

**AMEND BOARD REPORT 08-1119-PR20**  
**APPROVE ENTERING INTO AN AGREEMENT WITH TROPICAL OPTICAL COMPANY TO PROVIDE PROFESSIONAL SERVICES AND EYE GLASSES FOR THE HEALTHY KIDS/HEALTHY MINDS: EXPANDED VISION PROGRAM**

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

Approve entering into an agreement with Tropical Optical Company to furnish professional services and eye glasses to the Office of Specialized Services pursuant to the Healthy Kids/Healthy Minds: Expanded Vision Program at a cost not to exceed \$2,500,000.00 for the period December 30, 2008 through July 31, 2009 of the initial term. Provider was selected on a competitive basis pursuant to Board Rule 5-4.1, per specification number 08-250038. A written agreement for Provider's services is currently being negotiated. No services shall be provided by Provider and no payment shall be made to Provider 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.

This amended Board Report is necessary to extend the term and to correct the number and duration of option periods. This amended Board Report is also necessary to clarify that funding for these services is contingent upon continued grant funding. As a result, the Office of Specialized Services will be required to obtain Board approval of the maximum compensation amounts appropriated for the periods August 1, 2009 - July 31, 2010 and August 1, 2010 - July 31, 2011 of the initial term and for the second year of each renewal term, if any, and authorize written amendments to the original agreement or renewal agreement, as appropriate.

**VENDOR:**

1)  
Tropical Optical Company  
3624 W. 26th Street  
Chicago, IL 60623  
Daniel Arce  
773-762-5662  
Vendor # 28767

**USER:**

Citywide Special Education Resource  
125 South Clark Street 8th Floor  
Chicago, IL 60603  
Kenneth Papineau  
773-553-1830

**TERM:**

The term of this agreement shall commence on the date the agreement is executed (December 30, 2008) and shall end July 31, ~~2009~~ 2011. This agreement shall have ~~five (5)~~ two (2) options to renew for periods of ~~one (1)~~ two (2) years each

**EARLY TERMINATION RIGHT:**

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

**SCOPE OF SERVICES:**

Provider shall furnish comprehensive eye examinations ("eye examinations") to a minimum of 18,000 CPS students and shall provide prescription eye glasses to students, if needed. The Board will present an average of 300-500 students for eye examinations each day. Provider shall record all examination

information during the exam and furnish students with a summary of their findings for their parent or guardian. Provider shall engage and maintain an adequate number of qualified and appropriately licensed employees, agents and subcontractors to complete the eye examinations.

**DELIVERABLES:**

The comprehensive eye examinations conducted by Provider shall, at a minimum, include the following components: 1. Complete case history; 2. Dilation per professional judgment; 3. Visual acuity at distance-unaided (mono plus binocular) and with last or habitual prescription and aided; 4. External examination, including pupil reactivity; 5. Internal examination (ophthalmoscope examination); 6. Retinoscopy; 7. Refractive status-subjective to best visual acuity at distance and subjective at near; 8. Measurement of binocularity (including veingences, phoric and accommodative ability) and ocular motility; 9. Color vision screening; and 10. Glaucoma screening, including tonometry. Provider shall furnish prescription eye glasses to students who need them within three (3) weeks of the date of the student's eye examination.

**OUTCOMES:**

Provider's services will result in no fewer than 18,000 students receiving comprehensive eye examinations and eye glasses, if needed, during each year of the term.

**COMPENSATION:**

Funding for this program is contingent upon the Board's receipt of the annual grant. Provider shall submit monthly invoices for services and eye glasses furnished under the agreement. Pricing shall be as specified in the agreement and shall be fixed for the initial term; total compensation not to exceed \$2,500,000.00 for the period December 30, 2008 - July 31, 2009 of the initial term. Prior to any services being provided beyond the first seven-month period of the initial term, the Office of Specialized Services must obtain Board approval of the maximum compensation amounts appropriated for the period beginning August 1, 2009 and ending July 31, 2010 and for the period beginning August 1, 2010 and ending July 31, 2011 of the initial term.

**REIMBURSABLE EXPENSES:**

None.

**AUTHORIZATION:**

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

**AFFIRMATIVE ACTION:**

This contract is in full compliance with the goals required by the Remedial program for Minority and Women Owned Business Enterprise Participation in Goods and Services contracts. The M/WBE goals are 25% MBE and 15% WBE. The vendor has identified and scheduled the following firms and percentages:

**Total MBE - 30%**

Vision Health Management Services (AA)  
5401 South Wentworth Ave, Suite 14C  
Chicago, IL 60609  
Contact: Addie Davis

Kopico, Inc.(H)  
1444 W. 37th St.  
Chicago, IL 60609  
Contact: Jessie Chico

**Total WBE - 20%**  
Sun Optics, Inc  
2500 S. St. Louis Ave.  
Chicago, IL 60623  
Contact: Lucy Acre

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

**FINANCIAL:**  
Charge to: Office of Specialized Services: \$2,500,000.00 FY09  
Source of Funds: ISBE-Healthy Kids/Healthy Minds

11675-324-54125-213002-399932-2009 \$2,500,000.00

**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.

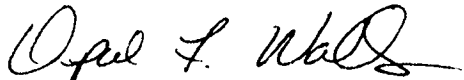
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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

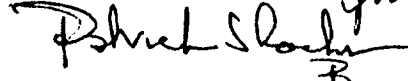
**Approved:**

  
**Ron Huberman**  
Chief Executive Officer

Within Appropriation:

  
**PEDRO MARTINEZ**  
Chief Financial Officer

Approved as to Legal Form:

  
**PATRICK J. ROCKS**  
General Counsel