

**AMEND BOARD REPORT 05-0727-PR25**  
**APPROVE EXERCISING OPTION TO RENEW AN AGREEMENT WITH HERFF JONES, INC.,**  
**FOR CAPS AND GOWNS FOR THE SUMMER BRIDGE GRADUATION**

**THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:**

Approve exercising option to renew an agreement with Herff Jones, Inc. to provide caps and gowns for the Summer Bridge and Winter-Term graduations to the Office of Instruction and School Management at a cost not to exceed ~~\$53,437.50~~ 105,000.00 per year. A written renewal agreement is currently being negotiated. Herff Jones, Inc. shall provide no caps and gowns and no payment shall be made to Herff Jones, Inc. prior to execution of the written renewal agreement. The authority granted herein shall automatically rescind in the event a written renewal agreement is not executed within 90 days of the date of this Board Report. Information to this option is stated below.

This Board Report is being amended to increase the dollar amount of the renewal agreement by \$51,562.50. The vendor allows credit for unused caps and gowns and the initial amount granted is a post-credit estimate. The total dollar amount must be increased in order to pay the initial deposit for the caps and gowns. Also, additional caps and gowns will be ordered for additional students through the Office of Instruction and School Management. A written amendment to the renewal agreement is required. No payment for these additional goods shall be made prior to the execution of the written agreement. The authority granted here in shall automatically rescind in the event a written amendment is not executed within 90 days of this amended Board Report.

**SPECIFICATION # 02-250005**

**VENDOR:** Herff Jones, Inc.  
 1000 N. Market  
 Champaign, IL 61820  
 773.445.0353/800.637.1124  
 Thomas McNamara/Susan Caldwell  
 Vendor# 17837

**USER:** Office of Instruction and School Management  
 125 South Clark 10<sup>th</sup> Floor  
 Chicago, Illinois 60603  
 Domingo J. Trujillo  
 773.553.2150

**ORIGINAL AGREEMENT:** The original Agreement (authorized by Board Report # 02-0724-PR43 as amended by Board Report # 04-0825-PR27) in the amount of \$53,437.50 per year is for a term commencing August 1, 2002 and ending July 30, 2005, with the Board having one option to renew for a period of two years. The original agreement was awarded on a competitive basis pursuant to Board Rule 5-4.1.

**OPTION PERIOD:** This agreement will be renewed for a term commencing July 31, 2005 and ending July 30, 2007.

**OPTION PERIODS REMAINING:** There are no option periods remaining.

**GOODS:** The Office of Instruction and School Management shall order caps, gowns and tassels from vendor which will be provided at the unit prices specified in the written renewal agreement; total cost not to exceed ~~\$54,375.00~~ 105,000.00 per year for the 2 – year term.

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

**AFFIRMATIVE ACTION:** ~~The 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: 25% total MBE and 5% total WBE with no sub goals.~~

The vendor is not in compliance with the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation. The M/WBE participation goals for this contract include 25% total MBE and 5% total WBE.

The vendor has had the contract for two years and has not achieved the M/WBE goals throughout the contract period; therefore OBD recommends a new solicitation process.

**FINANCIAL:** Charge to Office of Instruction and School Management \$53,437.50 + \$51,562.50  
Fiscal Year: 2005-2006 = \$53,437.50  
2006-2007 = \$51,562.50  
Budget Classification: 0953-242-021-2056-5320  
\* Project number will change according to fiscal year\*

**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.

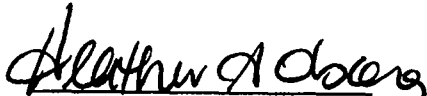
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of or the letting of contracts to, former Board member during the one year period following expiration or other termination of their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