

AMEND BOARD REPORT 07-0822-PR14**APPROVE ENTERING INTO AN AGREEMENT WITH THE SPARK PROGRAMS, A DIVISION OF SPORTIME, LLC, FOR THE PURCHASE OF RECREATION EQUIPMENT, CURRICULUM, TRAINING, AND TRANSPORTATION FOR THE OFFICE OF EXTENDED LEARNING OPPORTUNITIES AFTER-SCHOOL ALL-STARS PROGRAM****THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Approve entering into an agreement with The SPARK Programs, a division of Sportime, LLC, for the purchase of recreation equipment, training and travel expenses for the Office of Extended Learning Opportunities' After-School All-Stars Program at a cost not to exceed \$682,688.40 over the three year agreement term. This Vendor was chosen pursuant to the Carol M. White Physical Education Program Grant awarded by ISBE for a three year period and designated use of this vendor is stipulated in the approved grant. A written agreement for this purchase is currently being negotiated. No goods or services may be ordered or 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 amended Board Report. Information pertinent to this agreement is stated below.

This amendment is necessary to correct both the legal name and vendor number for the approved vendor.

VENDOR: The SPARK Programs, a division of Sportime, LLC
438 Camino Del Rio South, #110
San Diego, CA 92108
Paul Rosenberg, Executive Director
Vendor #12737 #48490

USER: Office of Extended Learning Opportunities
125 S. Clark St., 10th Floor
Chicago, IL 60603
Erica Harris, Officer
(773) 553-3680

TERM: The term of this agreement shall commence the date the agreement is signed and shall end June 30, 2010.

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

DESCRIPTION OF PURCHASE:

Goods: Elementary Active Recreation Sets
Quantity: 120 sets
Unit Price: \$4,766.67
Total Cost Not to Exceed: \$572,000.40

Services: Transportation for Trainers
Quantity: 12 trips
Unit Price: \$1,975.00
Total Cost Not to Exceed: \$23,700.00

Goods: Spark PE Active Recreation Curriculum Manuals
Quantity: 600
Unit Price: \$99.99
Total Cost Not to Exceed: \$59,994.00

Services: Spark Premium Active Recreation Staff Development
Quantity: 6 (2 times per year for 3 years)
Unit Price: \$4,499.00
Total Cost Not to Exceed: \$26,994.00

OUTCOMES: This purchase will result in the successful implementation of the U.S. Department of Education Carol M. White Physical Education Program (PEP) Grant: After-School All-Stars Program. The program will be offered at forty elementary schools four hours per week for twenty weeks each year under the agreement term. This program requires the acquisition of new and specialized physical education equipment and staff development each year over the three year agreement term in order to improve the quality of after school recreation at all 120 school sites.

COMPENSATION: Vendor shall be paid in accordance with the unit prices contained in the agreement which will total \$227,562.80 per year, with total compensation under the agreement not to exceed the sum of \$682,688.40.

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.

AFFIRMATIVE ACTION: The M/WBE requirements for this contract are exempt from review as Sportime/SPARK, a division of Sportime, LLC, is the sole source vendor named in the Carol M. White PEP Grant awarded to the Office of Extended Learning Opportunities.

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

FINANCIAL: Charge to Extended Learning Opportunities: \$682,688.40 Fiscal Year: 2008-2010
Budget Classifications: 11390-TBD-55005-150006-TBD \$572,000.40
11390-TBD-54210-150006-TBD \$23,700.00
11390-TBD-53305-150006-TBD \$59,994.00
11390-TBD-54125-150006-TBD \$26,994.00

Source of Funds: Carol M. White PEP Grant Award #Q215F070003
Requisition Number:

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.

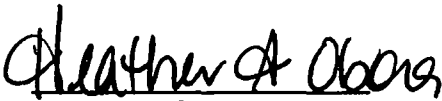
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their 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 June 23, 2004 (04-0623-PO4), 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:



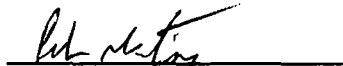
Heather A. Obora
Chief Purchasing Officer

Approved:



Arne Duncan
Chief Executive Officer

Within Appropriation:



Pedro Martinez
Chief Financial Officer

Approved as to legal form: 



Patrick J. Rocks
General Counsel