

APPROVE EXERCISING THE SECOND OPTION TO EXTEND THE AGREEMENT WITH LOWERY MCDONNELL FOR THE PURCHASE OF SPECIALTY CLASSROOM EQUIPMENT

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve exercising the second option to extend the agreement with Lowery McDonnell to provide specialty classroom equipment to the Department of Operations at a cost not to exceed \$1,354,794.85 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, 17th 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 further extend for a term commencing May 1, 2003 and ending April 30, 2004. The original agreement was awarded pursuant to a duly advertised bid solicitation (Specification 01-250052).

OPTION TERM: This agreement is being extended for a term commencing May 1, 2004 and ending April 30, 2005.

OPTION PERIODS REMAINING: There are no option periods 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: \$1,354,794.85

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 \$1,354,794.85 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 M/WBE 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 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 identified and scheduled the following firms and percentages:

Total MBE% - 31%

Total African American – 18%

Leeway Technology, Inc.

439 E. 31st Street

Chicago, IL 60616

\$ 243,863.07

certified through 11/01/04

Total Hispanic – 13%

Midwest Moving & Storage, Inc.

1255 Tonne Road

Elk Grove Village, IL 60007

\$ 174,769

certified through 07/01/04

Total WBE% - 5%

EI-Mar Office Supply

386 E. Irving Park Road

Roselle, IL 60172

\$ 14,911.05

certified through 06/30/04

Office Installs.com, Inc.

3049 W. Harrison

Chicago, IL 60612

\$ 67,739.74

certified through 10/01/04

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

FINANCIAL: Charge to Capital Planning: \$1,354,794.85 Fiscal Year: FY04
Budget Classification: 0944-458-000-9311-5400
Source of Funds: Capital Funds

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.

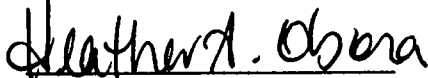
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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

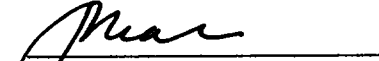
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



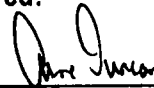
**Heather A. Obora
Chief Purchasing Officer**

Within Appropriation:



**John Maiorca
Chief Financial Officer**

Approved:



**Arne Duncan
Chief Executive Officer**

Approved as to legal form: 



**Ruth Moscovitch
General Counsel**