

APPROVE PAYMENT AND AMEND BOARD REPORT 08-0827-PR3
AMEND BOARD REPORT 08-0602-PR10
AMEND BOARD REPORT 08-0123-PR1
RATIFY AMENDMENT TO BOARD REPORT 07-0822-PR3
AMEND BOARD REPORT 07-0627-PR13
RATIFY EXTENDING THE AGREEMENT WITH LOWERY MCDONNELL COMPANY
TO PROVIDE OFFICE/CLASSROOM AND LIBRARY FURNITURE

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Ratify extending the agreement with Lowery McDonnell Company to provide office/classroom and library furniture to Department of Operations at a cost for the option period not to exceed ~~\$3,800,000~~ \$7,671,758.00. A written document exercising this extension is currently being negotiated. No payment shall be made to Vendor during the extension 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.

This amendment is necessary to (i) extend the agreement for a 1-month period, and (ii) increase the compensation amount by \$1,400,000. A written amendment to the agreement is currently being negotiated. No payment for these services shall be made prior to the execution of the written amendment. The authority granted herein shall automatically rescind in the event a written amendment is not signed within 90 days of this amended Board Report.

Ratification of this amendment is necessary to (i) extend the agreement for an additional 8-month period, and (ii) increase the compensation amount by \$500,000. A written amendment to the agreement is currently being negotiated. No further payment for these goods or services shall be made prior to the execution of the written amendment. The authority granted herein shall automatically rescind in the event a written amendment is not signed within 90 days of this amended Board Report.

This third amendment is necessary to increase the compensation amount by \$1,500,000 for new furniture orders needed for new schools, turnaround schools, consolidations schools and grade expansions. The authority granted herein shall automatically rescind in the event a written agreement is not signed within 30 days of this amended Board Report.

This fourth amendment is necessary to extend the agreement for 6-month period. A written amendment to the renewal agreement is required. The authority granted herein shall automatically rescind in the event a written amendment is not signed within 90 days of this amended Board Report.

This fifth amendment is necessary to approve payment and increase the compensation amount by \$3,871,758.00 for furniture ordered and delivered to new schools, turnaround schools, consolidations schools and grade expansions citywide. These purchases were made prior to Board approval to increase the compensation amount. The authority granted herein shall automatically rescind in the event a written amendment to the agreement is not signed within 90 days of this amended Board Report.

VENDOR: Lowery McDonnell Company
1280 Mark Street 255 Mittel Drive
Bensenville, Illinois 60106 Wood Dale, IL 60191
Scott Mills
(630) 227-1000
Vendor # 33924

USER: Department of Operations/Capital Planning
125 South Clark-16th Floor
Chicago, IL 60603
Melinda Venditti
(773) 553-2961

ORIGINAL AGREEMENT: The original agreement (authorized by Board Report 04-0324-PR5, as amended by Board Reports 04-0728-PR16 and 06-0222-PR1) is for a term commencing April 1, 2004 and ending March 31, 2006, with the Board having (2) two options to renew for twelve (12) month periods. The agreement was renewed (authorized by Board Report 06-0524-PR1) for a term commencing April 1, 2006 and ending March 31, 2007. This agreement was extended to September 1, 2007, pursuant to Board Report No.: 07-0627-PR13. This agreement was again amended to extend it to October 31, 2007, pursuant to Board Report No.: 07-0822-PR3. The original agreement was awarded on a competitive basis pursuant to a duly advertised Bid Solicitation (Specification No. 03-250281).

EXTENSION PERIOD: The term of this agreement is being extended for a term commencing April 1, 2007 and ending December 31, 2008.

OPTION PERIODS REMAINING: There are no option periods remaining.

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

DELIVERABLES: Lowery McDonnell Company shall continue to 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 will result in the management of the ordering, delivery and installation of all furniture to be supplied to schools.

COMPENSATION: Vendor shall be paid as follows during the extension period: based upon the actual items ordered at the specified unit prices in the written agreement in an amount during the extension period not to exceed the sum ~~\$3,800,000~~ \$7,671,758.00.

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

Moreno & Sons, Inc. (H)
2366 Plainfield Road, Route 30
Crest Hill, Illinois 60435 certified through 05/01/2008

Midwest Moving & Storage, Inc. (H)
1255 Tonne Road
Elk Grove Village, IL 60007 certified through 11/01/2008

Total WBE - 5%

EI-Mar Office Supply, Inc.
22 Congress Circle West
Roselle, IL 60172 certified through 05/01/2008

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

FINANCIAL: Charge to Operation: ~~\$3,900,000~~ \$7,671,758.00 Fiscal Year: FY07/08
 Budget Classification: 12150-474-54105-009514-2007
 12150-478-54105-009546-2008
 12150-499-54105-009546-2009 Fiscal Year: FY09

12150-436-55005-009546000000-2009 \$ 65,000.00
26341-499-54105-009546-000000-2009 \$ 254,650.00
12150-499-54105-009546-000000-2009 \$3,214,517.00
32011-470-54105-009441-000000-2005 \$ 337,591.67

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.

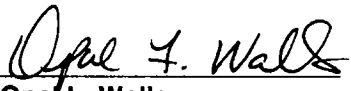
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board member .0during the one year period following expiration or other termination of their 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.

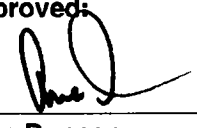
Ethics – The Board’s Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

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:


 Opa L. Walls
 Chief Purchasing Officer


Approved:


 Arne Duncan
 Chief Executive Officer

Within Appropriation:


 Pedro Martinez
 Chief Financial Officer

Approved as to legal form: 


 Patrick J. Rocks
 General Counsel