

**APPROVE ENTERING INTO AN AGREEMENT WITH NCS PEARSON, INC. FOR THE PURCHASE OF THE EXTRACT RESULTS AND TESTING MATERIALS FOR THE STANFORD ACHIEVEMENT TEST SERIES, TENTH EDITION (STANFORD 10)**

**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Approve entering into an agreement with NCS Pearson, Inc. for the purchase of the extract results for the Stanford Achievement Test Series, Tenth Edition (SAT 10) for the Office of Pathways to College and Careers, Academic Learning and Support, at a cost not to exceed \$139,250.00. Vendor was selected on a non-competitive basis: the non-competitive request was presented to the Non-Competitive Procurement Review Committee, and was approved by the Chief Purchasing Officer. 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 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 # 34595  
NCS PEARSON, INC  
19500 BULVERDE ROAD  
SAN ANTONIO, TX 78259  
Paul Rice  
920-202-3676

**USER INFORMATION :**

Contact: 11375 - Academic Learning and Support  
125 S Clark  
Chicago, IL 60603  
Kamberos, Ms. Sophia  
773-553-3267

**TERM:**

The term of this agreement shall commence on the date the agreement is signed and shall end July 31, 2012.

**EARLY TERMINATION RIGHT:**

The Board shall have the right to terminate this agreement upon written notice as set forth in the agreement.

**DESCRIPTION OF PURCHASE:**

Goods: Extract results and testing materials for the SAT 10, Tenth Edition  
Quantity: in the amount specified in the contract  
Unit Price: in the amount specified in the contract  
Total Cost Not to Exceed: \$139,250.00

**OUTCOMES:**

This purchase will result in students being administered the SAT 10 test and centrally scored in order to timely determine promotional status.

**COMPENSATION:**

Vendor shall be paid in accordance with the unit prices contained in the agreement; total not to exceed the sum of \$139,250.00.

**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 Pathways to College and Career to execute all ancillary documents required to administer or effectuate this agreement.

**AFFIRMATIVE ACTION:**

The MBE/WBE goals for this agreement include 25% total MBE and 5% total WBE participation. However, the Waiver Review Committee recommends a full waiver of the M/WBE goals required by the Remedial Program for Minority and Women Owned Business Enterprise Participation in Goods and Services Contracts, be approved as the agreement was approved as a Non-Competitive Procurement. Supplies, materials and equipment are available only from this vendor.

**LSC REVIEW:**

Local School Council approval is not applicable to this report.

**FINANCIAL:**

11390-115-54125-160005-000000-2012

\$139,250.00

**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:



**SÉBASTIEN de LONGEAUX**  
Chief Procurement Officer

Approved:



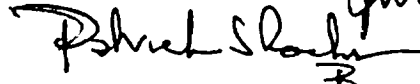
**JEAN-CLAUDE BRIZARD**  
Chief Executive Officer

Within Appropriation:



**DAVID G. WATKINS**  
Chief Financial Officer

Approved as to Legal Form:



**PATRICK J. ROCKS**  
General Counsel