

AMEND BOARD REPORT 08-0602-PR14
APPROVE EXERCISING THE FIRST OPTION TO RENEW THE AGREEMENT WITH HARRISON AND COMPANY FOR THE PURCHASE OF EARLY CHILDHOOD FURNITURE

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve exercising the first option to renew the agreement with Harrison and Company for the purchase of early childhood furniture to Department of Facility Operations and Maintenance at a cost for the option period not to exceed ~~\$800,000.00~~ \$2,800,000. A written document exercising this option is currently being negotiated. No payment shall be made to Vendor during the option period prior to the execution of the written document. The authority granted herein shall automatically rescind in the event a written document is not executed within 90 days of the date of this Board Report. Information pertinent to this option is stated below.

The amendment is necessary to: i) approve payment in the amount of \$1,000,000 for furniture ordered without prior Board approval; such furniture has been received; ii) increase the compensation amount by \$2,000,000, which is inclusive of the foregoing amount for goods already received; and, iii) allow individual schools to purchase furniture under this contract. The dollar amount increase is due to an increase in the number of turn-around schools, expansion schools and new schools needing early childhood furniture. A written amendment to the renewal agreement is required. The authority granted herein shall automatically rescind in the event a written amendment is not executed within 90 days of this amended Board Report.

VENDOR:

Harrison And Company
970 N. Oaklawn Avenue
Elmhurst, IL 60126
Mary Grace Harrison
630-782-6077
Vendor # 20899

USER:

Facility Operations & Maintenance
125 South Clark Street 16th Floor
Chicago, IL 60603
Melinda Venditti
773-553-2961

ORIGINAL AGREEMENT:

The original Agreement (authorized by Board Report 06-0125-PR3, as amended by Board Report 06-0628-PR2) in the amount of \$800,000.00 is for a term commencing February 1, 2006 and ending May 31, 2008, with the Board having one option to renew for one year term. The original agreement was awarded on a competitive basis pursuant to duly advertised Bid Solicitation (Specification No.: 05-250017).

OPTION PERIOD:

The term of this agreement is being extended for one year commencing June 1, 2008 and ending May 31, 2009.

OPTION PERIODS REMAINING:

There are no option periods remaining.

SCOPE OF SERVICES:DESCRIPTION OF PURCHASE:

Goods: various early childhood furniture
Quantity: as indicated in the contract
Unit Price: as indicated in the contract
Total Cost Not to Exceed: ~~\$800,000.00~~ \$2,800,000

DELIVERABLES:

Vendor will continue to provide quality early childhood furniture.

OUTCOMES:

Vendor's services will result in quality early childhood furniture.

COMPENSATION:

Vendor shall be paid during this option period as follows: based upon the actual items ordered at the specified unit prices in the written agreement in an amount not exceed the sum of ~~\$800,000.00~~ \$2,800,000.

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 Operating Officer to execute all ancillary documents required to administer or effectuate this option agreement.

AFFIRMATIVE ACTION:

The M/WBE goals for this contract include: 26% total MBE and 5% total WBE. However, the Office of Business Diversity 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 vendor has demonstrated good faith efforts. The vendor has identified and scheduled the following firms and percentages: Total MBE 21%:Discovery Promotions (AA), 2835 Aurora Ave., Naperville, Illinois 60540, Contact: Marsuzette Walker, Awarded 3% of contract certified through 04/01/2009; Aztec Supply Co., Inc., (H) 4041 S. Emerald Street, Chicago, Illinois 60609, Contact: Dan Marquez, Awarded 18% of contract certified through 02/01/2009; Total WBE: 79%: Harrison & Company, 970 N. Oak Lawn, Elmhurst, Illinois 60126, Contact: Mary Grace Harrison, certified through 12/01/2008.

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

Charge to Operations and Early Childhood FY08-FY09 and individual schools funds
Source of Funds: Capital Funds (Operations) and General Education Fund (Early Childhood) and individual school funds

12150-478-54105-009546-000000-2008	\$400,000.00
11385-115-55005-119027-376619-2008	\$400,000.00
<u>12150-499-54105-254403-000000-2009</u>	<u>\$900,000.00</u>
<u>11385-115-55005-119027-376619-2009</u>	<u>\$800,000.00</u>
<u>Xxxxx-Xxx-55005-254403-000000-2009</u>	<u>\$300,000.00</u>

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:


Opal L. Walls
Chief Purchasing Officer


Within Appropriation:


PEDRO MARTINEZ
Chief Financial Officer

Approved:


ARNE DUNCAN
Chief Executive Officer

Approved as to Legal Form:


PATRICK J. ROCKS
General Counsel