

**RATIFY EXERCISING THE OPTION TO EXTEND THE AGREEMENT WITH LOWERY McDONNELL
FOR MUSIC EQUIPMENT**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Ratify exercising the option to extend the agreement with Lowery McDonnell to provide music equipment to the Department of Operations at a cost not to exceed \$844,156.83 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 agreement is stated below

SPECIFICATION NO.: 01-250228

Contract Administrator: David Blackwell (773) 553-2268

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
Sonya Griffin
(773) 553-3121

ORIGINAL AGREEMENT: The original agreement (authorized by Board Report 02-0327-PR10) is for a term commencing April 1, 2002 and ending March 31, 2003, with the Board having two options to extend the agreement for additional one year periods. The original agreement was awarded pursuant to a duly advertised bid solicitation (Specification 01-250228).

OPTION TERM: This agreement shall be extended for a term commencing on April 1, 2003 and ending March 31, 2004.

OPTION PERIODS REMAINING: There is one option for one 12 month period remaining.

SCOPE OF SERVICES: Vendor shall continue to provide music equipment for all Chicago Public Schools including delivery, installation, labor, assembly, and clean up.

DELIVERABLES: Vendor shall continue to deliver music equipment to Chicago Public Schools for new schools, additions, modular, renovation projects, and provide replacement furniture for existing facilities, install furniture, assemble furniture and clean-up.

OUTCOMES: Vendor's services shall continue to result in the management of the ordering, delivery and labor of all furniture to be supplied to schools for the Capital Improvement Program and other schools as requested.

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 \$844,156.83 for the term.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written renewal agreement. Authorize the President and Secretary to execute the renewal agreement.

AFFIRMATIVE ACTION: The M/WBE goals for the contract include: 35% total MBE, 22% total African American, 10% 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% - 21.7%

Total African American – 8.8%

Leeway Technology, Inc.

P.O. Box 497-474

Chicago, IL 60649

\$74,054 – 8.8%

certified until 10/31/03

Total Hispanic – 12.9%

Midwest Moving & Storage, Inc.

1907 S. Busse Road

Mt. Prospect, IL 60056

\$108,614.50 – 8.8%

certified until 06/30/03

Total Asian – 0%

Total WBE% - 1.8%

El Mar Office Supply, Inc.

386 E. Irving Park Road

Roselle, IL 60172

\$14,911.05 – 1.8%

certified until 07/31/07

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

FINANCIAL: Charge to Capital Planning: \$844,156.83

Fiscal Year: FY04

Budget Classification: FY04

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).

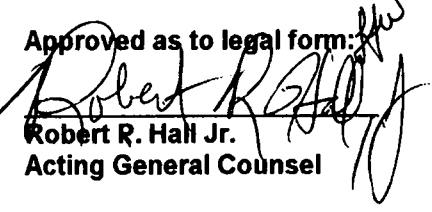
Approved for Consideration:


Sean P. Murphy
Chief Purchasing Officer

Within Appropriation:


Peggy A. Davis
Chief of Staff

Approved as to legal form:


Robert R. Hall Jr.
Acting General Counsel

Approved:


Arne Duncan
Chief Executive Officer

(by PAD)