

**AUTHORIZE THE NEW AGREEMENTS FOR THE PURCHASE OF PHYSICAL EDUCATION SUPPLIES AND EQUIPMENT WITH BSN SPORTS, LLC AND SCHOOL HEALTH CORPORATION**

**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Authorize the new agreements with BSN Sports, LLC and School Health Corporation. This authorization is for the purchase of physical education supplies and equipment for all schools and departments across the CPS District. The estimated annual cost is set forth in the Compensation Section of this report. The Vendors were selected on a competitive basis pursuant to a Request for Proposal (#20-11) issued by Region 4 Education Service Center (ESC) as the Lead Public Agency, with the assistance of OMNIA Partners, Public sector ("OMNIA PARTNERS"). Vendors have entered into agreements with Region 4 ESC and OMNIA PARTNERS (Contract No. R201104 for School Health Corporation and Contract No. R201101 for BSN Sports, LLC). The Board desires to piggy-back onto these agreements and purchase physical education supplies and equipment based upon each respective Vendor Contract pursuant to Board Rule 7-4(e), which authorizes the Board to purchase non-biddable and biddable items through government purchasing cooperative contracts. A written agreement for the purchase is currently being negotiated. No goods may be ordered or received and no payment shall be made to Vendors 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.

Specification Number : 20-11

Contract Administrator : Grote, Benjamin T / 773-553-2280

**VENDORS:**

- 1) Vendor # 22464  
BSN SPORTS, LLC  
PO Box 7726  
Dallas, TX 75209-0726  
  
Cook, Trevor  
800 5277510  
  
Ownership: Varsity Brands Holding  
Company Inc. 100%
- 2) Vendor # 14981  
SCHOOL HEALTH CORPORATION  
5600 APOLLO DRIVE  
ROLLING MEADOWS, IL 60008  
  
Marcus, Michael  
866 323-5465  
  
Ownership: Scott Cormack 41.6%, Susan  
Rogers 23.4%, Nancy Cormack 16.8%

**USER INFORMATION :**

Project  
Manager: 13737 - Sports Administration and Facilities Management - City  
Wide  
  
2651 W. Washington Blvd  
  
Chicago, IL 60612  
  
Wright, Thaddeus  
  
773-534-0700

**TERM:**

The initial term of the agreement will be for a period commencing on November 1, 2023 and continuing through October 31, 2024. The Agreement will automatically renew for one additional year (the "Renewal Term"). The Renewal Term shall be at the Board's option. The Board may elect, with or without cause, to not exercise the Renewal Term by notifying each or either Vendor in writing, not less than thirty (30) days prior to the expiration of the active term. The non-renewal notice will be effective upon the conclusion of the active term. Both the term and the Renewal Term are subject to earlier termination as shall be provided for in the pending agreement.

**EARLY TERMINATION RIGHT:**

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

**DESCRIPTION OF PURCHASE:**

Vendors will provide various physical education supplies and equipment to all schools and departments within the District at an estimated annual cost set forth in the Compensation Section of the report.

**OUTCOMES:**

The 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 one (1) year term are set forth below:

\$2,333,333, FY24  
\$1,166,667, FY25

Estimated annual costs for the one (1) year renewal term are set forth below:

\$2,333,333, FY25  
\$1,166,667, FY26

**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 of College and Career Success 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, (M/WBE Program), the Business Diversity goals for this pool are 15% MBE and 5% WBE. The vendor pool consists of two vendors. The User group has committed to achieve the Business Diversity goals through the utilization of certified diverse subcontractors.

**LSC REVIEW:**

Local School Council approval is not applicable to this report.

**FINANCIAL:**

Various Funds, Unit 13737 - Sports Administration and Facilities Management - City Wide

\$2,333,333, FY24

\$1,166,667, FY25

Estimated Annual Costs for the one (1) year renewal term:

\$2,333,333, FY25

\$1,166,667, FY26

Not to exceed \$7,000,000 for the two (2) 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:



PATRICIA HERNANDEZ  
Acting Chief Procurement Officer

Approved:



PEDRO MARTINEZ  
Chief Executive Officer

Approved as to Legal Form: 



RUCHI VERMA  
General Counsel