

**APPROVE ENTERING INTO AN AGREEMENT WITH EXPERIMENTAL SYSTEMS
FOR THE PURCHASE OF AN ARTIFICIAL CLIMBING WALL
(WALTER PAYTON COLLEGE PREP HIGH SCHOOL)**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Experimental Systems for the purchase of an Artificial Climbing Wall for the Walter Payton College Prep High School at a cost not to exceed \$42,100.00. Vendor was selected pursuant to a duly advertised competitive Bid Solicitation (Specification No. 03-250085). A written agreement for this purchase is available for signature. 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.: 03-250085

VENDOR: Experimental Systems Contract Administrator: Pamela Seanior – 3-2254
4624 S. 1st Street
Kalamazoo, MI 49009
(877) 206-8967
Contact Person: Keith Jacobs
Vendor No. 38086

USER: Walter Payton College Prep High School
1034 N. Wells
Chicago, IL 60610
Contact Person: Simone Poulos
(773) 534-0034 Ext. 109

TERM: The term of this agreement shall commence on the date the agreement is signed and shall end upon satisfactory delivery, training and installation.

EARLY TERMINATION RIGHT: The Board shall have the right to terminate this Agreement with thirty (30) days written notice.

DESCRIPTION OF PURCHASE: Vendor shall provide and install an Indoor Four Platform – Six Element Course Artificial Climbing Wall in the gymnasium at Walter Payton College Prep High School. Vendor shall provide training for four Physical Education Teachers for 10 hours per teacher including training materials. Installation and training must be completed by August 15, 2004.

COMPENSATION: Compensation for the goods, delivery, installation and training shall not exceed \$42,100.00.

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: Total MBE 7% and African American 7%.

LSC REVIEW: This action was approved by the LSC for Walter Payton College Prep High School on May 5, 2003.

FINANCIAL: Charge to: Walter Payton College Prep H.S.: \$42,100.00 Fiscal Year: (FY2003)
Budget Classification: 1090-210-000-7078-5730 Source of Funds: 210 General Operating Fund

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.

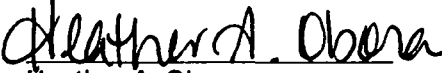
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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

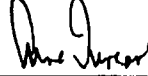
Ethics – The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

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. Obara
Chief Purchasing Officer

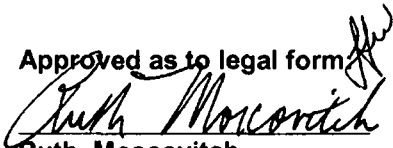
Approved:


Arne Duncan
Chief Executive Officer

Within Appropriation:


John Maiorca
Chief Financial Officer

Approved as to legal form


Ruth Moscovitch
General Counsel