

June 28, 2006

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 Office of Research, Evaluation and Accountability at a cost not to exceed \$1,213,950.00. Vendor was selected on a non-competitive basis based on their previous history of working with the Chicago Public Schools and their ability to deliver an educational planning and assessment system. No goods or services 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: ACT, Inc.
2201 North Dodge Street
Iowa City, IA 52243
Telephone No. (847) 634-2560
Contact: Jim Morris
Vendor # 46875

USER: Office of Research, Evaluation and Accountability
125 South Clark Street, 11th Floor
Chicago, IL 60603
Daniel Bugler, (773) 553-2324

TERM: The term of this agreement shall commence on the date the agreement is signed and shall end June 30, 2007. This agreement shall have three options to renew for periods of one year each. The cost for each option period will be negotiated at the time of such renewal.

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 their PLAN and EXPLORE test materials for grades 8, 9, 10, and 11.

Quantity: as indicated in the contract

Unit Price: as indicated in the contract

Total Cost Not to Exceed: \$1,213,950.00

OUTCOMES: The educational and assessment system will provide a longitudinal, systematic 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 information monitoring service will provide teachers and administrators with a comprehensive analysis of academic growth between levels.

COMPENSATION: Vendor will be paid as detailed in the Vendor's agreement, with compensation not to exceed \$1,213,950.00.

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 Research, Evaluation and Accountability to execute all ancillary documents required to administer or effectuate this agreement.

AFFIRMATIVE ACTION: The participation goal provisions of the Plan do not apply to transactions where the vendor is a not for profit organization.

LSC REVIEW: Local School Council approval is not applicable to this report.

FINANCIAL: Charge to: Research, Evaluation & Accountability: \$1,213,950.00 Fiscal Year: 2006
Budget Classifications: 0012-210-000-1028-5310 Source of Funds: General Ed. Fund
Requisition Number:

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 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.

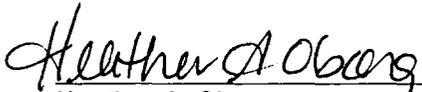
Indebtedness – The Board's Indebtedness Policy adopted July 26, 1995 (95-0726-EX3), as amended from time to time, shall be incorporated into and made a part of the agreement.

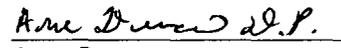
Ethics – The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

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).

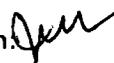
Approved for Consideration:

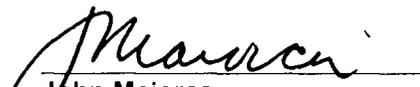
Approved:

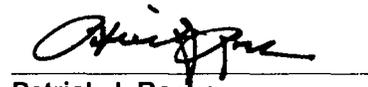

Heather A. Obora
Chief Purchasing Officer


Arne Duncan
Chief Executive Officer

Within Appropriation:

Approved as to legal form: 


John Maiorca
Chief Financial Officer


Patrick J. Rocks
General Counsel