

APPROVE ENTERING INTO AN AGREEMENT WITH ACT, INC. FOR THE PURCHASE OF TEST MATERIALS AND RELATED SERVICES

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an agreement with ACT, Inc. for the purchase of test materials and related services for the Department of Student Assessment at a cost not to exceed \$1,500,000. Vendor was selected on a non-competitive basis: the sole-source request was presented to the Non-Competitive Review Committee and approved by the Chief Purchasing Officer. A written agreement is currently being negotiated. No products or services shall be provided 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:

- 1) Vendor # 46875
ACT, INC.
500 ACT DRIVE, P.O. BOX 168
IOWA CITY, IA 52243-0168
Tami Hrasky
319-341-2869

USER INFORMATION :

Contact:

11210 - Office of Student Assessments

125 S Clark Street, 11th Floor

Chicago, IL 60603

Bartz, Miss Margaret Ann

773-553-2320

TERM:

The term of this agreement shall commence on the date the agreement is signed and shall end August 31, 2012. This agreement shall have two (2) options to renew for periods of one (1) year each.

EARLY TERMINATION RIGHT:

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

DESCRIPTION OF PURCHASE:

Goods: Educational and Assessment System consisting of Vendor's PLAN, EXPLORE and released ACT and license to WorkKEYS assessment materials for grades 8, 9, 10, and 11, and released EXPLORE, PLAN and ACT; purchase of additional related materials and services for CPS departments and area offices.

Quantity: as indicated in contract

Unit Price: as indicated in contract

Total Cost Not to Exceed: \$1,500,000.00

OUTCOMES:

The educational and assessment system furnished by ACT will provide a longitudinal, systemic approach

to educational and career planning, assessment, instructional support, and evaluation. Academic progress will be monitored to ensure that each student is prepared to reach his/her post-high school goals. In addition, the academic monitoring service furnished by ACT during this period will provide teachers and administrators with a comprehensive analysis of their students' academic growth between grade levels, schools to areas and district growth.

COMPENSATION:

Vendor shall be paid in accordance with the unit prices contained in the agreement; total not to exceed the sum of \$1,500,000.00.

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 the Chief Officer of Teaching and Learning to execute all ancillary documents required to administer or effectuate this agreement.

AFFIRMATIVE ACTION:

Pursuant to Section 5.2 of the Remedial Program for Minority and Women Owned Business Enterprise Participation in Goods and Services Contracts, the participation goal provisions of the Program do not apply to transactions where the vendor providing services is a Not-for Profit organization.

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

Charge to: City-Wide Student Assessment - \$1,200,000.00 Fiscal Years 2011 and 2012

Various Departments and Area Offices - \$ 300,000.00

Budget Classification: 53305 - Textbooks

54125 - Consultant Services

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.

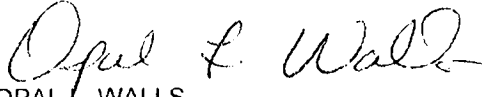
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their 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 May 25, 2011 (11-0525-PO2), 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:



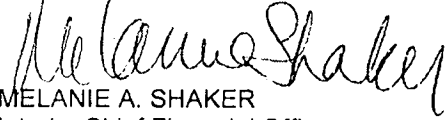
OPAL L. WALLS
Chief Purchasing Officer

Approved:



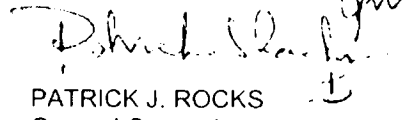
JEAN-CLAUDE BRIZARD
Chief Executive Officer

Within Appropriation:



MELANIE A. SHAKER
Interim Chief Financial Officer

Approved as to Legal Form:



PATRICK J. ROCKS
General Counsel