

**APPROVE ENTERING INTO AN AGREEMENT WITH HENDEL GROUP
FOR THE PURCHASE OF BACKPACKS**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Hendel Group for the purchase of Mesh Backpacks, Clear Backpacks, and Clear Backpacks with Wheels/Handle/Shoulder Straps for Chicago Public Schools at a cost not to exceed \$400,000.00. Vendor was selected on a competitive basis pursuant to a duly advertised Bid Solicitation (Specification No. 05-250064). 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 # 05-250064

Contract Administrator: Linda Newcomb Kelly

VENDOR: Hendel Group
4222 North Honore Street
Chicago, Illinois 60613
Lynn Obasiolu
773/719-1442
773/743-9806
Vendor #13551

USER: Department of Procurement and Contracts
125 South Clark, 10th Floor
Linda Newcomb Kelly
773/553-2278

TERM: The term of this agreement shall commence on April 1, 2006 and shall end March 31, 2008. This agreement shall have two [2] options to renew for periods of one [1] year each.

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

DESCRIPTION OF PURCHASE:

Goods: Mesh Backpacks, Clear Backpacks and Clear Backpacks with Wheels/Handle/Shoulder Straps.
Quantity: Mesh Backpacks:20,000, Clear Backpacks: 20,000 and Clear Backpacks with
Wheels/Handle/Shoulder Straps: 20,000
Unit Price: Mesh Backpacks:\$5.98 each, Clear Backpacks:\$7.24 each and Clear Backpacks with
Wheels/Handle/Shoulder Straps:\$13.68 each
Delivery: Pricing includes FOB inside delivery to each school.

COMPENSATION: Vendor shall be paid in accordance with the unit prices contained in the agreement; not to exceed \$400,000.00 for a 2 year term.

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 Chief Procurement 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 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 identified and scheduled the following firms:

Total MBE – 100%

Hendel Group (AA)
4222 North Honore Street
Chicago, Illinois 60613

certified through 08/01/2006

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

FINANCIAL: Charge to various school units: \$400,000.00
Budget Classification: various school units

Fiscal Year: 2006-2008
Source of Funds: various school units

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