

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 Assessment Design at a cost not to exceed \$1,200,000.00. Vendor was selected on a non-competitive basis and approved by the Non-Competitive Procurement Review Committee. 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:

Assessment Design
125 S Clark Street, 11th Floor
Chicago, IL 60603

Contact :	Margaret Bartz
Phone:	773-553-2430
Project Manager:	Margaret Bartz
Phone:	773-553-2430

TERM:

The term of this agreement shall commence on August 1, 2010 and shall end June 30, 2011. This agreement shall have three (3) options to renew; each for a period of one (1) year.

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 Provider'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.

Quantity: as indicated in contract
Unit Price: as indicated in contract
Total Cost Not to Exceed: \$1,200,0000

DESCRIPTION OF SERVICES: Services to be provided by ACT during this contract period shall include the following: (i) Program Management; (ii) Test Production, Distribution, Retrieval, Scanning and Scoring; (iii) Test Booklet and Pre-ID Student Label Production and Manufacturing; (iv) Pre-gridding; (v)

Professional Development; (vi) Production and Distribution of Manuals; (vii) Custom Reporting Services; (viii) Consulting Services; and (ix) Administrative Activities.

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 compensation shall not exceed the sum of \$1,200,000.00.

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 of the Office 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: Citywide Research & Accountability: \$1,200,000.00
Source of Funds: General Ed Fund
Fiscal 2007 funds have been encumbered in requisitions 5580564 and 5553927
Fiscal 2008 funds have been encumbered in requisition 5740419
Fiscal 2009 funds have been encumbered in requisition 5921231
11290-115-53305-223012-000000

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:


OPAL L. WALLS
Chief Purchasing Officer


Approved:


RON HUBERMAN
Chief Executive Officer

Within Appropriation:


DIANA S. FERGUSON
Chief Financial Officer

Approved as to Legal Form:


PATRICK J. ROCKS
General Counsel