

**APPROVE EXERCISING THE FIRST OPTION TO RENEW THE AGREEMENTS WITH VARIOUS VENDORS  
FOR THE PURCHASE OF ORCHESTRA, BAND, AND CONCERT UNIFORMS AND ACCESSORIES**

**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Approve exercising the first option to renew the agreements with the vendors listed below for the purchase of orchestra, band, and concert uniforms and accessories for Chicago Public Schools high schools and elementary schools at an aggregate cost not to exceed \$300,000. A written renewal agreement for each vendor is currently being negotiated. No payment shall be made to any vendor during the option period prior to execution of such vendor's written renewal. The authority granted herein shall automatically rescind as to each vendor in the event a written agreement for such vendor is not executed within 90 days of the date of this Board Report. Information pertinent to these agreements is stated below.

**VENDORS:**

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

**USER:** All Departments and Schools of the Board of Education of the City of Chicago  
C/o Department Of Procurement and Contracts  
125 S. Clark  
10<sup>th</sup> Floor  
David Blackwell 773- 553-2268

**ORIGINAL AGREEMENTS:** The original agreements (authorized by Board Report 03-0326-PR17) are for a period commencing April 1, 2003 and ending January 31, 2005. The original agreements were awarded on a competitive basis pursuant to a duly advertised Bid Solicitation (Specification No. 02-250164-A).

**TERM:** The term of each agreement shall commence on February 1, 2005 and shall end January 31, 2006.

**OPTION PERIODS REMAINING:** There is one option period remaining to renew for one additional 1-year period.

**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.

**DESCRIPTION OF PURCHASE:**

Goods: Each vendor shall provide orchestra, band, and concert uniforms and accessories as stated in the original agreements 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 renewal agreements. Authorize the President and Secretary to execute the renewal agreements. Authorize the Chief Purchasing 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 95<sup>th</sup> 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 95<sup>th</sup> 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 41<sup>st</sup>, 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: Various Schools/Departments  
Fiscal Year: 2005/2006  
Budget Classification: Various 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 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.

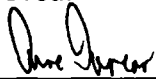
Ethics – The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

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  
Chief Purchasing Officer

**Approved:**

  
Arne Duncan  
Chief Executive Officer

**Within Appropriation:**

  
John Maiorca  
Chief Fiscal Officer

**Approved as to legal form:**

  
Ruth Moscovitch  
General Counsel