

AMEND BOARD REPORT 16-0928-PR1
APPROVE ENTERING INTO AN AGREEMENT WITH SONOVA USA, INC. FORMERLY KNOWN AS
PHONAK, LLC FOR THE PURCHASE OF HEARING ASSISTIVE TECHNOLOGY (HAT) AND
FREQUENCY MODULATION (FM) EQUIPMENT

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Phonak, LLC, which merged with another entity and is now known as Sonova USA Inc., for the purchase of Hearing Assistive Technology (HAT) and Frequency Modulation (FM) equipment for the Office of Diverse Learner Supports and Services at a total not to exceed cost set forth in the Compensation Section of this report. Vendor was selected on a competitive basis pursuant to Board Rule 7-2. A written agreement for this purchase is available for signature. 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.

This March 2019 amendment is necessary to update the name of the vendor from Phonak, LLC to Sonova USA, Inc. and increase the not to exceed amount from \$216,888 to \$300,000. A written amendment to the agreement is required. The authority granted herein shall automatically rescind in the event a written amendment is not executed within 90 days of the date of this Board Report.

Contract Administrator : Wright, Mr. Thaddeus / 773-553-2280

- 2) Vendor # 69878
 SONOVA USA INC.
 4520 WEAVER PARKWAY
 WARRENVILLE, IL 60555
 Dawn Ruley
 630 821-5205

Ownership: Not For Profit

USER INFORMATION :

Project 11610 - Diverse Learner Supports & Services
 Manager: 42 West Madison Street
Chicago, IL 60602
Volan, Mr. Gregory
773-553-1800

PM Contact: 11610 - Diverse Learner Supports & Services
42 West Madison Street
Chicago, IL 60602
Keenan, Ms. Elizabeth A.
773-553-1800

TERM:

The term of this agreement shall commence on October 1, 2016 and shall end on September 30, 2019. This agreement shall have one (1) option 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:

Hearing Assistive Technology (HAT) and Frequency Modulation (FM) equipment to be purchased include the following:

Category 1 - body worn, ear level, neck loop, receiver with audio shoe, semi integrated, bundled semi integrated, cochlear implant, programming transmitter, basic transmitter, and integrated multitalker, and

Category 2 - classroom speakers.

OUTCOMES:

HAT products will result in students that are classified as deaf or hard of hearing using the devices to improve hearing capacity, with the goal of improved learning. HAT products and FM receivers provided by vendor are designed to complement existing therapies in children with minimal or unilateral hearing loss, auditory processing disorders and learning disabilities.

COMPENSATION:

Vendor shall be paid as follows: monthly as invoices are submitted and verified in accordance with the prices set forth in the written agreement; total not to exceed ~~\$216,888.00~~ \$300,000.00 during the initial three year term.

AUTHORIZATION:

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

AFFIRMATIVE ACTION:

Pursuant to the Remedial Program for Minority and Women-Owned Business Enterprise Participation in Goods and Services contracts, this contract is waived of the M/WBE participation goals of 30% MBE and 7% WBE, because the contract is not further divisible.

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

Charge to the Office of Diverse Learner Supports and Services (Unit 11610): ~~\$216,888.00~~ \$300,000.00

FY17 ~~\$72,296~~ \$73,612
FY18 ~~\$72,296~~ \$96,027
FY19 ~~\$72,296~~ \$99,000
FY20 \$31,361

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.

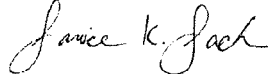
Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



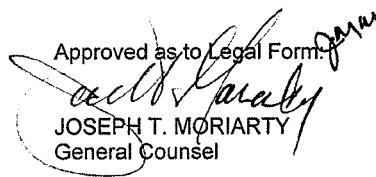
JONATHAN MAPLES
Chief Procurement Officer

Approved:



JANICE K. JACKSON
Chief Executive Officer

Approved as to Legal Form:



JOSEPH T. MORIARTY
General Counsel