

APPROVE EXERCISING THE SECOND OPTION AND AMENDING TO ADD A THIRD OPTION TO RENEW THE AGREEMENT WITH ACT, INC. FOR THE PURCHASE OF TEST MATERIALS AND RELATED SERVICES

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve exercising the second option and amending to add a third option to renew the agreement with ACT, Inc. for the purchase of test materials and related services for the Department of Student Assessment at a cost for the option period not to exceed \$1,200,000.00. Both options to renew are being exercised simultaneously. A written document exercising these options is currently being negotiated. No payment shall be made to ACT, Inc. during the option period prior to execution of the written document. The authority granted herein shall automatically rescind in the event a written document is not executed within 90 days of the date of this Board Report. Information pertinent to this option is stated below.

VENDOR:

- 1) Vendor # 46875
ACT, INC.
500 ACT DRIVE, P.O. BOX 168
IOWA CITY, IA 52243-0168
Tami Hrasky
319 337-1000

USER INFORMATION :

Contact: 11210 - Assessment
125 S Clark Street, 11th Floor
Chicago, IL 60603
Swartz, Miss Claudinette M
773-553-2320

ORIGINAL AGREEMENT:

The original Agreement (authorized by Board Report 11-0824-PR22) in the amount of \$1,500,000.00 is for a term commencing September 1, 2011 and ending August 31, 2012, with the Board having two (2) options to renew for one (1) year terms. The agreement was renewed (authorized by Board Report 12-0822-PR4) for a term commencing September 1, 2012 and ending August 31, 2013. The original agreement was awarded on a non-competitive basis: the sole-source request was presented to the Non-Competitive Procurement Review Committee and approved by the Chief Purchasing Officer on July 19, 2011. Amending the agreement to add a third one-year option was approved on a non-competitive basis by the Chief Procurement Officer.

OPTION PERIOD:

The term of this agreement is being renewed for a two year period commencing September 1, 2013 and ending August 31, 2015.

OPTION PERIODS REMAINING:

There are no option periods remaining.

SCOPE OF SERVICES:

Vendor will continue to provide 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.

DELIVERABLES:

Vendor will continue to provide:

Goods: Educational and Assessment System consisting of Provider's PLAN, EXPLORE, and released ACT and license to WorkKeys assessment materials for grades 9, 10, and 11, and released EXPLORE, PLAN and ACT; purchases of additional resources including materials and services to CPS departments and Network offices.

Quantity: as indicated in contract

Unit Price: as indicated in contract

Total Cost Not to Exceed: \$1,200,000.00

OUTCOMES:

The educational and assessment system furnished by ACT will continue to 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 area and district growth.

COMPENSATION:

Vendor shall be paid during this option period in accordance with the unit prices contained in the renewal 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 option document. Authorize the President and Secretary to execute the option document. Authorize the Chief Accountability Officer to execute all ancillary documents required to administer or effectuate this option 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 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:

Fund 115, Unit 11210, Assessment, FY14: \$600,000.

Fund 115, Unit 11210, Assessment, FY15: \$600,000.

Future year funding is contingent upon budget appropriation and approval.

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:



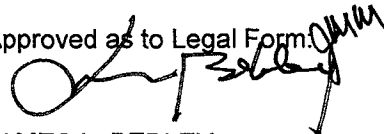
SÉBASTIEN de LONGEAUX
Chief Procurement Officer

Approved:



BARBARA BYRD-BENNETT
Chief Executive Officer

Approved as to Legal Form:



JAMES L. BEBLEY
General Counsel