

APPROVE ENTERING INTO AN AGREEMENT WITH BSN SPORTS, INC DBA U.S. GAMES FOR THE PURCHASE OF PHYSICAL EDUCATION SUPPLIES AND EQUIPMENT

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with BSN Sports, Inc dba U.S. Games for the purchase of physical education supplies and equipment for all schools at a total cost not to exceed \$2,000,000.00 for the initial term. Vendor was selected on a competitive basis pursuant to an RFP issued by the Hartford County Public Schools ("HCPS"), Maryland on behalf of U.S. Communities Purchasing Alliance. Subsequently, HCPS and BSN Sports entered into a Master Agreement (Contract Number 10-JLH-001-RFP). Pursuant to Board Rule 7-2.7, the Board is authorized to purchase biddable items through the Illinois School Purchasing Network or a governmental purchasing cooperative contract. A written agreement for this purchase is currently being negotiated. No goods may be ordered or received and no payment shall be made to Vendor prior to 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.

Contract Administrator : Knowles, Miss Demetra / 773-553-3256

VENDOR:

- 1) Vendor # 22464
BSN SPORTS, INC DBA US GAMES
PO BOX 7726
DALLAS, TX 75209
NICK MARTINEZ
800 527-7510

USER INFORMATION :

Contact:

10895 - Youth Development and Positive Behavior Supports

125 South Clark Street

Chicago, IL 60603

Davis, Mr. Calvin

773-535-5100

TERM:

The term of this agreement shall commence on the date the agreement is signed and shall end September 30, 2014. The agreement shall have two (2) options to renew for a period of twelve (12) months each.

EARLY TERMINATION RIGHT:

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

DESCRIPTION OF PURCHASE:

Vendor will provide the following goods: Physical Education Supplies and Equipment.

OUTCOMES:

This purchase will result in the centralized procurement of physical education supplies and equipment with a potential estimated cost savings of approximately 20% in all physical education supplies and equipment purchased by CPS.

COMPENSATION:

Vendor shall be paid in accordance with the unit prices contained in the agreement; total not to exceed the sum of \$2,000,000.00.

AUTHORIZATION:

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

AFFIRMATIVE ACTION:

This agreement shall be excluded from the requirements of the CPS Remedial Program for Minority and Women Owned Business Enterprise Participation in Goods and Services Contracts, as the Board has exercised Board Rule 7.2-7; which authorizes the District to purchase biddable items from vendors who have contracted with other governmental entities. The Master Agreement between HCPS and BSN Sports had no MBE/WBE participation and the Office of Business Diversity can not enforce MBE/WBE requirements on an agreement that originally had none.

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

Charge to: Various departments and schools: Not to exceed \$2,000,000.00.

Budget Class: 53405 Supplies

55005 Furniture and Equipment

Fiscal year: 2013, 2014

Future year funding is contingent upon budget appropriation and approval.

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:



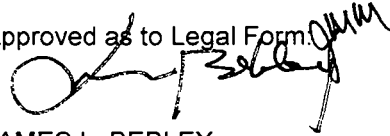
SÉBASTIEN de LONGEAUX
Chief Procurement Officer

Approved:



BARBARA BYRD-BENNETT
Chief Executive Officer

Approved as to Legal Form:



JAMES L. BEBLEY
General Counsel