

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

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Lippert, Inc. for the purchase of lunchroom refrigeration equipment for the Department of Operations- Food Services and Warehousing at a cost not to exceed \$500,000. Vendor was selected on a competitive basis pursuant to a duly advertised Bid Solicitation (Specification No.03-250252). 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.: 03-250252

Contract Administrator: Carol Scaggs 553-2290

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

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 May 1, 2004 and shall end April 30, 2005 with the Board having two options to renew for additional 12- month periods.

DESCRIPTION OF PURCHASE: Various lunchroom refrigeration equipment shall be ordered as needed, including items such as freezers, refrigerators, ice cube makers and ice cream freezers.

COMPENSATION: Vendor shall be paid for goods ordered by the Board at the unit prices stated in the contract; total not to exceed \$500,000.

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: This contract is in full compliance with the goals required by the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE) Plan). The M/WBE participation goals for this contract include: 26% total MBE and 5% total WBE.

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

Total MBE: 26%

Arrow Lumber
5820 S. Ashland
Chicago, IL 60636

\$ 212,798.20 or 26%

certified until September 1, 2007

Total WBE: 10%

Fran's Construction
700 Bruce Lane
Glenwood, IL 60425

\$ 553,276.00 or 10%

certified until October 1, 2004

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

FINANCIAL: Charge to Food Services & Warehousing: \$500,000 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