

July 28, 2004

**APPROVE ENTERING INTO AN AGREEMENT WITH FRAN'S CONSTRUCTION SERVICES, INC.
FOR THE PURCHASE OF HOLDING AND TRANSPORT EQUIPMENT**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Fran's Construction Services, Inc. for the purchase of holding and transport equipment for the Department of Operations- Food Services and Warehousing at a cost not to exceed \$350,000. Vendor was selected on a competitive basis pursuant to a duly advertised Bid Solicitation (Specification No. 04-520066). A written agreement for this purchase is available for signature. No goods may be ordered or 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 90 days of the date of this Board Report. Information pertinent to this agreement is stated below.

Specification No.: 04-250066

VENDOR: Fran's Construction Services, Inc.
700 Bruce # 602
Glenwood, IL 60425
(800) 251-4589
Fran Singer
Vendor # 12104

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

TERM: The term of this agreement shall commence August 1, 2004 and shall end July 31, 2005. This agreement shall have two options to renew for periods of 12 months each.

EARLY TERMINATION RIGHT: The Board shall have the right to terminate this agreement with 30 days written notice.

DESCRIPTION OF PURCHASE:

- | | |
|---|--|
| 1. Holding and Transport Cabinets
(15 pan capacity)
Unit Price: \$2,625 | 2. Holding and Transport Cabinets
(7 pan capacity)
Unit Price: \$1,768 |
|---|--|

OUTCOMES: This purchase will result in schools being able to order holding and transport cabinets.

COMPENSATION: Vendor shall be paid in accordance with the unit prices contained in the agreement; not to exceed the sum of \$350,000.

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. Authorize Chief Operating Officer to execute all ancillary documents required to administer or effectuate this 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:

Total MBE % - 26%

Total African American – 26%

Arrow Lumber Co.
5820 South Ashland Ave.
Chicago, Illinois 60636
\$ 91,000

certified through 09/01/04

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

FINANCIAL: Charge to : Food Services \$350,000 Fiscal Year:FY05
Budget Classification: 0941-270-000-7050-5730 Source of Funds: Lunchroom Fund, 270

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.

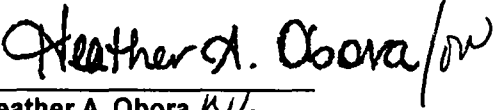
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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

Approved:




Arne Duncan
Chief Executive Officer

Within Appropriation:



John Malorca
Chief Financial Officer

Approved as to legal form: 



Ruth M. Moscovitch
General Counsel 