

APPROVE EXTENDING THE AGREEMENT WITH PHONAK, LLC FOR THE PURCHASE OF ASSISTIVE LISTENING DEVICES

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve extending the agreement with Phonak, LLC for the purchase of assistive listening devices for the Office of Special Education and Supports at a total cost for the extension period not to exceed \$75,000. The current agreement with Phonak has no options to renew. This extension will allow for the purchase of listening devices for students that require them over the next six months. A written extension document is currently being negotiated. No payment shall be made to Phonak, LLC during the extension period prior to 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 extension is stated below.

VENDOR:

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

USER INFORMATION :

Contact: 11670 - Citywide Special Education & Supports
125 South Clark Street 8th Floor
Chicago, IL 60603
Lofton, Miss Eboney Lian
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 as amended by 11-0427-PR) for a term commencing on July 1, 2010 and ending June 30, 2011 in the amount of \$150,000.00. The agreement was further renewed (authorized by Board Report 11-0427-PR50) for an additional term commencing on July 1, 2011 and ending June 30, 2012 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.

EXTENSION PERIOD:

The term of this agreement is being extended for six months commencing July 1, 2012 and ending December 31, 2012.

OPTION PERIODS REMAINING:

There are no option periods 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 extension period in accordance with the unit prices contained in the agreement; not to exceed the sum of \$75,000.00 for the extension period.

AUTHORIZATION:

Authorize the General Counsel to include other relevant terms and conditions in the written extension document. Authorize the President and Secretary to execute the extension document. Authorize Chief Officer of Special Education and Supports to execute all ancillary documents required to administer or effectuate this extension 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: \$75,000.00

*Grant numbers subject to change.

11670-220-56105-261002-462055-2013	\$7,500.00
11670-220-53405-261006-462055-2013	\$2,500.00
11670-220-55005-261006-462055-2013	\$55,000.00
11670-220-55005-120412-462055-2013	\$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 May 25, 2011 (11-0525-PO2), 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:



SÉBASTIEN de LONGEAUX
Chief Procurement Officer

Approved:



JEAN-CLAUDE BRIZARD
Chief Executive Officer

Within Appropriation:



DAVID G. WATKINS
Chief Financial Officer

Approved as to Legal Form:



PATRICK J. ROCKS
General Counsel