

March 27, 2019

**RESCIND CURRENT CHAPTER VII OF THE BOARD RULES AND ADOPT
NEW CHAPTER VII CONCERNING PROCUREMENT AND CONTRACT RULES**

THE GENERAL COUNSEL RECOMMENDS:

That the Board rescind current Chapter VII of the Board Rules and adopt new Chapter VII concerning Procurement and Contract Rules. Upon adoption of the attached Rules, any references to the prior Board Rule section number in Board rules, policies, guidelines or procedures shall be deemed to constitute

Current Section	New Section	Description of Revision/Disposition
7-10. Sole Sourcina.	7-6. Single and Sole Source	New Rule 7-6 renumbers and revises existina

**CHAPTER VII
PROCUREMENT AND CONTRACT RULES**

Sec. 7-1. Purchasing and Contracting for Supplies, Materials, Work and Services

- (a) *Generally.* This Chapter sets forth the rules and procedures for purchasing of supplies, materials and work for the Board of Education of the City of Chicago (the "Board"), including all departments, offices and schools. It is derived from the requirements of the Illinois School Code and other applicable statutes and regulations. It sets forth required competitive and non-competitive purchasing procedures and the required forms of contract with vendors, contractors and suppliers.

(b) ~~Purchasing Limitations. No purchases, including purchases made using school internal~~

accounts, shall be made except as provided in these Rules. Only officers or employees expressly authorized by these Rules shall make purchases on behalf of the Board or enter

(d) *Purchasing Guidelines.* The Chief Procurement Officer ("CPO") is authorized to establish

contained in this Chapter VII. The Guidelines shall be published on the Board's public

- (viii) purchases and contracts for the use, purchase, delivery, movement or installation of data processing equipment, software or services and telecommunications and interconnect equipment, software and services;
- (ix) contracts for duplicating machines and supplies;
- (x) contracts for the purchase of natural gas when the cost is less than that offered by a public utility;
- (xi) purchases of equipment owned by some entity other than the district itself;
- (xii) contracts for repair and maintenance, remodeling, renovation or construction or a single project involving an expenditure not to exceed \$50,000 and not involving a change or increase in the size, type or extent of an existing facility;
- (xiii) contracts for goods or services procured from another governmental agency;

- sources, such as for the purchase of magazines, books, periodicals, pamphlets and reports and for utility services such as water, light, heat, telephone or telegraph;
- (xv) where funds are expended in an emergency and such emergency expenditure is approved by $\frac{3}{4}$ of the members of the board;
 - (xvi) State master contracts authorized under 105 ILCS 5/28A-5 et seq.; and
 - (xvii) contracts providing for the transportation of pupils, which contracts must be advertised.

Sec. 7-3. Competitive Solicitations for Non-Biddable Items.

(a) Non-biddable Items costing \$25,000 or less do not require a competitive solicitation.

(b) Except as provided in sections 7-4 (Substitute Competitive Solicitations for Certain

Sec. 7-4. Substitute Competitive Solicitations for Certain Purchases.

(a) Charter and Contract School Solicitations. Charter School and Contract School charters

and contracts shall be made only after an annual competitive process determined by the Chief Executive Officer. Charter School and Contract School renewals shall be determined ~~in a process with processes determined by the Chief Executive Officer.~~

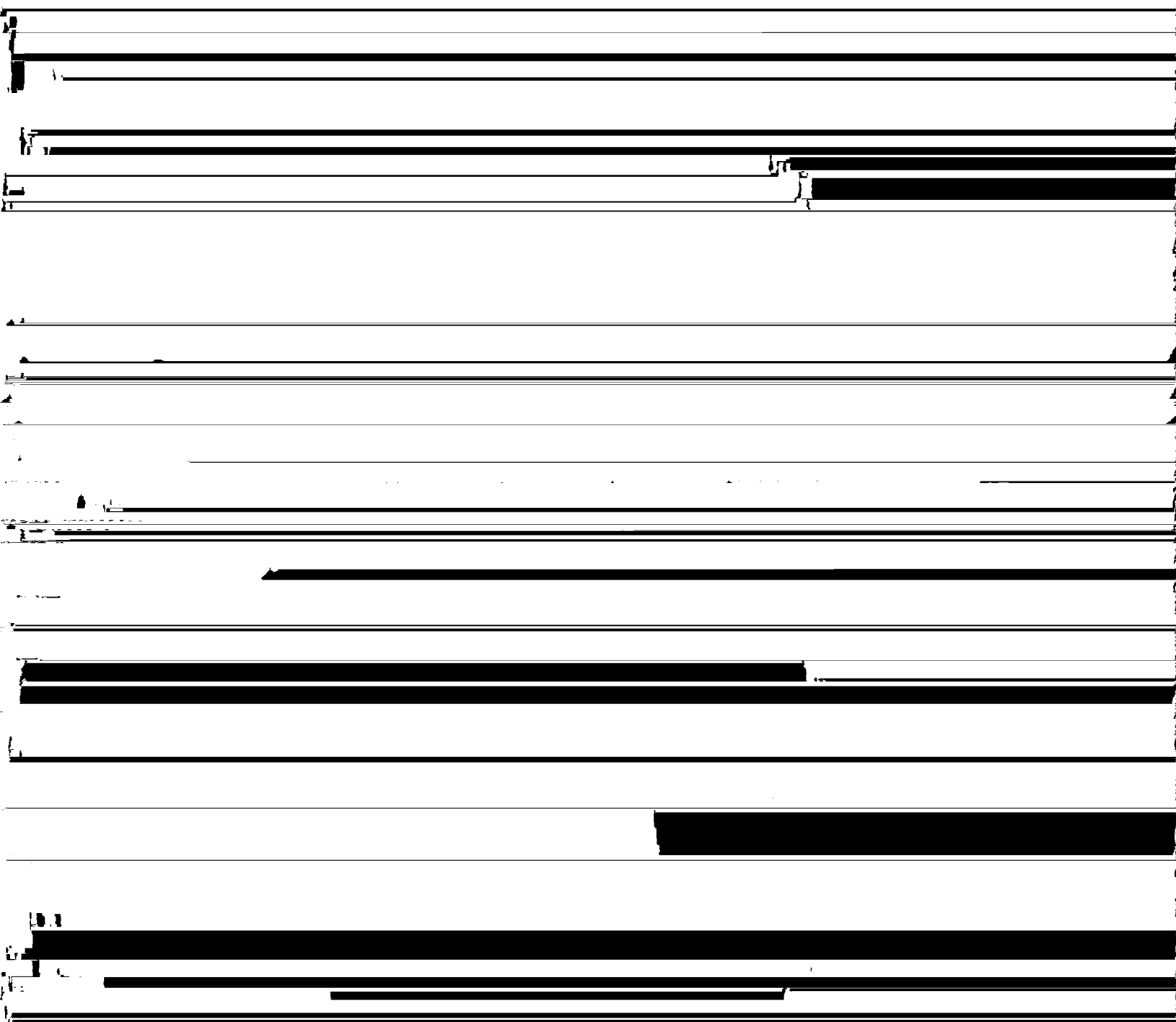
(e) *Purchases of Non-Biddable and Biddable Items through the Illinois School Purchasing Network or Government Purchasing Cooperative Contracts*. The CPO is authorized to

approve the purchase of Non-biddable Items and Biddable Items through contracts (a) authorized under the Illinois School Purchasing Network in accordance with Article 28A of the Illinois School Code or (b) procured from another governmental agency and offered

by or through a government purchasing cooperative in which the contracts were entered

make non-biddable contracts in excess of \$25,000 from a sole source or single source meet the criteria for single or sole source purchases. The General Counsel or his/her designee shall advise the Committee. Sole source or single source agreements described in subsection (d) of this Rule do not require review by Single/Sole Source Committee.

- (b) *CPO Authority.* Sole and Single Source Contracts determined to meet the criteria for a ~~sole or single source contract may be approved by the CPO in amounts up to \$75,000 or~~



- (iii) other educational learning opportunities to students, including student stipend programs; or
- (iii) Payment of fees for membership in a professional association or organization providing educational programs and resources to support the professional capacity

Sec. 7-11. Strategic Sourcing. The CPO or his/her designee shall prepare and make available to local schools, administrative offices and central office departments a list of strategic source vendors offering

vendor other than a strategic sourcing vendor must (a) provide information regarding the proposed purchase such as the quality of the goods and/or services and pricing and (b) obtain prior written approval

- (ii) All Change Orders related to construction. "Change Order" means a change in a contract term other than as specifically provided for in the contract which

the time to completion. The Chief Operations Officer shall establish construction change order procedures for the submission and approval of Change Orders. The Chief Operations Officer shall report all Change Orders to the Board on a monthly basis. The monthly report shall include a brief description of the change, the original contract amount, the net change by previous Change Orders in dollar

and represents the total contract amount prior to the current Change

(e) The CPO has the authority to:

- (i) Approve purchases up to \$150,000, except sole or single source contracts, and to authorize and execute any and all of the purchasing documents enumerated

purchases are made in accordance with the Board Rules set forth in this Chapter

VII; provided, however, that the CPO may authorize and execute such purchasing

- (v) Agreements with a nominal value of less than \$5,000 granting non-exclusive rights to use Board intellectual property and other agreements related to the grant of intellectual property rights and permissions, including any indemnification of third parties associated with said agreements; and
- (vi) Other legal matters having no direct financial impact on the Board.
- (g) The Communications Officer has the authority to execute access agreements to film in Board facilities and CPS schools, subject to approval as to legal form by the General Counsel.
- (h) The Chief Administrative Officer or designee has the authority to execute no-fee agreements regarding non-disclosure, confidentiality and network access with no further approval from the General Counsel when using an agreement approved by the Law

