

**APPROVE ENTERING INTO AN AGREEMENT WITH LOWERY MCDONNELL
FOR THE PURCHASE OF SPECIALTY CLASSROOM EQUIPMENT**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Lowery McDonnell for the purchase of specialty classroom equipment for the Department of Operations at a cost not to exceed \$1,064,317.05. Vendor was selected pursuant to a duly advertised Bid Solicitation (Specification #01-250052). A written agreement for this purchase is available for signature. 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.: 01-250052

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

TERM: The term of this agreement shall commence on May 1, 2002 and shall end April 30, 2003, with the Board having the option to extend the contract for two additional one-year periods at the following not to exceed amount: option year 1-\$1,138,819.24; option year 2- \$1,218,536.59.

DESCRIPTION OF PURCHASE:

1. Goods: various specialty classroom equipment

Quantity: as indicated in the contract

Unit Price: as indicated in the contract

Total Cost Not to Exceed: \$1,064,317.05

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 \$1,064,317.05 for the term.

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: 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 participation goals for this contract as required by the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE PLAN) be granted because the contract scope is not further divisible.*

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

Total MBE 10%

Total African American 4%

Leeway Technology

P.O. Box 497-474

Chicago, IL 60649

\$46,569.99

4%

certification pending

Total Hispanic 6%

Midwest Moving & Storage
1907 S. Busse Road
Mt. Prospect, IL 60056

\$68,416.73 6%

certified until June 30, 2002

Total WBE 1%

El-Mar Office Supply
306 E. Irving Park Blvd.
Roselle, IL

\$14,201.00 1%

certified until August 31, 2002

The City of Chicago Department of Procurement Services certifies each identified firm. The identified firms are subject to change upon approval from the Procurement and Contract's Division of Compliance and Vendor Services without further Board approval.

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

FINANCIAL: Charge to Capital Planning: \$1,064,317.05 Fiscal Year: FY02
Budget Classification: 0944-492-000-9311-5400
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.

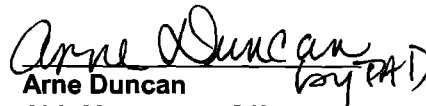
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:

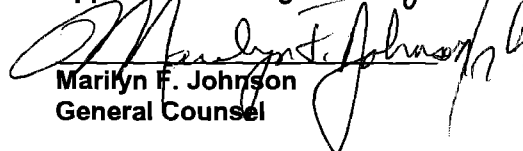

Anita Rocha
Acting Chief Purchasing Officer

Within Appropriation:


Kenneth C. Gotsch
Chief Fiscal Officer

Approved:


Arne Duncan
Chief Executive Officer

Approved as to legal form:


Marilyn F. Johnson
General Counsel