

AMEND BOARD REPORT 10-0428-PR38
APPROVE EXERCISING THE FIRST OPTION TO RENEW THE AGREEMENT WITH PHONAK, LLC
FOR THE PURCHASE OF ASSISTIVE LISTENING DEVICES

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve exercising the first option to renew the agreement with Phonak, LLC for the purchase of assistive listening devices for the Office of Specialized Services at a cost not to exceed \$150,000.00 for the option period. 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.

This April 2011 amendment is necessary to update the financial section to reflect the appropriate grant number and fiscal year. This amended Board Report is also necessary to update user contact information. No amendment to the renewal agreement is required.

CPOR Number : 10-0331-CPOR-1183

VENDOR:

- 1) Vendor # 69878
PHONAK, LLC
4520 WEAVER PARKWAY
WARRENVILLE, IL 60555
Tess Dean
630-821-5205

USER:

Citywide Special Education & Supports
125 South Clark Street 8th Floor
Chicago, IL 60603

Contact : Shaheena Khan
Phone: 773-553-1800

ORIGINAL AGREEMENT:

The original Agreement (authorized by Board Report 09-0325-PR16) in the amount of \$150,000.00 is for a term commencing on April 15, 2009 and ending June 30, 2010, with the Board having two (2) options to renew for one (1) year terms. The original agreement was awarded on a non-competitive basis because Vendor is the sole provider of Frequency Modulated ("FM") assistive listening devices with data logging capabilities.

OPTION PERIOD:

The term of this agreement is being extended for one (1) year commencing July 1, 2010 and ending June 30, 2011.

OPTION PERIODS REMAINING:

There is one (1) option period for one (1) year remaining.

SCOPE OF SERVICES:

Vendor will continue to supply assistive listening devices and accessories for students who have auditory difficulties. These devices will be compatible with all types of personal hearing instruments (i.e. personal

hearing aids, cochlear implant).

DELIVERABLES:

Vendor will continue to supply assistive listening devices and accessories for students who have auditory difficulties as designated in Exhibit A of the original agreement.

OUTCOMES:

These purchases will result in: (i) new equipment (receivers and transmitters), accessories, and repairs delivered in a timely manner, as Phonak is locally based; (ii) postage paid shipping provided on all in-warranty repairs; (iii) fitting and technical support; (iv) ongoing training provided on the Phonak product line; (v) repair services provided on existing models and estimates for repairs provided upon request; and (vi) a trade-in allowance provided for obsolete equipment (regardless of manufacturer).

COMPENSATION:

Vendor shall be paid during this option period in accordance with the unit prices contained in the agreement; not to exceed the sum of \$150,000.00 for the option period.

AUTHORIZATION:

Authorize the General Counsel to include other relevant terms and conditions in the written option document. Authorize the President and Secretary to execute the option document. Authorize ~~the~~ Chief ~~Specialized Services~~ Officer of Special Education and Supports to execute all ancillary documents required to administer or effectuate this option agreement.

AFFIRMATIVE ACTION:

The M/WBE goals for this contract include: 30% total MBE and 7% total WBE participation. However, the Office of Business Diversity recommends a waiver of the MBE goal for this contract as required by the Remedial Program for Minority and Women Owned Business Enterprise Participation in Goods and Services Contracts be granted because the contract is not further divisible.

The Vendor has identified the following:

Total WBE - 31%

HF Wilson Engineering
1401 Nagel Blvd.
Batavia, Illinois 60510
Contact: Anna McEvoy

Chela Logistics, Inc.
1521 Brummel Ave.
Elk Grove Village, Illinois 60009
Contact: Marcela Orr

Eara Advertising Resources
1728 Laurel Canyon Boulevard, Suite D
Los Angeles, California 90046
Contact: Lynda Gluck

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

Charge to Office of Specialized Services: \$150,000.00

*Grant numbers subject to change.

11670-220-55005-120412-462052-2011

\$10,000.00

11670-220-56105-261006-462046-2010	\$15,000.00
11670-220-53405-261006-462046-2010	\$5,000.00
11670-220-55005-261006-462046-2010	\$120,000.00
11670-220-55005-120412-462046-2010	\$10,000.00
<u>11670-220-55005-261006-462052-2011</u>	<u>\$120,000.00</u>
<u>11670-220-53405-261006-462052-2011</u>	<u>\$5,000.00</u>
<u>11670-220-56105-261002-462052-2011</u>	<u>\$15,000.00</u>

CFDA#: Not Applicable

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:



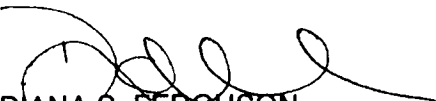
OPAL L. WALLS
Chief Purchasing Officer

Approved:



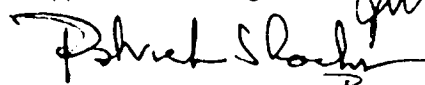
TERRY MAZANY
Chief Executive Officer

Within Appropriation:



DIANA S. FERGUSON
Chief Financial Officer

Approved as to Legal Form:



PATRICK J. ROCKS
General Counsel