

APPROVE ENTERING INTO AN AGREEMENT WITH EDUCATIONAL IDEAS, INC., DBA BALLARD & TIGHE PUBLISHERS FOR THE PURCHASE OF TEST MATERIALS

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with Educational Ideas, Inc., d/b/a Ballard & Tighe Publishers for the purchase of test materials for the Department of Student Assessment in the Office of Teaching and Learning at a cost not to exceed \$150,000.00. Vendor was selected by ISBE in order to meet the requirements of the No Child Left Behind Act. A written agreement for this vendor is currently being negotiated. No goods may be ordered or 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 90 days of the date of this Board Report. Information pertinent to this agreement is stated below.

VENDOR: Educational Ideas Inc., DBA Ballard & Tighe Publishers
471 Atlas St.
Brea, CA 92821
Contact: Melissa Cortez
Telephone No.: 800-321-4332
Vendor #: 12866

USER: Department of Student Assessment, Office of Teaching and Learning
125 South Clark Street, 11th Floor
Chicago, IL 60603
Contact: Mariann Lemke
Telephone No.: (773) 553-2430

TERM: The term of this agreement shall commence on the date the agreement is signed and shall end June 30, 2010. This agreement shall have three options to renew for periods of one year each.

EARLY TERMINATION RIGHT: The Board shall have the right to terminate this agreement with 30 days written notice.

DESCRIPTION OF PURCHASE:

- **Goods:** Oral English language proficiency assessment system consisting of Vendor's Pre-IPT (IDEA Proficiency Test) screener materials for Pre-K students (ages 3 and 4 only).
- **Quantity:** At least one single Pre-IPT test set for every CPS elementary school with a Pre-K program (including charter and contract schools); additional test sets and supplies for schools with significant English Language Learner (ELL) populations that screen large numbers of students (based on historical Home Language Survey ELL identification data provided by IMPACT); additional individual supplies to replace or supplement consumable materials
- **Unit Price:** Varies based on item: Test Set with Test Booklets - \$213; additional package of consumable Test Booklets - \$69 each; additional kit items – ranges from \$11-\$48 each.

Total Cost Not to Exceed: \$150,000 in aggregate

OUTCOMES: The oral language proficiency assessment materials furnished by Ballard & Tighe are mandated by ISBE for use with pre-K students enrolling for the 09-10 school year. They evaluate students' oral proficiency in English within the two language domains of listening and speaking. These assessment materials will aid in the initial identification of English language learners and placement of these students into the most appropriate instructional program available. Progress in English oral language development can be monitored to ensure that each student is achieving appropriate levels of growth and is prepared to achieve gains in a general education classroom without the aid of language support services.

COMPENSATION: Vendor shall be paid in accordance with the unit prices contained in the agreement; not to exceed the sum of \$150,000.00.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the agreement. Authorize the President and Secretary to execute the agreement. Authorize the Chief of the Office of Teaching and Learning to execute all ancillary documents required to administer or effectuate this agreement.

AFFIRMATIVE ACTION: The M/WBE goals for this contract include 15% total MBE and 5% total WBE. However, the Waiver Review Committee recommends a full waiver of the MBE/WBE participation goals required by the Remedial Program for Minority and Women Owned Business Enterprise participation in Goods and Services Contracts be granted due to the contract being not further divisible.

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

FINANCIAL: Charge to Department of Student Assessment, Office of Teaching and Learning
\$150,000.00
Budget Classification: TBD Fiscal Year: 2010
Source of Funds: 115 General Education 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.

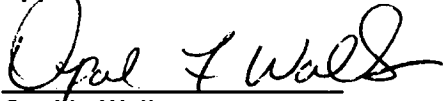
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board member during the one year period following expiration or other termination of their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



Opal L. Walls
Chief Purchasing Officer

Approved:



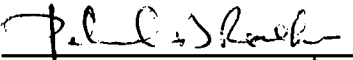
Ron Huberman
Chief Executive Officer

Within Appropriation:



Pedro Martinez
Chief Financial Officer

Approved as to legal form:



Patrick J. Rocks
General Counsel