

**APPROVE ENTERING INTO AN AGREEMENT WITH METRITECH, INC.
FOR CONSULTING SERVICES**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with MetriTech, Inc. to provide consulting services to the Office of Language and Cultural Education at a cost not to exceed \$125,000. Consultant was selected on a non-competitive basis based on the consultant's expertise and past involvement in the development and scoring of the CPS-MetriTech English Language Proficiency Test series for English Language Learners. A written agreement for Consultant's services is currently being negotiated. No payment shall be made to Consultant 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 60 days of the date of this Board Report. Information pertinent to this agreement is stated below.

Specification No.: 03-250114

CONSULTANT: MetriTech, Inc.
4106 Fieldstone Road
Champaign, IL 61821
Contact Person: Dr. Anne Kilian
Phone: (217) 398-4868
Vendor # 21151

USER: Office of Language and Cultural Education
125 South Clark Street, 11th Floor
Chicago, Illinois 60603
Contact Person: Medina, Manuel
Phone: (773) 553 - 1930

TERM: The term of this agreement shall commence on July 1, 2003 and shall end June 30, 2004. This agreement shall have (1) option to renew for a 12 month period. Per student scoring and reporting cost for the option period will be \$ 4.67.

EARLY TERMINATION RIGHT: The Board shall have the right to terminate the agreement with 90 days written notice.

SCOPE OF SERVICES: Consultant will score the spring 2003 English Language Proficiency Test booklets (listening, reading and writing) responded by 28,000 K-2 English Language Learners. After scoring, the consultant will continue to prepare printed and electronic reports of the individual student's scores on the three tests. These reports will be prepared no later than 60 days after the consultant receives the tests from the schools.

DELIVERABLES: Consultant will provide student score reports both in print and electronically. These score reports will be delivered to the Office of Language and Cultural Education within 60 days after the tests to be scored are delivered to the Consultant.

OUTCOMES: Consultant's services will result in schools receiving English language proficiency listening, reading and writing scores that will be used in the fall.

COMPENSATION: Consultant shall be paid at a rate of \$4.48 per student in one lump sum upon completing services, not to exceed the sum of \$125,000.

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 goals for this contract include: 35% total MBE, 22% total African American, 10% total Hispanic, 2% total Asian, and 5% total Women Business Enterprise. However, the Wavier Review Committee recommends that a *full* waiver of the M/WBE participation goals for this contract as required by the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE Plan) be waived because the contract scope is not further divisible.

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

FINANCIAL: Charge to: The Office of Accountability for the Office of Language and
Cultural Education: \$ 125,000 Fiscal Year: 2003
Budget Classification: 0920-210-000-1028-5410 \$ 125,000 Source of Funds: Board Funds

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).

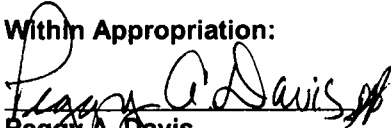
Approved for Consideration:


Sean P. Murphy
Chief Purchasing Officer

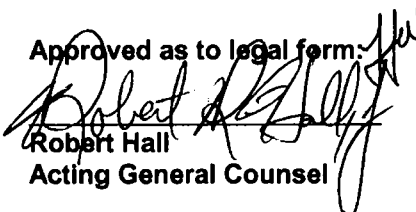
Approved:


Arne Duncan
Chief Executive Officer

Within Appropriation:


Peggy A. Davis
Chief of Staff

Approved as to legal form:


Robert Hall
Acting General Counsel