

**AMEND BOARD REPORT 01-1219-PR12
RATIFY AN AGREEMENT WITH HEWLETT-PACKARD COMPANY
FOR HARDWARE AND SOFTWARE MAINTENANCE SERVICES**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Ratify an agreement with Hewlett-Packard Company ("Hewlett-Packard" or "Consultant") to provide hardware and software maintenance services to the Office of Technology Services ("OTS") at a cost not to exceed ~~\$223,438.00~~ \$230,790.28. These services were obtained without prior Board approval. Consultant was selected on a non-competitive basis because of its proprietary software and technical expertise in providing maintenance services for Hewlett-Packard systems, hardware and software. A written agreement for Consultant's services is currently being negotiated. No payment shall be made to Consultant prior to the execution of the written agreement. The authority granted herein shall automatically rescind in the event a written document is not executed within ninety (90) days of the date of this Board Report. Information pertinent to this document is stated below.

This amendment is necessary to increase the dollar amount of the contract by \$7,352.28 to add hardware maintenance support for two (2) additional pieces of equipment (HP Jukebox). A written amendment is currently being negotiated. No payment for the additional hardware support shall be made to Consultant prior to the execution of the written agreement. The authority granted herein shall automatically rescind in the event a written document is not executed within ninety (90) days of the date of this Board Report. Information pertinent to this document is stated below.

SPECIFICATION NO: 01-250313

CONSULTANT: Hewlett-Packard Company
100 North Riverside Plaza, Suite 2200
Chicago, Illinois 60606
Contact: Kate McMahon
Telephone No. (312) 474-4039
Vendor No. 46457

USER: Office of Technology Services
125 South Clark Street, 3rd Floor
Chicago, Illinois 60603
Contacts: Elaine L. Williams, Chief Technology Officer
Arlene Love, Deputy CTO -- Operations
Telephone No. 773-553-1300

TERM: The term of this agreement shall commence on October 1, 2001 and shall end September 30, 2002.

SCOPE OF SERVICES: Consultant will provide hardware, software, network and mission critical support for Hewlett-Packard installed hardware (including HP Jukebox) and software for OTS.

DELIVERABLES: Hewlett-Packard will provide technical response and specific on-site coverage for hardware and software as needed to insure the proper operation of the Hewlett-Packard software, servers and associated parts. Hewlett-Packard will provide hardware and software support to ensure that the operating systems function properly.

OUTCOMES: OTS will have the necessary hardware and software support to ensure the proper functioning of the Hewlett-Packard operating systems.

COMPENSATION: Consultant shall be paid as follows: Upon invoicing, \$223,438.00 in one lump sum payment. Consultant shall be paid, in one lump sum, an additional amount of \$7,352.28 for annual maintenance, the total not to exceed \$230,790.28.

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 Technology Officer to execute all ancillary documents required to administer or effectuate this agreement.

AFFIRMATIVE ACTION: The M/WBE goals for this contract include:

35% total MBE, 22% total African American, 10% total Hispanic, 2% total Asian and 5% total WBE.

However, the Waiver Review Committee recommends that a full waiver of the participation goals for this Contract as required by the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE Plan) be waived because the Contract scope is not further divisible.

FINANCIAL: Charge to the Office of Technology Services: $\$223,438.00 + \$7,352.28 = \$230,790.28$
Budget Classification No.: 0960-210-000-1116-5470 \$223,438.00 Fiscal Year: 2002
0960-210-000-7536-5470 \$7,352.28 Fiscal Year: 2002

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 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.

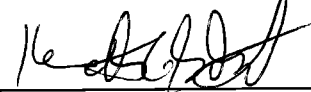
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:




Anifa Rocha
Acting Chief Purchasing Officer

Within Appropriation:




Kenneth C. Gotsch
Chief Fiscal Officer

Approved:



Arne Duncan
Chief Executive Officer *by PAD*

Approved as to Legal Form:



Marilyn F. Johnson
General Counsel