

September 24, 2014

AUTHORIZE FIRST RENEWAL AGREEMENT WITH BSN SPORTS, INC DBA US GAMES FOR PHYSICAL EDUCATION SUPPLIES AND EQUIPMENT**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Authorize first renewal agreement with BSN Sports, Inc dba US Games to provide physical education supplies and equipment to all schools at a total cost not-to-exceed \$2,000,000.00. A written document exercising this option is currently being negotiated. No payment shall be made to BSN Sports, Inc dba US Games during the option period prior to 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.

Contract Administrator : Wilkerson, Ms. Iman / 773-553-2280

VENDOR:

- 1) Vendor # 22464
BSN SPORTS, INC DBA US GAMES
PO BOX 7726
DALLAS, TX 75209
Nick Martinez
800 527-7510

USER INFORMATION :

Project 12210 - Procurement and Contracts Office
Manager: 125 South Clark Street 10th Floor
Chicago, IL 60603
Kamberos, Ms. Sophia
773-553-2280

ORIGINAL AGREEMENT:

The original Agreement (authorized by Board Report 13-0227-PR16) in the amount of \$2,000,000.00 is for a term commencing May 29, 2013 and ending September 30, 2014, with the Board having two (2) options to renew for periods of one year each. The original agreement was awarded on a competitive basis pursuant to an RFP issued by the Hartford County Public Schools ("HCPS"), Maryland on behalf of U.S. Communities Purchasing Alliance. Subsequently, HCPS and BSN Sports entered into a Master Agreement (Contract Number 10-JLH-001-RFP). Pursuant to Board Rule 7-2.7, the Board is authorized to purchase biddable items through the Illinois School Purchasing Network or a governmental purchasing cooperative contract.

OPTION PERIOD:

The term of this agreement is being renewed for one (1) year commencing October 1, 2014 and ending September 30, 2015.

OPTION PERIODS REMAINING:

There is one (1) option period for one (1) year remaining.

SCOPE OF SERVICES:

Vendor will continue to provide physical education supplies and equipment at discounted prices.

DELIVERABLES:

Vendor will continue to provide physical education supplies and equipment.

OUTCOMES:

The agreement will result in the district-wide purchase of physical education supplies and equipment with a potential estimated cost savings of approximately 20%.

COMPENSATION:

Vendor shall be paid in accordance with the unit prices contained in the agreement; total for this option period not to exceed the sum of \$2,000,000.00. Estimated annual costs for this option period are set forth in financial section below.

AUTHORIZATION:

Authorize the General Counsel to include other relevant terms and conditions in the written option document. Authorize the President and Secretary to execute the option document. Authorize Chief Procurement Officer to execute all ancillary documents required to administer or effectuate this option agreement.

AFFIRMATIVE ACTION:

This agreement shall be excluded from the requirements of the CPS Remedial Program for Minority and Women Owned Business Enterprise Participation in Goods and Services Contracts, as the Board has exercised Board Rule 7.2-7; which authorizes the District to purchase biddable items from vendors who have contracted with other governmental entities. The Master Agreement between HCPS and BSN Sports had no MBE/WBE participation and the Office of Business Diversity cannot enforce MBE/WBE requirements on an agreement that originally had none.

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

Charge to various schools and departments

FY15: \$1,500,000.00

FY16: \$500,000.00

Total not-to-exceed: \$2,000,000.00

Future year funding is contingent upon budget appropriation and approval

CFDA#:

Not Applicable

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 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 May 25, 2011 (11-0525-PO2), 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:



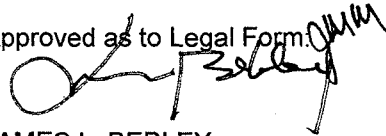
SÉBASTIEN de LONGEAUX
Chief Procurement Officer

Approved:



BARBARA BYRD-BENNETT
Chief Executive Officer

Approved as to Legal Form:



JAMES L. BEBLEY
General Counsel