

**APPROVE ENTERING INTO AN AGREEMENT WITH LIPPERT INC.  
FOR THE PURCHASE OF LUNCHROOM COOKING EQUIPMENT**

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

Approve entering into an agreement with Lippert Inc. for the purchase of lunchroom cooking equipment for the Department of Operations- Food Services and Warehousing at a cost not to exceed \$1,077,565.00. Vendor was selected pursuant to a duly advertised Bid Solicitation (Specification No.03-250185). A written agreement for this purchase is available for signature. No goods may be received and 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.:** 03-250185

Contract Administrator: Carol Scaggs  
(773) 553-2290

**VENDOR:** Lippert Inc.  
600 W. 172<sup>nd</sup>  
South Holland, IL 60473  
David Wax  
(708) 333-6900  
Vendor # 44636

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

**TERM:** The term of this agreement shall commence on December 1, 2003 and shall end November 30, 2004 with the option to extend for two (2) additional twelve (12) month periods.

**DESCRIPTION OF PURCHASE:**

**1. Goods:** Convection Oven, Single  
Quantity: 20  
Unit Price: \$5,266.00  
Total Cost Not to Exceed: \$105,320.00

**2. Goods:** Convection Oven, Double  
Quantity: 40  
Unit Price: \$8,425.00  
Total Cost Not to Exceed: \$337,000.00

**3. Goods:** Convection Oven, Gas  
Quantity: 20  
Unit Price: \$6,700.00  
Total Cost Not to Exceed: \$134,000.00

**4. Goods:** Double Deck Oven, Electric  
Quantity: 15  
Unit Price: \$5,735.00  
Total Cost Not to Exceed: \$86,025.00

**5. Goods:** Double Deck Oven, Gas  
Quantity: 20  
Unit Price: \$5,561.00  
Total Cost Not to Exceed: \$111,220.00

**6. Goods:** Convection Oven, Double Roll-in  
Quantity: 20  
Unit Price: \$9,400.00  
Total Cost Not to Exceed: \$188,000.00

**7. Goods:** Convection Oven, Double Deck Gas  
Quantity: 20  
Unit Price: \$5,800.00  
Total Cost Not to Exceed: \$116,000.00

**Grand Total Cost Not to Exceed:** \$1,077,565.00

**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 and 5% total WBE.

However, the Waiver Review Committee recommends that a partial waiver of the M/WBE participation goals for this contract as required by the Revised Remedial Plan be granted because the contract scope is not further divisible.

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

Total WBE: 50%

Fran;s Construction Services Inc. 700 Bruce Lane, Suite #602 Glenwood, Illinois 60425	\$538,782.50  certified until 9/30/04	50%
---	---	-----

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

**FINANCIAL:** Charge to Food Services & Warehousing: \$1,077,565.00  
Fiscal Year: FY04  
Budget Classification: 0941-270-000-7050-5730  
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.

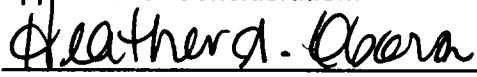
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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

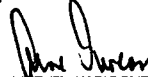
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



Heather A. Obora  
Chief Purchasing Officer

Approved:



Arne Duncan  
Chief Executive Officer

Within Appropriation:



John Maiorca  
Chief Financial Officer

Approved as to legal form:

  
Ruth Moscovitch  
General Counsel