

**AUTHORIZE A NEW AGREEMENT WITH BSN SPORTS LLC FOR THE PURCHASE OF PHYSICAL
EDUCATION SUPPLIES AND EQUIPMENT**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Authorize a new agreement with BSN Sports LLC for the purchase of physical education supplies and equipment to all schools and departments at an estimated annual cost set forth in the Compensation Section of this report. Vendor was selected on a competitive basis pursuant to a Request for Proposal (#16-07) issued by Region 4 Education Service Center (ESC) as the Lead Public Agency, with the assistance of The Purchasing Cooperative Network (TCPN). Subsequently, BSN Sports LLC entered into a Vendor Contract with Region 4 ESC and TCPN (#R160701). The Board desires to purchase physical education supplies and equipment based upon that Vendor Contract pursuant to Board Rule 7-2.7, which authorizes the Board to purchase non-biddable and biddable items through government purchasing cooperative contracts. 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 the execution of their 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, Mr. Jonathan / 773-553-2280

VENDOR:

- 1) Vendor # 22464
BSN SPORTS LLC FORMERLY KNOWN
AS BSN SPORTS INC
1901 DIPLOMAT DRIVE
FARMERS BRANCH, TX 75234

Brad Ciesielski
972 884-7210

Ownership: 100% Owned By Varsity Brands
Holdings Co., Inc

USER INFORMATION :

Project
Manager: 12210 - Procurement and Contracts Office

42 West Madison Street

Chicago, IL 60602

Norgren, Mrs. Leslie

773-553-2280

TERM:

The term of this agreement shall commence on November 1, 2016 and shall end on October 31, 2019. This agreement shall have two (2) options to renew for periods of one (1) year each.

EARLY TERMINATION RIGHT:

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

OUTCOMES:

This agreement will result in the District-wide purchase of physical education supplies and equipment.

COMPENSATION:

Vendor shall be paid in accordance with the unit prices contained in the agreement; Estimated annual costs for the three (3) year term are set forth below:

FY17 \$1,333,333.33

FY18 \$2,000,000.00

FY19 \$2,000,000.00

FY20 \$666,666.67

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:

Pursuant to the Remedial Programs for Minority and Women Owned Business Enterprise (M/WBE) Participation, the goals for this award are 18% MBE.

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

Charge to various schools and departments.

FY17 \$1,333,333.33

FY18 \$2,000,000.00

FY19 \$2,000,000.00

FY20 \$666,666.67

Not to exceed \$6,000,000.00 for the three (3) year term.

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:



LESLIE NORGRN
Chief Procurement Officer

Approved:



FORREST CLAYPOOL
Chief Executive Officer

Approved as to Legal Form: *gmm*



RONALD L. MARMER
General Counsel