

**APPROVE EXERCISING THE SECOND OPTION TO RENEW AGREEMENTS WITH ADVOTEK, INC.
AND DELL MARKETING, L.P. FOR THE PURCHASE AND/OR LEASE OF NETWORK SERVERS**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve exercising the second option to renew agreements with Advotek Inc. and Dell Marketing, L.P., Inc. for the purchase and/or lease of network servers for use by all schools, regional and central office departments, at an aggregate cost not to exceed \$5,000,000.00. Written agreements exercising this option are currently being negotiated. No payment shall be made to any Vendor prior to the execution of such Vendor's agreement. The authority granted herein shall automatically rescind as to each Vendor in the event a written renewal agreement for such Vendor is not executed within 90 days of the date of this Board Report. Information pertinent to this option is stated below.

- VENDOR:**
1. Advotek Inc.
148 Ogden Avenue
Downers Grove, IL 60515
630-964-7762
Diana Conley
Vendor No. 45666
 2. Dell Marketing, L.P. (Financing for leasing servers will be provided by Dell's wholly owned subsidiary, Dell Financial Services)
One Dell Way, RR8-Box 8706
Round Rock, TX 78682
800-766-3355 ext. 35093
Angela L. Woods
Vendor No. 44646
 3. Dell Financial Services
12234 N. IH35BLDG. B
Austin, TX 78753
(615) 871-9439
Alissa Sirianni
Vendor No. 14600

USER: All Schools, area and central office departments
Contact Person: Craig Holloway, Contract Administrator 773-553-2903

ORIGINAL AGREEMENT: The original agreements (authorized by Board Report # 04-1215-PR2 as amended by Board Report # 05-0727-PR2) were for a term beginning on the date the agreement was to be signed and ending June 30, 2008. Each agreement had two options to renew for periods of 12 months each at the same prices, terms, and conditions as in the original agreement. The agreement was extended for a one-year term (authorized by Board Report # 08-0625-PR17) commencing July 1, 2008 and ending June 30, 2009 and amended to increase the dollar amount to \$5,000,000.00 (authorized by Board Report # 09-0225-PR7). The original agreement was awarded on a competitive basis pursuant to Board Rule 5-4.1.

OPTION PERIOD: The term of each agreement is being extended for a term commencing July 1, 2009 and ending June 30, 2010.

OPTION PERIODS REMAINING: There are no option periods remaining.

SCOPE OF SERVICES: Vendors will continue to provide servers and associated installation, configuration, extended warranty and maintenance service. Schools, area, and central office departments shall purchase equipment at their option via requisition to CPS Procurement and Contracts, which will mail a purchase order to the appropriate vendor. School purchases shall be consistent with school improvement plans. Purchases that exceed \$25,000.00 must be approved by the Area

Instructional Officer. Within Central Office, purchases over \$25,000.00 must be approved by the Chief of the appropriate department.

DELIVERABLES: Vendors will continue to provide the purchase and/or leasing/financing of servers including installation and accessories to the Chicago Public Schools.

OUTCOMES: Vendor's services will provide the purchase and/or leasing of network servers including installation and accessories.

COMPENSATION: Vendors will continue to provide all network servers at the prices indicated in their original agreements. Total aggregate amount for all Vendors shall not exceed \$5,000,000.00.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written option documents. Authorize the President and Secretary to execute the option documents. Authorize the Chief Purchasing Officer to execute all ancillary documents required to administer or effectuate these option agreements.

AFFIRMATIVE ACTION: Pursuant to the Remedial Program for Minority and Women Business Enterprise Contract Participation (M/WBE Plan), the Per contract and Category Goals method for M/WBE participation will be utilized. Thus, contract for subsequent vendors from the pool created by this contract will be subject to compliance reviews on a contract- by contract basis. Aggregated compliance of the vendors in the pool will be reported on a monthly basis. The M/WBE participation goals for this contract include: 30% total MBE and 5% total WBE. The attached list of vendors has been identified and scheduled to provide the following M/WBE participation

Dell has identified and scheduled the following firms and percentages:

Total 30% MBE

| | |
|---------------------------|-----|
| Pharos Capital Group, LLC | 30% |
| 5 Speen Street | |
| Framingham, MA 01701 | |

Total 1%WBE

| | |
|-------------------------------|----|
| Advotek Inc. | 1% |
| 148 Ogden Avenue | |
| Downers Grove, Illinois 60515 | |

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

FINANCIAL: Charge to various schools and departments
Fiscal Year: 2010
Budget Classification: 55005-Equipment, 53405-Supplies, 56105-Services/Repair
Contracts

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.

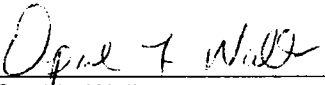
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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



Opal L. Walls
Chief Purchasing Officer

Approved:



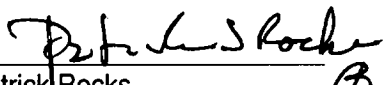
Ron Huberman
Chief Executive Officer

Within Appropriation:



Pedro Martinez
Chief Financial Officer

Approved as to legal form: *DLK*



Patrick Rocks
General Counsel 