

**APPROVE ENTERING INTO AN AGREEMENT WITH GRIZZLY PEAK INC.
FOR THE PURCHASE OF GYMNASIUM EQUIPMENT**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Grizzly Peak Inc. for the purchase of gymnasium equipment for the Department of Operations at a cost not to exceed \$950,000. Vendor was selected on a competitive basis in accordance with Board Rule 5-4.1 pursuant to a duly advertised Bid Solicitation (Specification No. 05-250019).

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.

VENDOR: Grizzly Peak Inc.
3052 N. Rockwell (P.O. Box 6452)
Chicago, IL 60680
Andrea Vargas Clark
(773) 604-2206
Vendor #24638

USER: Department of Operations
125 South Clark-16th Floor
Chicago, IL 60603
Maye Kelsey
(773) 553-2900

TERM: The term of this agreement shall commence on August 1, 2005 and shall end November 30, 2007. This agreement shall have two options to renew for periods of one-year each.

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

DESCRIPTION OF PURCHASE:

Goods: various gymnasium equipment
Quantity: as indicated in the contract
Unit Price: as indicated in the contract
Total Cost Not to Exceed: \$950,000.00

OUTCOMES: This purchase will result in quality gymnasium equipment.

COMPENSATION: Vendor shall be paid in accordance with the unit prices contained in the agreement; not to exceed the sum of \$950,000.00.

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. 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 the contract include: 35% total MBE and 5% WBE.

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

Total MBE %

Grizzly Peak Inc.
3052 N. Rockwell P.O. Box 6452
Chicago, IL. 60608

95% Hispanic Participation
@ \$ 902,500.00
Certified until December 1, 2005

Total WBE %

J & J Motor Freight
2338 S. Indiana Ave.
Chicago, IL. 60616

5% Women Business Enterprise
@ \$ 47,500.00
Certified until September 1, 2005

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

FINANCIAL: Charge to Operation: \$950,000.00
\$475,000-FY06
\$475,000-FY07
Budget Classification: 0948-467-000-9567-5400
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 June 26, 1996 (96-0626-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics – The Board's Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

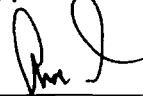
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



Heather A. Obora
Chief Purchasing Officer

Approved:



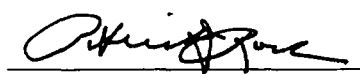
Arne Duncan
Chief Executive Officer

Within Appropriation:



John Malorca
Chief Financial Officer

Approved as to legal form: 



Patrick J. Rocks
General Counsel