APPROVE ENTERING INTO A LICENSE AGREEMENT WITH ACHIEVE 3000, INC. FOR THE PURCHASE OF WEB-BASED INSTRUCTIONAL TEXT FOR USE IN READING AND LANGUAGE ARTS (RLA) CURRICULUM - DREAMS AND DOORWAYS

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into a license agreement with Achieve 3000, Inc. for the purchase of web-based instructional texts for Office of Reading and Language Arts at a cost not to exceed \$990,000.00. Achieve 3000 was selected on a non-competitive basis and approved by the Non-Competitive Procurement Review Committee. A written agreement for this purchase is currently being negotiated. No goods may be ordered or received and no payment shall be made to Vendor 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.

VENDOR:

1) Vendor # 12499 ACHIEVE 3000 1091 RIVER AVENUE LAKEWOOD, NJ 08701 Peter Saretsky 732-367-5505

USER:

Citywide - Reading & Language Arts 125 South Clark Street, 11th Floor Chicago, IL 60603

Contact: Paul Whitsitt 773-553-6418

TERM:

The term of this agreement shall commence on October 1, 2010 and shall end September 30, 2012. This agreement shall have 2 options to renew for periods of 1 year each. Each option period will not exceed \$1,000,000.00.

EARLY TERMINATION RIGHT:

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

DESCRIPTION OF PURCHASE:

Achieve 3000, Inc. will license web-based instructional texts selected by the Office of Reading and Language Arts, such as KidBiz 3000 and Teen Biz 3000. The instructional texts will be delivered to teachers and students through an enclosed email environment and will be aligned to grade level unit themes, one per student. Text will be aligned to grade level standards, but support individual student lexiled reading levels between 2nd and 9th grades. The number of student text ordered will be based upon projected enrollment figures. Vendor will also provide materials for home connections, data reports at the student, teacher, school and district level, and dedicated project management to support the CPS implementation.

OUTCOMES:

This purchase will result in the successful implementation of the Reading and Language Arts (RLA) 6 Dreams and Doorways Curriculum offered through the Office of Reading and Language Arts. The RLA 6 Dreams and Doorways curriculum will be offered at 33 elementary schools beginning fall 2010, serving approximately 3,000 students. The Achieve 3000, Inc. electronic instructional texts are offered at the students individual reading level, which allows maximum opportunity for increased student achievement in silent reading fluency, comprehension, vocabulary acquisition, and concept development, all integrated within the curriculum's instructional themes.

COMPENSATION:

Vendor shall be paid as specified in the written agreement; total compensation payable to Achieve 3000, Inc. not to exceed \$990,000.00.

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. Authorize Director of Reading and Language Arts to execute all ancillary documents required to administer or effectuate this agreement.

AFFIRMATIVE ACTION:

Pursuant to the Remedial Program for Minority and Women Owned Business Enterprise Participation in Goods and Services Contracts, the MBE/WBE goals for this agreement are: 25% total MBE and 5% total WBE participation. However, the Office of Business Diversity recommends a partial waiver of the WBE goal be granted because the scope of work is not further divisible.

The Vendor has identified the following:

Total MBE - 25%

Technology Learning & Curriculum Design, Inc. 8937 S. Chappel Ave., Suite 1405 Chicago, Illinois 60617 Contact: Lillian B. Kelly

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

Charge to: Office of Reading and Language Arts Amount: \$990,000.00

Budget Classification #: 13705-332-53305-233031-430089 Source of Funds: Title 1

CFDA#: Not Applicable

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:

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OPAL L. WALLS
Chief Purchasing Officer

Within Appropriation:

DIANAS. FERGUSON Chief Financial Officer Approved:

RON HUBERMAN
Chief Executive Officer

Approved as to Legal Form;

PATRICK J. ROCKS General Counsel