

**APPROVE ENTERING INTO AN AGREEMENT WITH BAKER & TAYLOR, INC FOR THE PURCHASE OF
LIBRARY BOOKS**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Baker & Taylor, Inc. for the purchase of library books for the Chicago Public Schools at a cost not to exceed \$10,000,000.00. Vendor was selected pursuant to a duly advertised Request for Proposal (Specification # 03-250133). This Agreement is subject to the Board's Strategic Sourcing Policy. A written agreement for this purchase is currently being negotiated. No goods may be received and no payment shall be made to Vendor prior to the 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.

VENDOR: Baker & Taylor, Inc.
2709 Water Ridge Parkway – Suite 500 – Charlotte, NC 28217
(704) 357-3500
Elizabeth Waddell, Vice President of Sales & Marketing
Vendor # 11371

USER: All departments and schools of the Board of Education of the City of Chicago
c/o the Department of Procurement & Contracts
125 South Clark Street – 10th Floor
Sue Foys, Commodity Manager
(773) 553-2989

TERM: The term of this agreement shall commence on the date the agreement is signed and shall end 24 months thereafter. This agreement shall have three options to renew for periods of one year each at a cost to be negotiated at the time of each renewal.

EARLY TERMINATION RIGHT: If at any time during the term of the Contract, the Board determines, in its sole discretion, that the products and services provided by Baker & Taylor, Inc. are no longer in its best interest, the Board shall have the option to terminate the contract on thirty (30) calendar days written notice to Baker & Taylor, Inc.

SCOPE OF SERVICES: Vendor will provide library books for school libraries, classroom libraries and curriculum supplements (e.g. after school programs, novels for classroom instruction) under the Strategic Sourcing initiative. The library books category includes print materials only. In addition to library books, several related services may be utilized as necessary from the vendor such as processing, library automation, retrospective conversion, automated ordering, invoicing, payment, claiming, technical support, standard and rush delivery, collection development, and other services. All books will be shipped free of charge with the exception of rush orders which charges will be paid for by each department or school.

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 the Chief Purchasing Officer to execute all ancillary documents required to administer or effectuate this agreement.

AFFIRMATIVE ACTION: The M/WBE goals for this contract include a 15% total MBE goal (including 9% African American, 4% Hispanic, and 2% Asian) plus a 5% WBE goal. However, the Waiver Review Committee recommends that a full waiver of the M/WBE participation goals for this contract as required by the Revised Remedial Plan be granted due to a critical need.

LSC REVIEW: Local School Council approval is not applicable to this report.

FINANCIAL: Charge to various departments and schools
Source of Funds: various

Fiscal Year: 2003 - 2004
2004 - 2005

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.

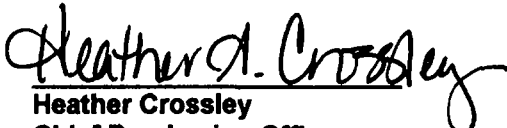
Indebtedness – The Board's Indebtedness Policy adopted July 26, 1995 (95-0726-EX3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics – The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), 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).

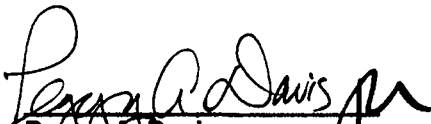
Approved for Consideration:

Approved:


Heather Crossley
Chief Purchasing Officer


Arne Duncan *by PATS*
Chief Executive Officer

Within Appropriation:


Peggy A. Davis
Chief of Staff

Approved as to legal form: *JW*


Ruth Moscovitch
General Counsel