

May 27, 2003

**RATIFY EXERCISING THE FIRST OPTION TO EXTEND THE AGREEMENT WITH LOWERY MCDONNELL FOR THE PURCHASE OF SPECIALTY CLASSROOM EQUIPMENT**

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

Ratify exercising the first option to extend the agreement with Lowery McDonnell to provide specialty classroom equipment to the Department of Operations at a cost not to exceed \$1, 266,163.45 during the extension period. A written extension document for Vendor's services is currently being negotiated. No payment shall be made to Vendor during the extension period prior to the execution of the written extension agreement. The authority granted herein shall automatically rescind in the event a written extension agreement is not executed within 90 days of the date of this Board Report. Information pertinent to this extension agreement is stated below

**SPECIFICATION NO.:** 01-250052

**Contract Administrator:** Doris Williams 553-2257

**VENDOR:** Lowery McDonnell  
1280 Mark St.  
Bensenville, IL 60106  
Scott Mills  
(630) 227-1000  
Vendor #33924

**USER:** Department of Operations/Capital Planning  
125 South Clark Street, 17<sup>th</sup> Floor  
Chicago, Illinois 60603  
Sony Griffin  
(773) 553-3121

**ORIGINAL AGREEMENT:** The original agreement (authorized by Board Report 02-0424-PR04) is for a term commencing May 1, 2002 and ending April 30, 2002, with the Board having two options to extend the agreement for additional one year periods. The original agreement was awarded pursuant to a duly advertised bid solicitation (Specification 01-250052).

**OPTION TERM:** This agreements is being extended for a term commencing May 1, 2003 and ending April 30, 2004.

**OPTION PERIODS REMAINING:** There is one option for a 12 month period remaining.

**DESCRIPTION OF PURCHASE:**

**1. Goods:** various specialty classroom equipment  
Quantity: as indicated in the contract  
Unit Prices: as indicated in the contract

Total Cost Not to Exceed: \$1,226,153.45

**COMPENSATION:** Vendor shall be paid as follows: based upon the actual items ordered at the specified unit prices in the written agreement in an amount not to exceed the sum of \$1,226,153.45 for the first option term.

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

**AFFIRMATIVE ACTION:** *The MWBE goals for this contract include:*

*26% total MBE, 16% total African American, 7.5% total Hispanic, 2% 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 (MWBE Plan) be waived because the waiver request is fair and reasonable due to the scope of the contract.*

*The vendor has identified and scheduled the following firms and percentages:*

**Total MBE% - 17.2%**

**Total African American – 9.3%**

*Leeway Technology, Inc. – 9.3%*

*P.O. Box 497-474*

*Chicago, IL 60649*

*\$ 117,354.80*

*certified until 10/31/03*

**Total Hispanic – 7.9%**

*Midwest Moving & Storage*

*1907 S. Busse Road*

*Mt. Prospect, IL 60056*

*\$ 100,518.80*

*certified until 06/30/03*

**Total Asian – 0%**

**Total WBE – 1.2%**

*El-Mar Office Supply, Inc.*

*386 E Irving Park Road*

*Roselle, IL 60172*

*\$ 14,911.05*

*certified until 06/30/06*

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

**FINANCIAL:** Charge to Capital Planning: \$1,226,163.45  
Budget Classification: 0944-454-000-9311-5400  
Source of Funds: Capital Funds

Fiscal Year: FY03

**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.

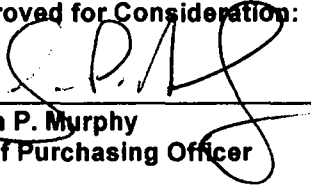
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their 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:**

  
Sean P. Murphy  
Chief Purchasing Officer

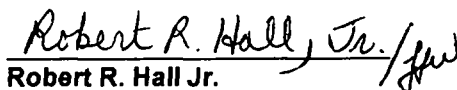
**Within Appropriation:**

  
Peggy A. Davis  
Chief of Staff

**Approved:**

  
Arne Duncan  
Chief Executive Officer

**Approved as to legal form:**

  
Robert R. Hall Jr.  
Acting General Counsel