

AMEND BOARD REPORT 04-1215-PR3**APPROVE ENTERING INTO AN AGREEMENT WITH COMPUTER DISCOUNT WAREHOUSE-GOVERNMENT (CDW-G) FOR THE PURCHASE OF SOFTWARE LICENSES FOR ALL MICROSOFT SOFTWARE AND OTHER NON-MICROSOFT SOFTWARE****THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Approve entering into an agreement with CDW-G for the purchase of software licenses for all Microsoft products through the Microsoft Academic Select Agreement, the Microsoft School Agreement and other non-Microsoft off-the-shelf software for use by all regional, central office departments and schools, at a cost not to exceed \$10,000,000.00 of which approximately \$1,000,000.00 is eligible for, but not contingent upon discounts in accordance with the guidelines and requirements of the Federal Government's Universal Services Program ("E-Rate"). The vendor was selected on a competitive basis pursuant to a request for proposal in accordance with Board Rule 5-4.1. This contract is subject to the Board's Strategic Sourcing Policy. A written agreement for this matter is currently being negotiated. No goods 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.

This amendment is necessary in order to authorize the Chief Purchasing Officer and the Chief Information Officer or his/her designee to execute any license agreements with the manufacturer of the software purchased by the Board.

VENDOR: Computer Discount Warehouse-Government
230 North Milwaukee, Vernon Hills, IL 60061
1-877-685-9672
Ben Weiss, Education Sales Manager
Vendor# 63673

USER: All schools, regional and central office departments.
Contact Person: Craig A. Holloway, Commodity Manager—773.553.2903

TERM: The term of this agreement shall commence on the date the agreement is signed and shall end June 30 2008. The Board shall have the right to extend this agreement for two (2) successive one-year periods.

EARLY TERMINATION RIGHT: The Board shall have the right to terminate this agreement with 30 days written notice.

SCOPE OF SERVICES: CDW-G will serve as an administrative agent for various software license providers and as a direct vendor for shrink wrap software. CDW-G will invoice the Board monthly for software licenses for Microsoft products through the Microsoft Academic Select Program and the Microsoft School Agreement Program. Vendor will provide software licenses to all installation vendors for the installation of all Microsoft products on CPS computer hardware. Schools, regional and central office Departments shall be allowed to purchase other Microsoft products and non-Microsoft off the shelf software at their option via requisition to Procurement and Contracts which will mail a purchase order to the vendor. Purchases of software for schools shall be consistent with the school's technology plan and the implementation of the school's improvement plan (S.I.P.) Purchases that exceed \$25,000.00 must be approved by the AIO. In the Central Office, purchases that exceed \$25,000 must be approved by the appropriate Chief.

DELIVERABLES: CDW-G will act as a licensing agent of Microsoft and other software vendors to facilitate the sale of software licenses to CPS.

OUTCOMES: This agreement will result in centralizing and simplifying the acquisition of software and licenses for all Microsoft products and commercial off-the shelf software for use by all area offices, central office departments, and schools.

COMPENSATION: Vendor shall be paid in accordance with the unit prices contained in the agreement; not to exceed the sum of \$10,000,000.00.

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 Purchasing Officer and Chief Information Officer or his/her designee to execute any license agreements with the manufacturer of the software purchased by the Board and any 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 goals for the contract are: 26% total MBE, 16% total African American, 7.5% total Hispanic, 2% total Asian and 5% total WBE.

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

Total MBE% - 26%

Total African American – 16%

KBS Computer Services, Inc.
4749 Lincoln Mall Drive, Suite 503
Matteson, Illinois 60443 certified through 09/01/05

Total Hispanic – 7.5%

Rico Enterprises, Inc.
800 North Clark Street, Suite 323
Chicago, Illinois 60610 certified through 07/01/05

Total Asian – 2%

System Solutions, Inc.
3630 Commercial Street
Northbrook, Illinois 60062 certified through 09/01/05

Total WBE% - 5%

IMC Automation
333 East Ontario, Suite 310B
Chicago, Illinois 60611 certified through 09/01/05

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

FINANCIAL: Charge to various schools and department: \$10,000,000.00
Fiscal Year: 2005-2008
Budget Classification: 5730-Equipment, 5320-Supplies, 5311-Software Licenses
Source of Funds: Various

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.

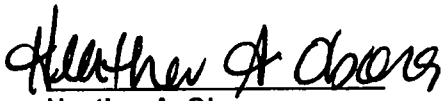
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their 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.

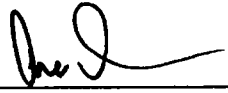
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



Heather A. Obara
Chief Purchasing Officer

Approved:



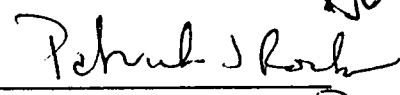
Arne Duncan
Chief Executive Officer

Within Appropriation:



Pedro Martinez
Chief Financial Officer

Approved as to legal form:



Patrick J. Rocks
General Counsel