

AMEND BOARD REPORT 04-0324-PR5
APPROVE ENTERING INTO AN AGREEMENT WITH LOWERY MCDONNELL COMPANY
TO PROVIDE OFFICE/CLASSROOM AND LIBRARY FURNITURE

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Lowery McDonnell Company to provide office/classroom and library furniture to the Department of Operations at a cost not to exceed ~~\$4,176,216.43~~ \$5,182,216.43 for a 2-year period. Vendor was selected on a competitive basis pursuant to a duly advertised Bid Solicitation (Specification No.03-250281). A written agreement for this purchase is available for signature. No goods may be ordered 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 60 days of the date of this Board Report. Information pertinent to this agreement is stated below.

This amended Board Report is necessary to increase the dollar amount of the contract by \$1,006,000.00 for the purchase of additional goods because there are more new schools opening. A written amendment to the agreement is currently being negotiated. No payment for these additional goods shall be made prior to the execution of the written agreement. The authority granted herein shall automatically rescind in the event a written amendment is not signed within 90 days of this amended Board Report.

SPECIFICATION NO.: 03-250280

VENDOR: Lowery McDonnell Company
1280 Mark Street,
Bensenville, Illinois 60106
(630) 227-1000
Contact Person: Scott Mills
Vendor #: 33924

USER: Department of Operations/Capital Planning
125 South Clark Street, 16th Floor
Chicago, IL 60603
Contact Person: Sonya Griffin

TERM: The term of this agreement shall commence on April 1, 2004 and shall end March 31, 2006 with the Board having the option to extend the agreement for two (2) additional twelve (12) month periods.

SCOPE OF SERVICES: Vendor shall provide office, classroom and library furniture as itemized in the written agreement for all Chicago Public Schools including delivery, installation, labor, assembly and clean up.

DELIVERABLES: Lowery McDonnell Company shall deliver office, classroom and library furniture to the Chicago Public Schools for new schools, additions, modulars, leased facilities, renovation projects, and existing facilities. Vendor shall also install furniture, assemble furniture and clean-up as specified in the written agreement.

OUTCOMES: Lowery McDonnell Company's services shall result in the management of the ordering, delivery and installaiton of all furniture to be supplied to schools.

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 ~~\$4,176,216.43~~ \$5,182,216.43 for the 2-year 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: 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 goals for the contract are: 26% total MBE and 5% total WBE.

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

Total MBE - 26%

Leeway Technologies, Inc. (AA)
439 E. 31st Street
Chicago, IL 60616 certified through 11/01/04

Midwest Moving & Storage, Inc. (H)
1255 Tonne Road
Elk Grove Village, IL 60007 certified through 07/01/04

Total WBE - 5%

Office Installs.Com, Inc.
3049 W. Harrison Street
Chicago, IL 60612 certified through 10/01/04

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

FINANCIAL: Charge to Operations: \$4,176,216.43 +6,000 Fiscal Year: FY04&05
Budget Classification: 0944-458-000-9311-5400
Source of Funds: Capital Funds

Charge to Various School: \$1,000,000.00 Fiscal Year: FY04&05
Budget Classification: various school units
Source of Funds: various school units

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.

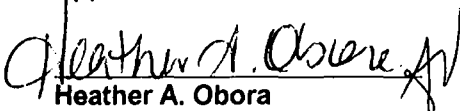
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board member during the one year period following expiration or other termination of their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

Indebtedness – The Board's Indebtedness Policy adopted July 26, 1995 (95-0726-EX3), as amended from time to time, shall be incorporated into and made a part of the agreement.

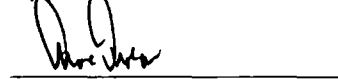
Ethics – The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

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
Chief Purchasing Officer


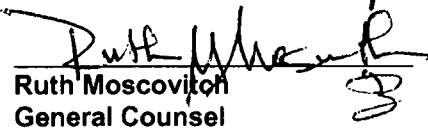
Approved:


Arne Duncan
Chief Executive Officer

Within Appropriation:



John Maiorca
Chief Financial Officer

Approved as to legal form: 


Ruth Moscovitch
General Counsel