5-13.1. Purchase of Instructional Materials, Equipment and Supplies. To maximize

autonomy and decision-making responsibility of local schools and their respective local School Councils

local schools shall be authorized to recommend and direct the purchase for \$10,000 or less of instructional materials, equipment and supplies. The recommendation made by each Local School Council shall be implemented. The proposed purchase must be in accordance with generally applicable