

**APPROVE ENTERING INTO AN AGREEMENT WITH ARTS MATTER (GALLERY 37)  
FOR CONSULTANT SERVICES FOR ARTS PROGRAM**

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

Approve entering into an agreement with The Arts Matter (Gallery 37) to provide consultant services at a cost not to exceed \$900,000. Vendor was selected on a non-competitive basis because of proven expertise in quality on-the-job training in the music, drama, dance, and visual arts. A written agreement for Consultant's services is currently being negotiated. No services shall be provided and no payment shall be made to Consultant prior to the execution of a written agreement. The authority granted herein shall automatically rescind in the event a written agreement is not executed within 60 days of the date of this Board Report. Information pertinent to this agreement is stated below.

**Specification No.:** 02-250186

**CONSULTANT:**

Arts Matter (Gallery 37)  
66 East Randolph Street  
Chicago, IL 60601  
(312) 744-1610  
Vendor # 24726  
Contact: Terry Newman

**USER:**

Office of Language and Cultural Education  
125 South Clark Street, 11<sup>th</sup> Floor  
Chicago, Illinois 60603  
Manuel J. Medina  
(773) 553-1930

**TERM:** The term of this agreement shall commence on the date the agreement is signed and shall end June 30, 2003.

**SCOPE OF SERVICES:** Consultant will: 1) Coordinate and administer the after school arts program in the participating schools; 2) Design two arts program sessions: fall session (October 7 through December 13, 2002) and spring session (February 3 through April 11, 2003); 3) Implement a total of forty (40) visual and performing arts projects at thirty (30) Chicago Public High Schools; 4) Work with approximately 1,600 students, ages 14-21, Mondays through Thursdays for nine (9) hours every week; 5) Service participating students at their home school by offering diverse programs in art disciplines: drama, dance, music, and visual arts; 6) Offer culturally diverse art projects including folklore and flamenco dance, African dance and music, Puerto Rican drumming and dance, middle eastern rhythms, and batik textile design.

**DELIVERABLES:** Consultant will provide the following to the Office of Language and Cultural Education: 1) Professional teaching staff to carry out each of the forty (40) arts projects at thirty (30) high schools; 2) Sufficient materials and supplies needed to implement the arts projects; 3) Provide administrative staff to support all logistics for the forty (40) projects; 4) Exhibit fall and spring session student's visual art work with public receptions for students, parents and community; and 5) Present culminating program events of performance related projects, from fall and spring sessions.

**OUTCOMES:** Consultant services will result in: 1) Improvement of participating student's artistic abilities in the visual and performing arts areas; 2) Student's learning of skills to obtain future jobs; and 3) Student's realization of the variety and types of jobs that match their interest and potential.

**COMPENSATION:** Consultant shall be paid as follows: two equal payments of \$450,000 not to exceed \$900,000. The first payment will be made upon the signing of contract and the final payment by March 3, 2003.

**REIMBURSABLE EXPENSES:** None

**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 Education Officer to execute all ancillary documents required to administer or effectuate this agreement.

**AFFIRMATIVE ACTION:** The M/WBE goals for this contract include: 35% total MBE, 22 % total African American, 10% total Hispanic, 2% total Asian and 5% total WBE.

However, the Waiver Review Committee recommends that a *partial* waiver of the M/WBE participation goals for this contract as required by the Revised Remedial Plan be granted because the contract scope is not further divisible.

The vendor has, however, identified and scheduled the following firms and percentages

Total MBE 1.47 %

Total 1.07 % African American

DD&S Inc. 16 W. Elm St. Chicago, IL 60610	\$3,000	.3%	Certification period 9/30/02
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Princess Transportation 1515 W. 74 <sup>th</sup> St. Chicago IL	\$2,500	.28%	Certification period 8/02
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Illinois Student Transportation 3249 W. Harrison Chicago, IL.60636	\$2,500	.28%	Certification period Pending
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Best Imaging Solutions 20 E. Randolph Chicago IL.60620	\$1,500	.17%	Certification period 9/30/02
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Total Hispanic .4%

Fullerton Industrial Supply 456 W. Fullerton Chicago, IL 60614	\$4,000	.4%	Certification period 2/28/03
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Total WBE .64%

Sir Speedy Printing 311 S. Wacker Dr. Chicago, IL.60606	\$5,000	.56%	Certification period 11/1/02
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C'est Si Bon 5225 S. Harper Chicago, IL. 60615	\$700	.08%	Certification period 11/1/02
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The City of Chicago Department of Procurement Services certifies each identified firm. The identified firms are subject to change upon approval from the Procurement and Contract's Division of Compliance and Vendor Services without further Board approval.

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

**FINANCIAL:** Charge to Language and Cultural Education: \$900,000  
Budget Classification: 0930-210-000-2242-5410 /\$900,000 FY 2003  
Source of Funds: Citywide Fund # 210

**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.

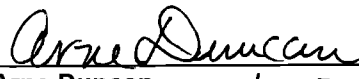
**Ethics –** The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made part of the agreement.

**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).

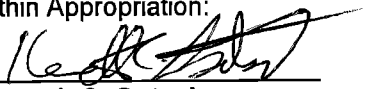
Approved for Consideration:

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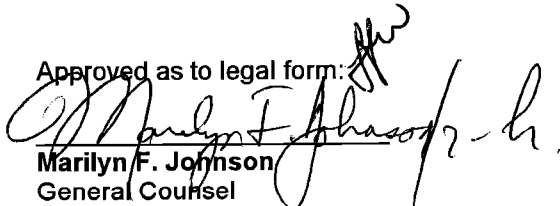
  
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**Anita Rocha**  
Acting Chief Purchasing Officer

  
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**Arne Duncan**  
Chief Executive Officer *by PAD*

Within Appropriation:

  
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**Kenneth C. Gotsch**  
Chief Fiscal Officer

Approved as to legal form:

  
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**Marilyn F. Johnson**  
General Counsel