

**APPROVE EXERCISING THE FIRST OPTION TO EXTEND THE AGREEMENT WITH LIPPERT INC.
FOR THE PURCHASE OF LUNCHROOM COOKING EQUIPMENT**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve exercising the first option to extend the agreement with Lippert Inc. for the purchase of lunchroom cooking equipment for the Department of Operations- Food Services and Warehousing at a cost not to exceed \$200,000 during this first option period. A written extension agreement for this purchase 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 extension agreement is stated below.

Specification No.: 03-250185

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

USER: Department of Operations- Food Services & Warehousing
125 S. Clark -16th Floor
Chicago, IL 60603
Sue Susanke
(773) 553-2830

ORIGINAL AGREEMENT: The original agreement (authorized by Board Report 03-1217-PR05) is for a term commencing December 1, 2003 and ending November 30, 2004, with the Board having the option to extend the agreement for two (2) additional twelve (12) month periods. The original agreement was awarded on a competitive basis pursuant to a duly advertised Bid Solicitation (Specification No.03-250185).

OPTION PERIOD: The agreement is being extended for a term commencing December 1, 2004 and ending November 30, 2005.

OPTION PERIOD REMAINING: There is one one-year option period remaining.

DESCRIPTION OF PURCHASE:

1. Goods: Convection Oven, Single
Unit Price: \$5,266.00

2. Goods: Convection Oven, Double
Unit Price: \$8,425.00

3. Goods: Convection Oven, Gas
Unit Price: \$6,700.00

4. Goods: Double Deck Oven, Electric
Unit Price: \$5,735.00

5. Goods: Double Deck Oven, Gas
Unit Price: \$5,561.00

6. Goods: Convection Oven, Double Roll-in
Unit Price: \$9,400.00

7. Goods: Convection Oven, Double Deck Gas
Unit Price: \$5,800.00

OUTCOMES: This purchase will continue to result in schools being able to order lunchroom cooking equipment.

COMPENSTATION: Vendor shall be paid in accordance with the unit prices contained in the agreement;

no to exceed the sum of \$200,000 during the first option period.

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

AFFIRMATIVE ACTION: The M/WBE goals for this contract include: 26% MBE & 5% WBE.

However, the Waiver Review Committee recommends that a partial waiver of the M/WBE 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 companies:

Total WBE – 45%

Fran's Construction
7000 Bruce Lane, Suite 602
Glenwood, Illinois 60425
\$ 90,000.00 – 45% certified through 09/30/2004

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

FINANCIAL: Charge to Food Services & Warehousing: \$200,000
Fiscal Year: FY05
Budget Classification: 0941-270-000-7050-5730
Source of Funds: Lunchroom Fund

GENERAL CONDITIONS:

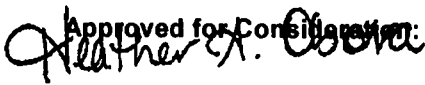
Inspector General – Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel 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.

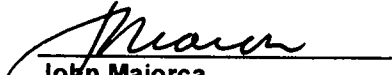
Ethics – The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

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).


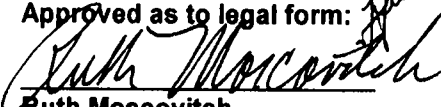
Approved for Consideration:


Heather A. Obora P.H.
Chief Purchasing Officer

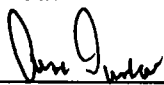
Within Appropriation:



John Maiorca
Chief Financial Officer

Approved as to legal form: 


Ruth Moscovitch
General Counsel

Approved:


Arne Duncan
Chief Executive Officer