

**APPROVE EXERCISING THE SECOND OPTION TO EXTEND THE AGREEMENT  
WITH LIPPERT, INC. FOR THE PURCHASE OF LUNCHROOM REFRIGERATION EQUIPMENT**

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

Approve exercising the option to extend the agreement with Lippert, Inc. for the purchase of lunchroom refrigeration equipment at a cost for the option period not to exceed \$200,000. A written document exercising this option is currently being negotiated. No payment shall be made to Consultant/Vendor during the option period prior to the execution of the written document. The authority granted herein shall automatically rescind in the event a written document is not executed within 90 days of the date of this Board Report. Information pertinent to this option is stated below.

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

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

**ORIGINAL AGREEMENT:** The original Agreement (authorized by Board Report 04-0428-PR5) in the amount of \$500,000 is for a term commencing May 1, 2004 and ending April 30, 2005, with the Board having two option(s) to extend for 12- month periods. The agreement was further extended (authorized by Board Report 05-0427-PR4) for a term commencing May 1, 2005 and ending April 30, 2006. The original agreement was awarded on a competitive basis pursuant to a duly advertised Bid Solicitation (Specification No. 03-250252).

**OPTION PERIOD:** The term of this agreement is being extended for 12-months commencing May 1, 2006 and ending April 30, 2007.

**OPTION PERIODS REMAINING:** There are no option periods remaining.

**SCOPE OF SERVICES:** Vendor will continue to provide various lunchroom refrigeration equipment to be ordered as needed, including items such as freezers, refrigerators, ice cube makers and ice cream freezers.

**DELIVERABLES:** Vendor will continue to provide quality lunchroom refrigeration equipment.

**OUTCOMES:** Vendor's services will result in quality lunchroom refrigeration equipment.

**COMPENSATION:** Vendor shall be paid during this second option period for goods ordered by the Board at the unit prices stated in the contract; total not to exceed \$200,000.

**AUTHORIZATION:** Authorize the General Counsel to include other relevant terms and conditions in the written option document. Authorize the President and Secretary to execute the option document. Authorize Chief Operating Officer to execute all ancillary documents required to administer or effectuate this option 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: 26% total MBE and 5% total WBE.

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

Total MBE – 26%

Arrow Lumber  
5820 South Ashland Ave.  
Chicago, Illinois 60636  
Awarded 26%

certified through 02/01/2006

Total WBE – 5%

Fran's Construction  
1140 Hillside Avenue  
Antioch, Illinois 60002  
Awarded 5%

certified through 09/01/2006

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

**FINANCIAL:** Charge to Food Services: \$200,000 Fiscal Year: FY06&07  
Budget Classification: 0941-270-000-7050-5730  
Source of Funds: Lunchroom 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 member 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.

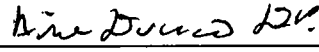
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



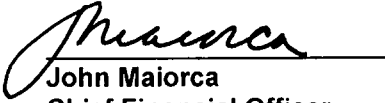
Heather A. Obara  
Chief Purchasing Officer

Approved:



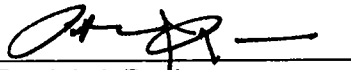
Arne Duncan  
Chief Executive Officer

Within Appropriation:



John Maiorca  
Chief Financial Officer

Approved as to legal form: 



Patrick J. Rocks  
General Counsel