

**APPROVE ENTERING INTO AN AGREEMENT WITH MILLENNIUM THREE
FOR THE PURCHASE OF LAMINATED FOAM TRAYS**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Millennium Three for the purchase of laminated foam trays for the Department of Operations- Food Services and Warehousing at a cost not to exceed \$149,125.00. Vendor was selected pursuant to a duly advertised Bid Solicitation (Specification No.01-250138). A written agreement for this purchase is available for signature. No payment shall be made to Vendor prior to the execution of the written agreement. The authority granted herein shall automatically rescind in the event a written agreement is not executed within 60 days of the date of this Board Report. Information pertinent to this agreement is stated below.

Specification NO.: 01-250138

VENDOR: Millennium Three
41 W. Congress Pkwy.
Chicago, IL 60605
Diane DeJay
(312) 786-9703
Vendor # 32064

USER: Department of Operations- Food Services & Warehousing
125 S. Clark -16th Floor
Chicago, IL 60603
Sue Susanke
(773) 553-2830

TERM: The term of this agreement shall commence on February 1, 2002 and shall end January 31, 2003 with the option to extend for two (2) additional twelve (12) month periods.

DESCRIPTION OF PURCHASE:

1. Goods: Laminated Foam Trays
Quantity: By the case (500 trays per case)
Unit Price: \$13.56
Total Cost Not to Exceed: \$149,125.00

Grand Total Cost Not to Exceed: \$149,125.00

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written agreement. Authorize the President and Secretary to execute the agreement.

AFFIRMATIVE ACTION: The M/WBE goals for this contract include:

26 % total MBE, _____ % total African American, _____ % total Hispanic, _____
_____ % total Asian and 5 % total WBE

However, the Waiver Review Committee recommends that a *partial* waiver of the participation goals for this contract as required by the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE Plan) be waived because *contract scope not further divisible*.

The vendor has, however, identified and scheduled the following firms and percentages

Total MBE 100 %

Total 100 % Hispanic:

Millennium Three, 41W. Congress Pkwy Chicago, IL 60605 \$149,125.00 100% 12/31/01

The City of Chicago Department of Procurement Services certifies each identified firm. The identified firms are subject to change upon approval from the Procurement and Contract's Division of Compliance and Vendor Services without further Board approval.

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

FINANCIAL: Charge to Food Services & Warehousing: \$149,125.00
Fiscal Year: FY02
Budget Classification: 0941-270-000-7050-5320
Source of Funds: Lunchroom Fund

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 July 26, 1995 (95-0726-EX3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics – The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

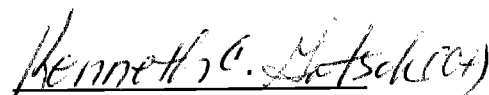
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



Anita Rocha
Acting Chief Purchasing Officer

Within Appropriation:




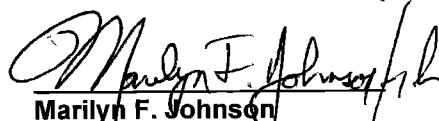
Kenneth C. Gotsch
Chief Fiscal Officer

Approved:



Arne Duncan
Chief Executive Officer

Approved as to legal form: 



Marilyn F. Johnson
General Counsel