

**APPROVE ENTERING INTO AN AGREEMENT  
WITH MERCHANDISE DISTRIBUTORS, INC. FOR THE PURCHASE OF EDUCATIONAL SUPPLIES**

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

Approve entering into an agreement with Merchandise Distributors, Inc. for the purchase of Educational Supplies by all area instructional offices, central office departments, and schools, at a cost not to exceed \$12,000,000 for the initial twenty four months. Vendor was selected on a competitive basis in accordance with Board Rule 5-4.1 pursuant to a duly advertised Bid Solicitation (Specification No. 05-250001). This agreement is subject to the Board's Strategic Sourcing Policy. A written agreement for this purchase is available for signature. No goods may be ordered or received and no payment shall be made to Vendor prior to the execution of the written agreement. The authority granted herein shall automatically rescind in the event a written agreement is not executed within 90 days of the date of this Board Report. Information pertinent to this agreement is stated below.

**SPECIFICATION #: 05-250001**

**VENDOR:** Merchandise Distributors, Inc.  
4253 N. Kedzie  
Chicago, IL 60618  
Kenneth Wheaten – President  
Vendor No 14273

**USER:** All schools, areas, and central office departments  
C/o Department of Procurement and Contracts 125 S. Clark, 10<sup>th</sup> floor  
Contact Person: David Blackwell, Commodity Manager – 773-553-2268

**TERM:** The term of this agreement shall commence on October 1, 2005 and shall end 24 months thereafter. This agreement shall have two (2) options to renew by the Board for periods of 24 months each at the prices specified in the agreement.

**EARLY TERMINATION RIGHT:** The Board shall have the right to terminate this agreement with 30 days written notice.

**DESCRIPTION OF PURCHASE:** Vendor will provide educational and associated supplies to schools, area instructional offices, and central office departments at prices specified in the agreement.

**OUTCOMES:** This purchase will result in the availability of educational and associated supplies for instructional and administrative use.

**COMPENSATION:** Vendor shall be paid in accordance with the unit prices and discount percentages contained in the agreement; not to exceed the sum of \$6,000,000 per year.

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

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

Merchandise Distributors, Inc.  
4253 N. Kedzie Avenue  
Chicago, Illinois 60618

certified through 10/01/2005

**Total Hispanic – 7.5%**  
The Blueprint Shoppe, Inc.  
5130 N. Elson Avenue  
Chicago, Illinois 60630

certified through 08/01/2005

**Total Asian – 2%**  
Nova Stationers, Inc.  
2137 Hammond Drive  
Schaumburg, Illinois 60173

certified through 12/01/2005

**Total WBE – 5%**  
ED Systems Online  
4447 South Ellis Avenue  
Chicago, Illinois 60653

certified through 08/01/2005

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

**FINANCIAL:** Charge to various schools and departments.  
Fiscal Years 2006-2007.  
Budget Classification: 5730- Equipment, 5320- Supplies, 5731-Furniture, 5310 –Instructional  
Supplies  
Source of Funds: various

**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.

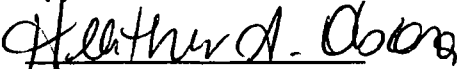
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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

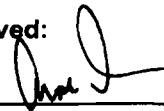
Ethics – The Board's Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

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).

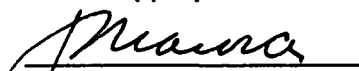
**Approved for Consideration:**

  
Heather A. Obora  
Chief Purchasing Officer

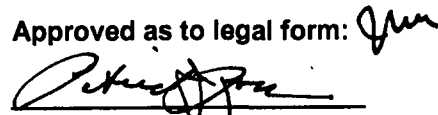
**Approved:**

  
Arne Duncan  
Chief Executive Officer

**Within Appropriation:**

  
John Maiorca  
Chief Financial Officer

**Approved as to legal form:**

  
Patrick J. Rocks  
General Counsel