

**APPROVE EXERCISING THE SECOND 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 final option to renew the agreement with Phonak, LLC for the purchase of assistive listening devices for the Office of Special Education and Supports 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.

CPOR Number : 11-0225-CPOR-1413

**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 was 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 agreement was renewed (authorized by Board Report 10-0428-PR38) for a term commencing on July 1, 2010 and ending June 30, 2011 in the amount of \$150,000.00. 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, 2011 and ending June 30, 2012.

**OPTION PERIODS REMAINING:**

There are no options to renew 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 designated in Exhibit A of the original agreement for students who have auditory difficulties.

**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 Chief 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 Special Education and Supports: \$150,000.00

\*Grant numbers subject to change.

11670-220-56105-261002-462052-2012

\$15,000.00

11670-220-53405-261006-462052-2012	\$5,000.00
11670-220-55005-261006-462052-2012	\$120,000.00
11670-220-55005-120412-462052-2012	\$10,000.00

**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.

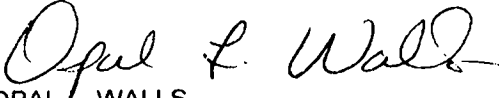
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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