

**APPROVE ENTERING INTO AN AGREEMENT WITH AVAYA CORPORATION FOR  
PRIVATE BRANCH EXCHANGE ("PBX") UPGRADE SOFTWARE,  
HARDWARE AND MAINTENANCE SERVICES**

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

Approve entering into an agreement with Avaya Inc. ("Avaya") to provide Private Branch Exchange ("PBX") Network upgrade software, hardware and maintenance services for the Office of Technology Services ("OTS"), at a cost not to exceed \$472,499.51 for a three (3) year term. Avaya was selected on a non-competitive basis because this equipment is proprietary to Avaya. A written agreement for Avaya's services is currently being negotiated. No payment shall be made to Avaya 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 agreement is stated below.

**SPECIFICATION NO.:** 02-250236

**VENDOR:** Avaya Inc.  
2300 Cabot Drive  
Lisle, Illinois 60532  
Contact: Michael O'Neill  
Telephone No.: 630-245-2789  
Vendor No.: 30623

**USER:** Office of Technology Services  
125 South Clark Street, 3rd Floor  
Chicago, Illinois 60603  
Contact: Elaine L. Williams, Chief Technology Officer  
Telephone No.: (773) 553-1300

**TERM:** The term of this agreement shall commence on December 19, 2002 and shall end December 18, 2005.

**DESCRIPTION OF PURCHASE:** Version 11 Upgrade Components; Installation; Training; Warranty Service; and Maintenance; Total cost not to exceed: \$472,499.51.

**SCOPE OF SERVICES:** Avaya will provide PBX Version 11 upgrade software and hardware, including installation, training, warranty and maintenance services. The upgrade is required for additional features, which include the Call Center functionality for other Central Office users.

**DELIVERABLES:** Avaya will provide training, maintenance, technical response and specific on-site coverage for the hardware and software to ensure the proper operation of the Avaya software, servers and associated parts.

**OUTCOMES:** Avaya will provide the Board with the necessary training, hardware and software, including installation, maintenance and support services, to ensure the proper functioning of the Avaya operating systems and any related equipment.

**COMPENSATION:** Avaya shall be paid during this agreement as follows: Upon invoicing: (i) one lump sum payment of \$118,899.99 for the purchase and installation of the PBX hardware and software upgrades; (ii) at a cost not to exceed \$20,000.00 for training; (iii) one lump sum payment of \$91,600.08 for maintenance during year one; (iv) one lump sum payment of \$120,999.72 for maintenance during year two; and (v) one lump sum payment of \$120,999.72 for maintenance during year three; total compensation not to exceed \$472,499.51.

**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:** This Contract is in full compliance with the goals required by the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE Plan). The M/WBE participation goals for the Contract include: 35% total MBE, 22% total African American, 10% total Hispanic, 2% total Asian and 5% total WBE.

The vendor has identified and scheduled the following firms and percentages:

Total MBE 35%

Total 22% African American:	\$103,949.90
Rainey Telecommunications	Reapplied 8/5/02
28 E. Jackson Blvd., #1020	
Chicago, Illinois 60604	

Total 11% Hispanic:	\$51,974.99
Quantum Crossing	Reapplied 8/16/02
455 N. City Front Plaza, #3100	
Chicago, Illinois 60611	

Total 2% Asian:	\$8,977.49
Electrical Power	Certified through 9/1/03
5959 W. 115 <sup>th</sup> Street	
Alsip, Illinois 60803	

Total WBE 5%:	\$23,624.98
RL Canning	Certified through 10/1/03
1670 N. Claremont, #304	
Chicago, Illinois 60647	

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

<b>FINANCIAL:</b>	Charge to the Office of Technology Services:	\$472,499.51	
	Budget Classification: 0960-552-000-1614-5430	\$ 10,000.00	PO#445325 FY02
	Budget Classification: 0960-210-000-1614-5470	\$220,500.07	FY03
	Budget Classification: 0960-210-000-1614-5470	\$120,999.72	FY04
	Budget Classification: 0960-210-000-1614-5470	\$120,999.72	FY05

**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:**



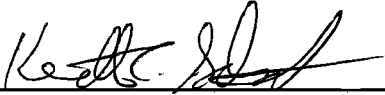
Anija Rocha  
Acting Chief Purchasing Officer

**Approved:**



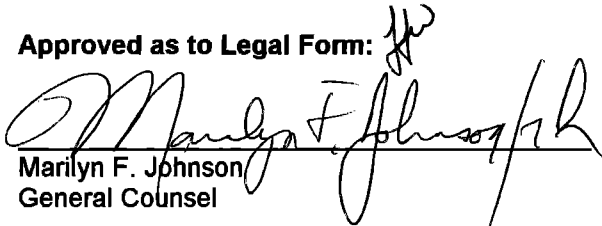
Arne Duncan  
Chief Executive Officer

**Within Appropriation:**



Kenneth C. Gotsch  
Chief Fiscal Officer

**Approved as to Legal Form:**



Marilyn F. Johnson  
General Counsel