

**APPROVE PAYMENT TO AND RATIFY ENTERING INTO AN AGREEMENT WITH
MALIWAN DIEMER FOR CONSULTING SERVICES**

Approve payment to Maliwan Diemer in the amount of \$17,500 for services rendered from October 26, 2009 through January 27, 2010 without prior board approval for her work on the Having a Ball program (HAB) and Elementary Dance Scholarship Program (EDSP) and ratify entering into an agreement with Maliwan Diemer to provide consulting services to the Office of Arts Education at a cost not to exceed \$48,750, inclusive of the \$17,500 payment. Consultant was selected on a non-competitive basis due to her experience in administering the HAB program and the EDSP. A written agreement for Consultant's services is currently being negotiated. No payment beyond the initial amount of \$17,500 may be made prior to 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.

CONSULTANT: Maliwan Diemer
1904 W. Waveland Ave, Flr 2
Chicago, IL 60613
(773) 575-4303
Vendor #95115

USER: Office of Arts Education
125 S. Clark Street
David Roche
773-553-1943

TERM: The term of this agreement shall commence on October 26, 2009 and shall end June 30, 2010. This agreement shall have 2 options to renew for periods of 1 year each.

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

SCOPE OF SERVICES: The consultant will provide development, management and production services as they relate to the following dance programs: Having a Ball (HAB) and the Elementary Dance Scholarship Program (EDSP).

DELIVERABLES: The consultant will provide the following:

- Design, development and implementation of program curriculum and structure
- Planning and management of semi-final and final competitions
- Planning and management of program events including auditions, in studio demonstrations, and other performance opportunities
- Management and hiring of program faculty and staff
- Supervision of program implementation in schools
- Design of program materials
- Manage and assist in the design of professional development sessions
- Manage dance teacher training sessions
- Regular site visits to schools, including teaching as needed
- Primary liaison to schools for program related inquiries; provide clear and consistent information
- Administrative work as related to the program including scheduling, space rental, communication with vendors/partners, etc.
- Interview, select and review schools invited to participate
- Liaison and primary contact to public relations firm
- Coordinate and facilitate a steering committee for HAB and EDSP
- Assist in the planning of steering committee activities such as fundraising

OUTCOMES: Consultant's services will result in the continuation of the HAB program and the EDSP and ensure that they are being appropriately facilitated while maintaining the highest levels of instruction to the students.

COMPENSATION: Consultant shall be paid as follows: \$5833 per month from October 26, 2009 through January 27, 2010 and \$6250 per month from January 28, 2010 through June 30, 2010, not to exceed the sum of \$48,750.

REIMBURSABLE EXPENSES: None.

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 Chief of Staff to the Board to execute all ancillary documents required to administer or effectuate this agreement.

AFFIRMATIVE ACTION: This agreement is in full compliance with the goals required by the Remedial Program for Minority and Women Owned Business Enterprise Participation in Goods and Services Contracts. The Consultant providing the services is 100% Woman Owned.

Total WBE – 100%

Maliwan Diemer
1904 W. Waveland Ave., 2nd Floor
Chicago, IL 60613
(773) 575-4303

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

FINANCIAL: Charge to Office of the Board: \$17,500 Fiscal Year: 2009-2010
Budget Classification: 10110-115-54125-231004-000000

Charge to Office of Arts Education: \$31,250 Fiscal Year: 2009-2010
Budget Classification: 10890-115-54125-113035-000000
Source of Funds: Professional and Technical

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.

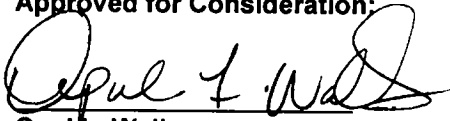
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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



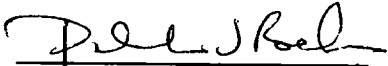
Opal L. Walls
Chief Purchasing Officer

Within Appropriation:



Christina Herzog
Acting Chief Financial Officer

Approved as to legal form:



Patrick J. Rocks
General Counsel

