

March 26, 2003

**APPROVE ENTERING INTO AGREEMENTS WITH VARIOUS VENDORS
FOR THE PURCHASE OF ORCHESTRA, BAND, CONCERT UNIFORMS AND ACCESSORIES**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into agreements with the vendors listed below for the purchase of orchestra, band, concert uniforms and accessories for Chicago Public Schools high schools and elementary schools at an aggregate cost not to exceed \$300,000. Vendors were selected pursuant to a duly advertised Bid Solicitation (Specification No. 02-250165-A). A written master agreement for each vendor is available for signature. No goods may be received and no payment shall be made to vendors prior to the execution of the written agreement. The authority granted herein shall automatically rescind as to each vendor in the event a written agreement for such vendor is not executed within 60 days of the date of this Board Report. Information pertinent to these agreements is stated below.

Specification No.: 02-250165A

Contract Administrator: Linda Newcomb-Kelly 553-2278

VENDORS:

- | | | |
|---|--|--|
| <p>1. Demoulin Brothers & Company
1025 S. Fourth Street
Greenville, IL 62246
William S. Marsden
800-228-8134
Vendor # 15211
Sections: 1-4 inclusive</p> | <p>2. Bandmans Company
1304 Enterprise Drive
Romeoville, IL 60446
Paul E. Phillips
630-759-6969
Vendor # 38477
Sections: 1-4 inclusive</p> | <p>3. CH Millery
1636 W. 95th St.
Chicago, IL 60643
Audrey Wright
773-239-7521
Vendor # 34472
Sections: 1-4 inclusive</p> |
|---|--|--|

USER: Office of the Deputy Chief Education Officer
125 S. Clark, 10th Floor
Eva Nickolich
773-553-1444

TERM: The term of each agreement shall commence on April 1, 2003 and shall end January 31, 2005. Each agreement shall have two additional options to extend for one-year periods subject to Board approval.

SCOPE OF SERVICES: Each vendor shall provide a catalog(s) containing various orchestra, band, and concert uniforms and accessories. Schools may purchase goods as needed via a purchase order.

EARLY TERMINATION RIGHT: The Board shall have the right to terminate each agreement upon 30 days notice to vendors.

DESCRIPTION OF PURCHASE:

Goods: Each vendor shall provide orchestra, band, and concert uniforms and accessories in those sections stated above which represent various types of music uniforms and accessories on an as needed basis.

Quantity:	As needed
Unit Prices:	Discounts ranging from 8% to 40%
Total Cost Not to Exceed:	\$300,000

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written agreements. Authorize the President and Secretary to execute the agreements. Authorize the Deputy Chief Education Officer to execute all ancillary documents required for administering or effectuating these agreements.

AFFIRMATIVE ACTION:

The M/WBE goals for Demoulin's contract include: 26% total MBE, 16% total African American, 7.5% 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, however, identified and scheduled the following firms and percentages.

Total MBE 20%

Total 20% African American:

<i>CH Millery</i>	<i>1636 West 95th St., Chgo., IL 60643</i>
<i>\$20,000.00</i>	<i>Reapplied 8/28/02</i>

The M/WBE goals for Bandmans' contract include: 26% total MBE, 16% total African American, 7.5% 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, however, identified and scheduled the following firms and percentages.

Total MBE 26%

Total 26% Hispanic:

<i>School Smarties</i>	<i>7121 West Archer Ave., Chgo., IL 60638</i>
<i>\$26,000.00</i>	<i>Certified through 6/30/03</i>

CH Millery's 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 participation goals for the contract include: 26% total MBE, 16% total African American, 7.5% total Hispanic, 2% total Asian and 5% total WBE. The vendor has identified and scheduled the following firms and percentages:

Total MBE 95%

Total 82.5% African American:

<i>CH Millery</i>	<i>1636 West 95th St., Chgo., IL 60643</i>
<i>82,500/82.5%</i>	<i>Reapplied 8/28/02</i>

Total 8.5% Hispanic:

<i>Azteca Supply</i>	<i>600 West 41st, Chgo., IL 60609</i>
<i>\$8,500.00</i>	<i>Certified through 8/31/03</i>

Total 4% Asian:

<i>Kimsuco</i>	<i>425 Lake St., Suite F, Antioch, IL 60002</i>
<i>\$4,000.00</i>	<i>Certified 2/28/03</i>

Total WBE 5%

<i>EE Bailey</i>	<i>11520 S. Halsted St., Chgo., IL 60628</i>
<i>\$5,000.00</i>	<i>Certified through 2/28/03</i>

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

FINANCIAL: Charge to: Office of Schools and Regions, \$90,000
 Fiscal Year: 2003
 Budget Classification: 0953-210-000-2231-5320
 Source of Funds: Gen Educational 210

The remainder of the funds totaling \$210,000 will be budgeted by individual schools as they purchase music uniforms and accessories.

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

Approved:


Arne Duncan
Chief Executive Officer

Within Appropriation:


Kenneth C. Gotsch
Chief Fiscal Officer

Approved as to legal form:


Marilyn F. Johnson
General Counsel