

APPROVE ENTERING INTO A SOFTWARE LICENSE AGREEMENT WITH THE GALE GROUP**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Approve entering into a software license agreement with The Gale Group (Gale) for reference databases and full-text periodicals to be used by all schools and CPS departments at a cost not to exceed \$130,000.00. Software Licensor was selected on a competitive basis pursuant to Board Rule 5-4.1. A written license agreement for such software products is currently being negotiated. Software upgrades and "bug fixes" will be provided free of charge for the term of the contract. No use of the software shall begin and no payment shall be made to Software Licensor prior to the execution of the written license 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 Board Report. Information pertinent to this agreement is stated below.

VENDOR:

Gale Group, The
27500 Drake Road
Farmington Hills, Mi 48333
Ryan Lefton
248-699-4253
Vendor # 31979

USER:

Instructional Design and Assessment
125 S Clark St - 5th Floor
Chicago, IL 60603
Paul Whitsitt
773-553-6210

TERM:

The term of this software license agreement shall commence on July 1, 2008 and shall end June 30, 2009. The Board shall have 3 options to renew this agreement for periods of 1 year each.

USE OF SOFTWARE:

All Chicago public school students, teachers, staff, and administrators will have access from CPS facilities and home for the following reading and reference databases: Student Resource Center - Gold; Student Resource Center - Junior; Student Resource Center - Health Module; Discovering Collection; Junior Reference Collection; InfoTrac Student Edition; InfoTrack Junior; Professional Collection; Kids InfoBits; and Lit Finder for Schools. This agreement will also include hosting for the Gale Virtual Reference Library.

OUTCOMES:

Access to Gale databases will improve student achievement by improving access to periodicals and reference materials.

LICENSE FEE:

Software Licensor shall be paid a license fee in the amount of \$130,000.00.

MAINTENANCE FEE:

Upgrades and bug fixes will be included at no cost for the term of the agreement.

AUTHORIZATION:

Authorize the General Counsel to include other relevant terms and conditions in the written license agreement, including any indemnities to be provided to the Software Licensor. Authorize the President and Secretary to execute the license agreement. Authorize the Chief Officer of Instructional Design and Assessment to execute all ancillary documents required to administer or effectuate this license agreement.

AFFIRMATIVE ACTION:

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 contract scope is not further divisible.

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

13705-115-53306-221216-000071-2009

\$130,000.00

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:



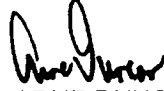
HEATHER A. OBORA
Chief Purchasing Officer

Within Appropriation:



PEDRO MARTINEZ
Chief Financial Officer

Approved:



ARNE DUNCAN
Chief Executive Officer

Approved as to Legal Form:



PATRICK J. ROCKS
General Counsel