

**APPROVE ENTERING INTO AN AGREEMENT WITH THE CHILDREN'S HEALTH MARKET, INC.
FOR THE PURCHASE OF INSTRUCTIONAL MATERIALS**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with The Children's Health Market ("Vendor") for the purchase of instructional materials for the Office of Specialized Services at a cost not to exceed \$500,000.00. Vendor was selected on a non-competitive basis because it offers a unique and comprehensive health education curriculum ("The Great Body Shop") for students pre-kindergarten through sixth grades. A written agreement for this purchase is currently being negotiated. No goods may be 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 60 days of the date of this Board Report. Information pertinent to this agreement is stated below.

Specification No.: 03-250269

VENDOR: The Children's Health Market, Inc.
P.O. Box 7294
Wilton, CT 06897
Contact Person: Nancy Grace
(800) 782-7077
Vendor #: 46293

USER: Office of Specialized Services
125 S. Clark Street, 8th Floor
Chicago, IL 60603
Contact Person: Dr. Renee Grant-Mitchell
(773) 553-1804

TERM: The term of the agreement shall commence on the date the agreement is signed and shall end upon satisfactory delivery of the goods.

DESCRIPTION OF PURCHASE: The Great Body Shop Curriculum meets the following criteria in comprehensive health education for parental involvement, materials that are culturally and ethnically diverse, easy integration into other curricula and correlation to the Chicago Public Schools Academic Standards and Curriculum Framework Statements. This curriculum covers Nutrition, Physical Fitness, Injury Prevention and Personal Safety, Functions of the body, Growth & Development, Community Health & Safety (Violence), Self Worth, Mental & Emotional Health, Environmental and Consumer Health, HIV/AIDS and Substance Abuse prevention.

OUTCOMES: The Great Body Shop is being purchased to provide a standard framework to teach comprehensive health education to students in the pre-kindergarten to sixth grades. This curriculum will help develop a standard approach to provide health knowledge, critical skills and healthy choices for our students and teachers.

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 Officer of Specialized Services 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% Asian and 5% total WBE.

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

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

FINANCIAL: Charge to Office of Specialized Services: \$500,000.00 Fiscal Year: 2004
Budget Classification: 0966-239-480-1627-5310
Source of Funds: Title IV Safe and Drug Free Schools and Communities funds
Requisition Number: pending

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.

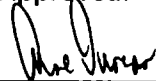
Ethics – The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

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:


Heather A. Obora
Chief Purchasing Officer

Approved:


Arne Duncan
Chief Executive Officer

Within Appropriation:


John Maiorca
Chief Financial Officer

Approved as to legal form:


Ruth M. Moscovitch
General Counsel