

Information:

Drawer: Accounts Payable - Invoices

Vendor Number: 1183425

Vendor Name: Kirk Muspratt

Invoice Number: IC-DEC 2017

Invoice Date: 12/01/17

PO Number: B0352738

Check Number: E0064798

Check Amount: \$ 4,250.00

Check Date: 01/10/2018

Department ID: 11701

Reviewer Name:

Voucher Number: V0490715

Redaction Type: None

Document Type: AP Invoice-3 Way/Pre-Approved

Document Below

From: junokasm@cod.edu
Sent: Wed Jan 03 17:05:43 CST 2018
To: invoicing@cod.edu
CC:
Subject: Scanned from a Xerox Multifunction Device

Please open the attached document. It was scanned and sent to you using a Xerox Multifunction Device.
Attachment File Type: pdf, Multi-Page Multifunction Printer Location: AR201WC7835 Device Name:
PRN303

[attachment: Scanned from a Xerox Multifunction Printer.pdf]

MUSPRATT, KIRK

VN 1183425

Kirk Muspratt
Music Director, New Philharmonic Orchestra

FY2017-2018
Payment Schedule

Contract Attached

B O #352738

LINE 1 (11701) = \$4225.00

LINE 2 (11601) = \$25.00

E-MAILED JAN 03 2018

<u>DATE</u>	<u>AMOUNT</u>
July 31, 2017	\$ 4,250.00
August 31, 2017	\$ 4,250.00
September 30, 2017	\$ 4,250.00
October 31, 2017	\$ 4,250.00
November 30, 2017	\$ 4,250.00
December 31, 2017	\$ 4,250.00
January 31, 2018	\$ 4,250.00
February 28, 2018	\$ 4,250.00
March 31, 2018	\$ 4,250.00
April 30, 2018	\$ 4,250.00
May 31, 2018	\$ 4,250.00
June 30, 2018	\$ 4,250.00
TOTAL	\$51,000.00

AP VERIFIED

01/08/18 - BETHANY CRUSE

Ellen M. Moran

01/03/18

05 60 5309001

81 ORCHESTRA DIRECTOR

11601 = 25⁰⁰ TR18 - NOTCRACKER

11701 = 4225⁰⁰ NP18 - NYE

**Performance Agreement between
College of DuPage and Kirk Muspratt**

This Agreement entered into this day March 15, 2016 by and between McAninch Arts Center at College of DuPage, 425 Fawell Boulevard, Glen Ellyn, IL 60137, a body corporate and politic and Kirk Muspratt, through William Reinert, William Reinert Associates, Inc., 163 Amsterdam Ave., #334, New York, NY 10023 acting as agent for Kirk Muspratt.

Kirk Muspratt will provide services to College of DuPage as a consultant to New Philharmonic at the McAninch Arts Center. His title shall be Music Director/ Conductor of New Philharmonic.

TERM

The term of this agreement shall be from July 1, 2016 through June 30, 2018, which aligns with the funding in the foundation budget.

PAYMENT

Payment to Kirk Muspratt:

\$49,500 year 1

\$51,000 year 2

Kirk Muspratt will be provided with local hotel accommodations for no more than 2 nights per year at the Hilton.

SERVICES TO BE RENDERED

Services shall include all responsibilities related to Music Director/ Conductor of New Philharmonic.

- Provide artistic vision for the organization
- Select repertoire and guest artists (in collaboration with the Director of the McAninch Arts Center)
- Audition and selection of orchestra musicians, opera artists, directors, and contracted artistic staff
- Assist in fund development and sponsor solicitation
- Assist in budget development and work within budgetary constraints
- Assist in marketing and public relations as requested- Arts Center has final approval of all marketing
- Participate in arts engagement and education activities
- Strive to maintain and grow audience and assure good welfare of the organization
- Provide direction to orchestra including orchestra manager, librarian, and personnel manager. (Official supervisory responsibilities will be assigned to COD employees)

A standard concert year shall include but not be limited to:

- The following events:
 - 1 New Year's Eve show – 3 performances
 - 1 pops concert – 2 performances
 - 2 classical concerts – 2 performances each
 - 1 concert opera or Opera
 - 1 summer pops concert
 - Nutcracker series at the MAC
 - Schoolstage concerts
 - Outreach and arts engagement events
 - Young people's concert competition
- and all marketing, fundraising, and public relations events associated with the support of these concerts/ productions.

Any outside or additional New Philharmonic engagements shall be addressed separate from this agreement on a per event basis.

Final approval of concert season lies solely with the Director of the McAninch Arts Center.

It is understood that the 2016 - 2017 and 2017-2018 season promotion, sales and fundraising are a responsibility of the director.

RESTRICTIONS

During the term of this contract Kirk Muspratt may accept outside engagements that do not conflict with the interests of the New Philharmonic.

It is understood that Kirk Muspratt also serves as the music director of the Northwest Indiana Symphony Orchestra (NISO) and that New Philharmonic and NISO will collaborate artistically; however, the staff, marketing, funding partners, and public relations resources of the McAninch Arts Center and the New Philharmonic will not be directed towards NISO events by Kirk Muspratt or any College of DuPage or New Philharmonic employee without the approval of the Arts Center Director.

LIAISON

While performing the services outlined in this agreement it is understood that Kirk Muspratt will report to and work with the Director of the McAninch Arts Center and communicate through the established hierarchy and protocol through Orchestra Manager for any administrative, marketing and foundation support.

TAXES

Kirk Muspratt will be responsible for all state and federal taxes due related to income from the above services. No check will be presented without completion of a W-9 form.

INSURANCE

It is understood that Kirk Muspratt is self-employed and must carry at his own cost and expense any insurance coverage, such as, workers' compensation, medical, property, liability, and auto related to the above mentioned services.

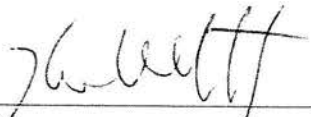
INDEMNIFICATION

Kirk Muspratt agrees to hold College of DuPage, its trustees, officers, directors, agents, successors, and assignees, harmless from any and all losses, damages, injuries, claims, demands, and expenses, including attorney's fees which may arise during the performance of this agreement.

TERMINATION/ RENEWAL

This agreement may be terminated for cause by College of DuPage at any time, in the event that Kirk Muspratt does not fulfill the agreed upon responsibilities, or in the event The New Philharmonic does not meet 80% of its fundraising or sales goals. Performance will be reviewed on an annual basis in March of each year. Both parties shall work in good faith to resolve any concerns that arise during the course of this process. Review/ renewal of this agreement will commence in good faith by both parties in January 2018. Both parties understand and accept that renewal is dependent on the financial strength of the MAC and The New Philharmonic Fundraising efforts.

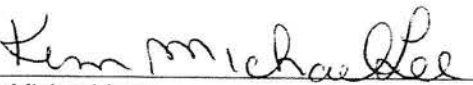
This agreement and attachment 1 (payment schedules) constitutes the entire understanding between the parties. In consideration thereof, all parties agree to the conditions set forth and above.


Kirk Muspratt, Artist

Date: MARCH 11 / 2016


Diana Martinez
Director, McAninch Arts Center

Date: MARCH 21, 2016


Kim Michael-Lee
Interim CFO and Treasurer for College of DuPage

Date: 5-2-16

CONTRACT
BOARD APPROVAL 2/3/16 ✓

Item 7c
March 3, 2016

Trustee Bernstein moved, Secretary Napolitano seconded, that the Board of Trustees approve the Consent Agenda consisting of the following items:

- a. Consortium Purchase for anatomy and physiology models for A&P classes from VWR, for an amount of \$63,599.14.
- b. Ethics Training Course Library to Workplace Answers, LLC, 4030 W. Braker Lane, Ste. 250, Austin, Texas 78759, for an expenditure of an annual fee of \$12,890.00, with a total three year cost of \$38,670.00.
- c. Annual Purchase of Advertising Media from Comcast Spotlight LLC, 12964 Collections Center Drive, Chicago, Illinois 60693, in the amount not to exceed \$40,000.00.
- d. Planned capital purchase of an electronic organ for the Music Program to Allen Organs of Chicago, in the amount of \$45,000.00.
- e. Purchase of an Articulating Tractor to the lowest responsible bidder, Russo Power Equipment, 9525 W. Irving Park Road, Schiller Park, Illinois 60176, in the amount of \$58,476.16.
- f. Homeland Security Training Center (HTC) Exterior Capsule Signs to the lowest responsible bidder, All American Sign Co., Inc., 5501 W. 109th Street, Oak Lawn, Illinois 60453 for the lump sum bid amount of \$52,291.00.
- g. Miller Exterior Capsule Signage Bid Rejection due to budgetary concerns and limited participation.
- h. Digital X-Ray Units for the Radiography program to Blue Ox Technologies, 7845 Colony Road, Suite C4-327, Charlotte, NC 28226, for a total expenditure of \$194,000.00.
- i. Approval of a 13-credit hour Foundations of Data Science Certificate Program.
- j. Approval of a 15-credit hour Fund Development in Human Services Certificate Program.
- k. Approval of a 24-credit hour Paraprofessional in Education Certificate Program.
- l. Approval of a \$500,000.00 transfer of funds from the contingency account to fund current and future outstanding ordinary legal fees and one-time costs associated with investigations, interim management and cooperation with law.
- m. Contract approval for Kirk Muspratt, through William Reinert, William Reinert Associates, Inc., 163 Amsterdam Ave., #334, New York, New York 10023, acting as agent for Kirk Muspratt, for a total expenditure not to exceed \$51,000.00 in

any one year.

- n. Approval of a purchase of computer equipment from Apple, Inc., 12545 Riata Vista Circle, Austin, TX 78727, for a total expenditure of \$249,004.00.
- o. Approval in an amount of \$55,475.00 to Bell Enterprises CDL, Inc., 306 Roscommon Court, Glen Ellyn, IL 60137, payable upon receipt of specific invoices related to the CDL program and consistent with the terms of the agreement between Bell Enterprises, Inc., and the College to cover contractual expenses for the CDL Instructional delivery.
- p. Approval in an amount of \$250,000.00 with MK Education (comprises of MRx1 Corporation and Kushan LLC), 920 Curtiss Street, Suite 338, Downers Grove, IL 60515, payable upon receipt of specific invoices related to each program and consistent with the terms of the agreement between MK Education and the College, to cover both contractual and instructional supply fees for providing the Pharmacy Technician, Veterinary Assistant, Dental Assistant and Hemodialysis Technician education programs.
- q. Motion Picture Television Capital Purchase from Woodgate Sales LLC, 920 Woodgate Ave., Long Branch, NJ 07740 in the amount of \$80,170.00.
- r. Approval of contract with Ellucian, Inc., 4375 Fair Lakes Ct., Fairfax, VA 22033 for a total expenditure not to exceed \$82,101.00.
- s. Authorization of the 2014 Intergovernmental Agreement between the County of DuPage and Community College District No. 502 permitting the use of College Facilities for Continuity of Essential County Services and Functions.
- t. Approval of the following revised Board Policies:
 - Policy 15-95: Employment Outside of the College (General)Deletion of the following Board Policies:
 - Policy 15-270: Employment Outside the College (Administrative)
 - Policy 15-351: Employment Outside of the College, Full-time Faculty
- u. Addendum to the Joint Education Agreement between South Suburban College and College of DuPage effective for the Spring 2016 semester.
- v. Approval of the purchase of meat items; beef, pork, lamb, chicken and variety meats for the Culinary & Hospitality Programs from Consumers Meat Packing Company, 1301 Carson Drive, Melrose Park, IL 60160 for an amount not to exceed \$38,000.00.
- w. Approval of purchase for the Culinary & Hospitality Programs from Edward Don & Company, 9801 Adam Don Parkway, Woodridge, IL 60517, for disposables, sanitation items and smallwares; cooking tools, china, glassware, small

equipment purchases for an amount not to exceed \$27,000.00.

- x. Approval of purchase of produce and dairy for the Culinary & Hospitality Programs from Testa Produce, Inc., 4555 S. Racine Ave., Chicago, Illinois 60609, for a not to exceed amount of \$62,000.00.
- y. Approval of purchase of grocery, dry, frozen and dairy for the Culinary & Hospitality Programs from US Foods, 800 Supreme Drive, Bensenville, IL 60106, for an amount not to exceed \$30,000.00.
- z. Approve of purchase for various uniforms and sporting equipment, for both Physical Education classes and athletic teams from Sports Supply Group d/b/a BSN Sports, in an amount not to exceed \$34,000.00.
- aa. Approval of purchase of Field and Studio Production Replacement Equipment on the E&I cooperative agreement from B&H Photo Video in an amount of \$85,440.00.
- bb. McAninch Arts Center (MAC) Sound Equipment to the lowest responsible bidder, Metropolitan Interactive, LTD., 9 S Cherry Street, Wallingford, CT 06492 for the lump sum bid amount of \$137,606.00.
- cc. Westmont Testing Center and Learning Commons Renovation to the lowest responsible bidder, JMA Construction, Inc., 1025 N. Harvard Road, Villa Park, IL 60181 for the lump sum bid amount of \$181,000.00.

On a roll call voting aye: Trustees Bernstein, Birt, McGuire and Wozniak, Secretary Napolitano and Vice Chairman Mazzochi. Motion passes.

5. **MINUTES OF THE NOVEMBER 5, 2015 SPECIAL BOARD MEETING**

Trustee McGuire moved and Trustee Bernstein seconded that the Board of Trustees approves the Minutes of the November 5, 2015 Special Board Meeting.

On a roll call voting aye: Trustees Bernstein, Birt, McGuire and Wozniak, Secretary Napolitano and Vice Chairman Mazzochi. Motion passes.

6. **MINUTES OF THE NOVEMBER 19, 2015 REGULAR BOARD MEETING**

Trustee McGuire moved and Trustee Bernstein seconded that the Board of Trustees approves the Minutes of the November 19, 2015 Regular Board Meeting.

On a roll call voting aye: Trustees Bernstein, McGuire and Wozniak, Secretary Napolitano and Vice Chairman Mazzochi. Trustee Birt abstained. Motion passes.

7. **FINANCIAL REPORTS, EXCLUDING LEGAL BILLS**

Trustee McGuire moved and Trustee Bernstein seconded that the Board of Trustees approves the Financial Reports, Excluding Legal Bills.

CONTRACT APPROVAL COVER SHEET

Contract Name: College of DuPage & Kirk Muspratt

Requesting Department: The MAC Date Initiated: March 21, 2016

Contact Name: Ellen McGowan/Diana Martinez Phone: 3009/3007

Email Address: mcgowan@cod.edu, martinez59@cod.edu

Vendor Name: Kirk Muspratt Phone: 630-942-3005

Vendor Contact: Kirk Muspratt Email: Muspratt@cod.edu

Total Contract: \$ 100,500 Contract Dates: Start: 07/01/16

FY Budget \$ 49,500 FY17, \$51,000 FY18 End: 06/30/18

Contract Purpose: New Philharmonic Orchestra Director/Conductor July 1, 2016 to June 30, 2018.
Was Board approved on February 3, 2016. (attached)

Contract Type: ☒ XXXX Independent Contractor ☐ Service Agreement ☐ Lease
☐ Construction ☐ Other

Has the College contracted with this vendor in the past or is this a renewal or extension of a previously approved contract? ☒ xxx Yes ☐ No (If YES, attach a copy of the relevant agreement.)

Are required support documents attached? (see page 2) XXX Yes

I certify that I have read and understand the terms of this agreement and have appropriate authority to submit this agreement on behalf of my department. I further certify that the agreement is complete and includes all exhibits, attachments and pages.


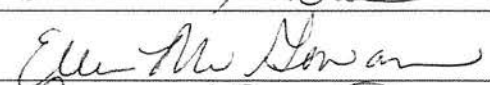
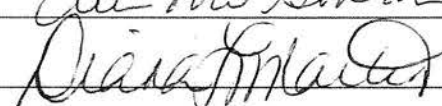
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Sign

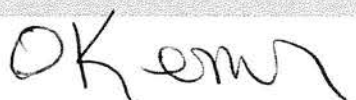
Requester: Ellen McGowan

Budget Mgr.: Ellen McGowan

Dept. Adm.: Diana Martinez

Purchasing Dept. Use Only



CONTRACT APPROVAL COVER SHEET (Instructions)

Per Administrative Procedure 10-60, all contracts entered into on behalf of the College of DuPage must be signed by the Senior Vice President, Administration. This form must be completed in full and submitted with all contracts that require signature.

Submit the contract, along with this form and all required support documents as outlined below, to the Purchasing Manager in BIC 1540. The Purchasing Manager will review all documents, and, if appropriate, will forward to the Senior Vice President, Administration for signature. Contracts submitted without complete documentation will be returned to the requester.

Required support documentation:

1. Contract value less than \$5,000: Contract Purpose section should indicate action taken to confirm best price.
2. Contract value between \$5,000 and \$14,999: minimum of three (3) verbal quotes must be documented (vendor name and quoted amount) on this form or an attached sheet.
3. Contract value between \$15,000 and \$24,999: minimum of three (3) written quotes.
4. Contract value of \$25,000 or greater: bid results (bid tabulation or RFP evaluation matrix), Board Report, and confirmation of Board approval (meeting minutes or Cabinet confirmation).
5. XXX Contracts submitted as sole source: full justification of sole source and letter from the vendor confirming they are the only source of the product/service. Artist is a sole source.
6. If vendor will be providing a service on campus a Certificate of Insurance is required. For additional information contact Risk Manager.

Upon signature, the original contract will be returned to the requester. It is the responsibility of the requester to forward all fully executed contracts/agreements, no matter the dollar amount, to the Purchasing Department by emailing to purchasingforms@cod.edu for inclusion in the College's contract database. If a vendor/ contractor signature is still required after signature by SVP, it is the responsibility of the requester to obtain remaining signature(s). Once fully executed, requester will scan a copy of the complete contract and email to purchasingforms@cod.edu.

A copy of the signed contract, along with all required support documents, must be attached to the requisition when initiated.